

## **2.1.0 OPERATIONAL POLICIES**

### **2.1.1 Patrol Staffing**

- A. Reporting times and shift changes for the agency's patrol squads are scheduled such that the agency is able to provide continuous patrol coverage to the community.
- B. Patrol squad briefings are conducted at the beginning of the shift.
- C. Patrol squad staffing, shift times, shift and day off rotation schedules, etc. will be consistent with [Special Order 2014 – 01 Patrol Staffing Policy](#).
- D. Patrol squad supervisors establish duty days and days off schedules for personnel assigned to their patrol squads.
1. Days off may be adjusted by administrative ranked officers or patrol squad supervisory personnel in order to meet the operational needs of the agency.
  2. Personnel making scheduling changes are responsible for ensuring affected personnel and their unit supervisors are given reasonable advance notice of the changes.
- E. The Operations Commander has the authority to assign personnel to patrol squads.
1. The chief retains final authority to assign officers in order to maintain effective and efficient patrol coverage and to meet the needs of the agency and the community.
  2. Sergeants lead each patrol squad, and when absent, command goes to a designated Master Patrol Officer (MPO).
  3. MPOs serve in limited capacities as officer-in-charge when supervisory ranked patrol personnel are unavailable.
  4. Criteria considered when assigning officers to patrol squads include:
    - a. Staffing needs;
    - b. Performance and special skills of individual officers; and
    - c. Officer preference.
- F. The directed assignment of officers to particular posts has been established in order to meet specific operational needs that may include:
1. Numbers of calls for service;
  2. Numbers or types of crimes or incidents;
  3. Anticipated or planned activities; or
  4. Available personnel resources.
- G. Officers will be assigned to their patrol post by their supervisor. Officers are expected to respond to calls within their assigned post and will be dispatched to calls for service based on their post assignment. Officers may be assigned calls to other posts as needed to accomplish our law enforcement mission.

#### **2.1.1.1 Patrol Briefings (Roll Call)**

- A. Officers will report on-time for patrol briefings at the beginning of their shifts.
- B. Patrol squad supervisors are responsible for:
1. Ensuring patrol squad briefings are conducted at the beginning of each shift, barring exigent circumstances that require the immediate deployment of squad personnel; and
  2. Conducting formal and informal inspections of their personnel to ensure their readiness and fitness for duty.

C. Briefings should accomplish the dissemination of information that includes:

1. Daily patrol activities and assignments;
2. Unusual situations;
3. Potential or actual officer hazards;
4. Changes in the status of wanted persons;
5. Stolen vehicles;
6. Major investigations;
7. Look-outs;
8. Reported incidents for at least the last 24 hours;
9. Changes in schedules and assignments;
10. New and/or modified directives;
11. New and/or modified laws and regulations;
12. Relevant community based events; and
13. Roll call training materials.

D. Attendees should ask clarifying questions and/or provide information as appropriate.

E. Other officers reporting for shifts, special details, assignments, etc., and are unable to attend patrol squad briefings are responsible for contacting patrol squad supervisory personnel in order to receive any critical briefing information.

F. Investigators will attend patrol squad briefings. Other agency employees are encouraged to attend patrol squad briefings whenever staffing and workloads permit.

**2.1.1.2 CJIS policies for field operations**

**Reminder concerning Police Reports from the Report Manual:**

**4.15.1 Criminal History (CH) in Police Reports**

- No Criminal History (CH) or any mention of someone having or not having a Criminal History (CH) will be placed in any UMBC Police Department Report.
- Also, no printed copy of an individual's Criminal History (CH) will be attached to any UMBC Police Department Report.

**8.7.1 J Radio Procedures / General Procedures**

Confidential information, e.g. criminal arrest records, or other information which is unusually sensitive, will not be routinely transmitted unless immediate communication is essential for officer safety purposes.

**2.1.2 MAKING NOTIFICATIONS**

Separated file in folder

**2.1.3 Property Care And Maintenance**

Separated file in folder

**2.1.4 BALLISTIC PROTECTIVE SOFT BODY ARMOR**

Separated file in folder

**2.1.5 DIGITAL CAMERA USE AND IMAGE STORAGE:**

*Deleted: refer to 2.3.17 Digital Media and Photography*

**2.1.6 Medical, Emergencies, Sick or Injured Persons**

*Deleted refer to: 2.11.1 Rendering Service in Medical Emergencies*

**2.1.7 Juvenile Operations**

UMBC has only a minimal juvenile population. There are outside special programs managed by other entities, usually when the regular semesters are concluded. Our agency is dedicated to taking appropriate steps to prevent and control delinquent juvenile behavior and taking necessary, but the least coercive alternatives when dealing with juvenile cases. Juvenile operational activities include:

1. Enforcement activities;
2. Taking steps necessary to protect juveniles from their surroundings;
3. Conducting follow-up investigations of cases involving juvenile offenders, victims, or witnesses;
4. Preparing and presenting criminal and administrative cases involving juveniles; and
5. Using authorized resources to divert juvenile offenders out of the juvenile justice system.

**B. Directives that are related to the agency's juvenile operations include:**

	<b>Manual Reference</b>	<b>Topic / Title</b>
1	1.1.12	Alternatives to Arrest
2	1.2.1	Authority to Take Juveniles into custody
3	1.9	Records
4	1.9.5	Juvenile Records
5	2.1.2.4	Next of Kin Notifications-- Juveniles
6	2.8.1.2, 2.8.1.3, 5.8	Juvenile Civil Citations for Alcohol & Tobacco Offenses
7	3.2.19, 3.2.19.8, 4.9.10	Missing Persons
8	2.6.7.2, 2.8.11.5	Juveniles (Traffic Enforcement)
9	2.8.8	Interrogations
10	7.0 I.	Aids for Detecting Deception
11	3.2.21.4 K	Confidential Informants
12	2.8.2.5, 2.8.11.13	Restraints
13	2.8.3	Transporting Detainees
14	2.8.0 F, 2.8.11.1	Arrest Reporting Requirements
15	2.8.11.6	Juvenile Fingerprinting
16	2.8.7.1	Juvenile Arrest Processing
17	2.8.11.8	Juvenile Writs of Attachment
18	2.8.11.6	Petition for Custody, Interrogation, & Arrest of a Juvenile
19	2.8.3	Detainees Accompanied by Minor Children

**2.1.8**            **VEHICLE OPERATIONS**  
Separate file in folder

**2.19**            **FIELD INTERVIEWS AND PAT DOWNS**  
Separate file in folder

## **2.1.2 MAKING NOTIFICATIONS**

- A. Agency employees will make timely notifications to appropriate personnel, units, or organizations based on the type or nature of incidents.
- B. In any event where the University or agency faces significant liability or there is a heightened community interest, the Chief of Police or designee must be notified. Any member may make this notification.
- C. Shift supervisors are responsible for ensuring that notifications are made. This responsibility may be delegated to others, such as communications personnel.
- D. Notifications will be made via phone to home, and/or cell phone numbers. Members will note the date and time they spoke with the Commander who was notified.

### **2.1.2.1 Next of Kin Notifications (Departmental)**

The Chief will be notified and provided with all available details as soon as possible when active employees die or sustain life threatening injuries either on- duty or off-duty. The Chief is responsible for ensuring personal notifications are made to immediate families.

### **2.1.2.2 Next of Kin Notifications (Non-Departmental)**

- A. Officers will make next of kin notifications for incidents that include death, serious injury, missing persons, injured juveniles and illnesses or injuries that may be life threatening.
- B. Agency officers will make notifications to next of kin residing within a 20-mile radius of UMBC. Other police agencies will be requested to make notifications outside this zone.
- C. Officers will make next of kin notifications at the request of other agencies.
- D. Officers assigned to make next of kin notifications will do so promptly and considerately.
- E. Investigating officers will make reasonable attempts to ensure next of kin notifications are made before the names of killed or injured persons are released to the media.
- F. Notification information will not be broadcast over the agency's radio network, but rather provided to notifying officers either in person or over the phone.
- G. Officers should not make next of kin notifications alone.
  - 1. Professional counselors make notifications with the assistance of clergy or a counselor.
  - 2. Use friends or relatives if possible, to make the person more accepting or comfortable.
  - 3. Two officers make the notification: when clergy or a counselor is unavailable.
  - 4. Offer assistance to the next of kin in contacting relatives or members of the clergy.

### **2.1.2.3 Office of Residential Life (ORL)**

- A. Officers will ensure timely notifications are made to ORL staff for incidents occurring in or near ORL facilities or involving personnel or students employed or housed by ORL.
  - 1. ORL staff includes desk staff, Resident Assistants, and Community Directors.
  - 2. Routine incident includes incidents where there is no threat to life.
  - 3. Further notifications within the ORL are the responsibility of ORL personnel in accordance with their notification protocols.
  
- B. Notification to the Chief and Deputy Chief of Police must be made for ORL related serious incidents, such as life-threatening incidents and sexual assaults.
  
- C. Officers are permitted to only release limited information to ORL when resident students are transported to medical facilities for treatment.
  - 1. Release of medical related information to ORL will be consistent with [HG 4-301](#) (Medical Records Act--Duty to Hold Confidential and Duty to Disclose a Medical Record):
    - a. Locations the patients were transported;
    - b. Patient's states of consciousness;
    - c. If patients were passive, combative, etc.;
    - d. If alcohol was involved.
  - 2. Officers will not contact medical facilities for the purpose of providing patient status information to ORL. Officers may contact medical facilities for **police-related** patient information and status purposes.
  
- D. University Health Services must be notified when a student is transported to a medical facility.

### **2.1.2.4 Street, Highway, & Utility Notifications**

- A. When employees observe hazardous street or public utility conditions, they are responsible for notifying agencies with primary authority (i.e.: Facilities Management) and taking other measures, within reason, to lessen the effects of hazards. Examples:
  - 1. Snow or ice on roadways;
  - 2. Roadway flooding;
  - 3. Roadway damage serious enough to pose danger to motorists or pedestrians;
  - 4. Damage or absence of street signs such as stop, do not enter, etc.;
  - 5. Malfunctioning traffic control devices;
  - 6. Roadway spills which require street closure and placing of street barricades.
  - 7. Any other potentially hazardous roadway conditions
  
- B. The Deputy Chief of Police or designee is responsible for notifying local media representatives whenever collisions, road blockages, or other situations which might significantly affect traffic flows, if the incident is primarily handled by this agency.

#### **2.1.2.5 Office of Environmental Safety & Health**

- A. Officers and communications personnel will ensure that timely notifications are made to the Office of Environmental Safety & Health for the following incidents:
1. **Emergency Preparedness** - real or forecasted need to establish the Emergency Operations Center or any natural, civil, or military disaster;
  2. **Occupational Safety and Health** - involving chemicals, biohazards, asbestos, toxic or hazardous materials, emergencies involving laboratories, incidents involving injuries;
  3. **Biological Safety** - involving biohazards, potentially infectious materials visibly contaminated with blood, potentially infectious microorganisms;
  4. **Fire** - fire emergencies, natural gas leaks, explosions;
  5. **Environmental Affairs** - hazardous waste, HAZMAT spills, or Biology #241;
  6. **Insurance Services** - involving death, life threatening injuries, property damage in excess of \$1,000, or state-owned vehicle accidents with injuries; and
  7. **Radiation Safety** - involving radiation producing equipment, radioactive isotopes, lasers, microwave radiation.
- B. Safety personnel will determine whether or not to respond to incident scenes.

#### **2.1.2.6 Medical Examiner Notification**

The Baltimore County Police Homicide Unit will notify the Baltimore County Medical Examiner when any criminal caused, suspicious, or unattended death occurs at UMBC.

**2.1.2.8 Notification List**

This Notification List is provided as a guide & is not intended to represent every instance where a notification is necessary

<b>Incident or Offense</b>	<b>Detective</b>	<b>Operations Commander</b>	<b>Chief/ Deputy</b>
Alleged serious misconduct by agency personnel		X	X
Arrest of Employee/ Staff / Faculty with media interest		X	X
Aggravated Assault	X	X	X
Arson		X	
Barricade / Hostage Situation	X	X	X
Burglary		X	
Serious Injury accident		X	X
Departmental Accident involving Injury		X	X
Arrest of University employee		X	
Death / Homicide / Suicide	X	X	X
Demonstration, Civil disobedience, or strike		X	X
Departmental Equipment: Lost, stolen or damaged		X	X
Domestic or Dating Violence		X	
Explosion, natural or otherwise	X	X	X
Discharge of firearm, on or off-duty	X	X	X
Emergency Petition		X	
Emergency suspension of agency employee		X	X
Escape from Custody	X	X	X
Extra-jurisdictional arrests by officers		X	
Hate / Bias, sexual harassment	*	X	
Hate / Bias, involving injury	X	X	X
Hate / Bias, All other		X	
Injury of employee involving hospitalization		X	X
Fight involving large group		X	X
Suspicious or Major Fire	X	X	X
HAZMAT Major Incident	*	X	X
Kidnapping or attempt	X	X	X
Motor Vehicle Theft		X	
Multiple incident of crime; ie: B & E, Dest of Prop	X	X	X
Power / Phone / Communications outage		X	X
Prisoner injury during arrest / custody		X	X
Pursuit involving death or serious injury		X	X
Radiation Facility Response		X	X
Robbery / Carjacking	X	X	X
Search Warrant / application	X	X	X
Sex Offense, Rape or attempt	X	X	X
Sex Offense, Fondling (4 <sup>th</sup> Degree)		X	
Sex Offense, Incest		X	
Sex Offense, Statutory Rape		X	
Stalking		X	
Suicide attempt		X	X
Processing Room—weapon found	X	X	X
Theft of State Property – over \$1,000	X	X	
Threat Assessment	X	X	

\*Indicates may call, depending on circumstances.

### **2.1.2.9 Drone Incident Reporting to MCAC [General Order 2017 - 03](#)**

#### **A. Purpose**

Starting January 1 2016, in accordance with Maryland Senate Bill 370/Ch. 164(5), (2015), Maryland Law Enforcement agencies are required to document incidents reported to or investigated by their agency that involve a drone, unmanned aircraft vehicle, collectively referred to as a "drone."

#### **B. Procedure**

To assist law enforcement in coordinating reporting, the Maryland Coordination and Analysis Center (MCAC) requests that law enforcement report incidents to the MCAC Watch Section at 1-800-492-8477 or [mdwatch@mcac.maryland.gov](mailto:mdwatch@mcac.maryland.gov).

#### **C. The type of incidents to be reported includes the following:**

1. The crash or near crash of a drone where there was injury or property damage
2. Use of a drone in the commission of a crime under Maryland Law, including violations of Protective or Peace Orders
3. Unsafe use of a drone, including use within protected airspace, too close to an aircraft or airport, etc.
4. The use of a drone to observe, photograph or interfere with a Police, Fire or EMS response
5. Other complaints regarding the use of a drone, which were received, even if not formally investigated, by Law Enforcement. This includes "nuisance reports," "concerned citizen reports," "good intention reports," etc.
6. Other reports which may be of interest.

#### **D. In addition, the [Drone Related Incident Data Collection form for MCAC](#), UPD Form 94 is attached for reference. When a Supervisor/ OIC contacts the MCAC to report a drone incident, the MCAC operator will ask the Supervisor/ OIC questions based on the Data Collection Form. This form can be emailed to MCAC, and they are responsible for completing their own form.**

#### **E. UMBC Policy**

1. UMBC is [unable to permit the operation](#) of any UAS/UAV/Drone on campus, as we are within BWI Airport Class B airspace and the restricted flight area of Washington, DC. We encourage members of the UMBC research community to contact Environmental Safety and Health ([safety@umbc.edu](mailto:safety@umbc.edu)) for assistance with their research-related flight requests. The Office of Research Protections and Compliance ([compliance@umbc.edu](mailto:compliance@umbc.edu)) can also provide support with the processing of these requests

### 2.1.3 Property Care And Maintenance

- A. Employees will not use agency equipment or property carelessly, negligently, or in any other way that results in damage to, or improper alteration of, equipment or property through other than normal wear and tear. Agency equipment or property includes:
1. **Equipment:** All equipment issued to employees;
  2. **Vehicles:** Agency vehicles, including equipment or property contained on or within vehicles;
  3. **Facilities:** Agency facilities, including equipment or property contained therein; and
  4. **General:** All other equipment or property which comes into possession of agency employees as result of duty related custodial arrangements.
- B. Incidents where agency equipment or property is lost, damaged, misused, etc., will be brought to the timely attention of supervisory or administrative ranked employees by employees first becoming aware of such loss, damage, misuse, etc.
1. Supervisory or administrative ranked employees so notified of agency equipment loss, damage, misuse, etc., will ensure CCNs are initiated and conduct preliminary inquiries to determine if the loss or damage resulted from normal wear and tear or through negligence, misuse, maliciousness, etc.
    - a. Reports are required when preliminary inquiries determine equipment or property damage resulted from carelessness, negligence, misuse, or any other reason other than normal wear and tear.
    - b. Reports are not required for damage occurring from normal wear and tear.
  2. The Commander of Support Services will conduct timely reviews of these incidents.
    - a. Incidents involving no apparent chargeable conduct will be closed.
    - b. Incidents involving apparent chargeable conduct will be referred to the Deputy Chief of Police for follow-up investigation.
  3. Employees may be ordered to reimburse the agency for property loss/ damage.
- C. All agency property will be reasonably and prudently protected from damage and theft.
1. Agency property will not be left in any unattended state or personal vehicle for an extended length of time, especially overnight.
  2. Employees will ensure that agency property is stored securely at all times.

**2.1.3.1 Equipment Specifications / Members of the agency:**

<b>Authorized use only</b>	Police uniforms, vehicles, equipment, facilities, and on-duty personnel will not be used in a commercial manner, without approval of the Chief of Police.
	Uniforms will <b>not</b> be worn by Department members summoned to appear before a judicial officer as a defendant or witness in a criminal or traffic case or as a defendant, plaintiff, or witness in a civil case, unless the case results from a criminal or civil action arising from official police duties.
<b>Proper wear</b>	Members will wear the uniform and equipment in accordance with the rules and regulations; wearing only such uniforms, badges and insignia of rank as described in the Manual.
<b>Grooming</b>	Clothing clean / pressed, leather/ metal polished, etc.
<b>Authority to member only</b>	Will not allow anyone to use their badge, uniform, or Department equipment at any time. Will not sell, exchange, lend, or give away any part of their issued uniforms or equipment.
	Will not wear uniform or equipment items in any private performance, exhibition, or parade without permission of the Chief of Police
<b>Return</b>	When suspended, turn in all Departmental equipment and property issued to them.
<b>Standards</b>	Uniforms must conform to fit material and workmanship standards and be made according to the specifications prescribed by the Chief of Police.
	Uniforms may be repaired by a competent tailor if the repairs conform to specifications
	Special uniforms may be made available for specialized assignments (i.e., Bicycle Patrol, Segway Patrol) with the approval of the Chief of Police.

**3.1.2.2 Uniform Replacement and Replenishment**

1. Members requiring uniform replacement will request replenishment from the agency's Quarter Master.
2. Members receiving new clothing will inspect the items to ensure a proper fit.
3. Uniforms that have an improper fit will be returned to the tailoring contractor by the requesting member. **NOTE:** It will be the responsibility of the member to ensure the correct measurements are maintained with the tailoring contractor.
4. When non-issued items require replacement, members will purchase the items themselves.
5. Damaged and equipment needing repair will be returned to the Quarter Master for repair or disposal.

**2.1.3.3 Reflective Safety Vests**

- Personnel exposed to moving traffic will wear the reflective safety vest.  
**EXCEPTION:** Routine traffic stops.
- Supervisors ensure that reflective vests are kept clean and in good condition.

**2.1.3.4 Bicycle Patrol/ Segway / T3 Motion Operators**

1	Members who ride patrol bicycles, Segway and T3 Motion will be trained to use the equipment.
2	Riding special equipment must be authorized by the shift commander.
3	The Operations Commander will designate a member to maintain the bicycles, Segways and T3 Motion to ensure safe operation.
4	Members engaged in bicycle patrol will be assigned special equipment and uniforms.
5	Safety equipment and appropriate uniforms must be used when engaged in bicycle, Segway and T3 Motion patrol.
6	Special uniforms may <b>only</b> be worn when performing bicycle / Segway / T3 Motion patrol duties.
7	Members will maintain their bicycles in good working order.
8	Members will inspect their bicycle /Segway and T3 Motion at the beginning of their tour of duty.
9	Members will notify their supervisor of defective, damaged, or missing equipment. Bicycles / Segway and T3 Motion with defective equipment that affects safe operation will not be used on patrol until repaired.
10	Members will not use personally owned bicycles on bicycle patrol.
11	Members will wear an approved helmet while riding bicycles, Segways and T3 Motion.

**2.1.3.5 Lockers**

- A. The agency assigns lockers to all uniformed employees as a convenience to facilitate the storage of agency issued equipment.
  1. Lockers are assigned by the Quarter Master.
  2. Employees will not use lockers without authorization of the Quarter Master.
  3. Employees may be required to store certain issued equipment in lockers.
  4. Employees may store personal property and effects in issued lockers at their option.
  
- B. Lockers are issued as a convenience to agency personnel; so designated personnel may access lockers in exigent circumstances to retrieve agency issued equipment.
  1. Officers using agency lockers will supply the Quarter Master with lock combinations or keys.
  2. Employees whose lockers are accessed will be provided with written explanations for the access.
  
- C. Employees are responsible for keeping slip or fall hazards from the vicinity of their lockers.

### **2.1.3.6 Mail Boxes**

The agency assigns mail boxes as a convenience to facilitate agency communications. The mailboxes have open fronts, thereby providing no security to contents therein.

1. Agency employees will clear out their mailboxes at least once every month.
2. Mailboxes are not to be utilized as document or property storage areas.

### **2.1.3.7 Business Cards**

- Only agency approved business cards are permitted.
- Employees will give their business cards to persons when in official contact.
- Employees will politely give their names, ranks, identification numbers, business cards, and supervisors' names to persons when requested to do so, unless such actions are likely to jeopardize police operations or assignments.
- Hand-printed business cards are available in the supply closet.

### **2.1.3.8 Portable Radio Issuance**

- A. Each officer is issued a portable radio, battery, detachable microphone, and radio holder.
  1. Officers assigned to uniformed field duties are strongly encouraged to use their detachable microphones. Squad, event, or incident commanders may mandate the use of detachable microphones.
  2. Radios will be placed in agency chargers during off-duty hours.
- B. Portable radios needing repair or maintenance will be submitted to Equipment Maintenance personnel along with written explanations of the repair or maintenance needs.
  1. If repairs are needed because of damage, employees will notify their supervisor in writing immediately.
  2. When issued portable radios have been submitted for repair, spares will be checked out on a shift-by-shift basis. Replacement portable radios are to be returned promptly by employees at the end of their tours of duty.

## 2.1.4 BALLISTIC PROTECTIVE SOFT BODY ARMOR

<i>Condition described</i>	
<b>Safety</b>	Should wear soft body armor while on duty for safety reasons.
<b>May wear</b>	Anytime (on or off duty) if they believe there is potential danger
<b>Wear or carry</b>	When normal duties include making arrests or supervising arrests
	Must have it available during their tour of duty, regardless of assignment.
<b>MUST WEAR</b>	When engaged in a pre-planned, high-risk situation (i.e.; search warrant execution)
	Commanders may require that the soft body armor be worn for unusually hazardous duty/ special operation.

1. **Members:** Will **not** leave soft body armor exposed to sunlight or other sources of ultraviolet light for extended periods of time.
2. **Supervisors:** Must inspect their subordinate's soft body armor annually for fraying and panel separation.

### 2.1.4.1 Washing

- The armor panel will be laundered in accordance with the directions provided by the manufacturer and displayed on the panel. Washing of the armor panel will be kept at a minimum, but consistent with personal hygiene requirements.  
**NOTE:** The washing and the drying period will not interfere with the required usage prescribed above.
- The cloth carrier garment may be washed and dried by any conventional method.

### 2.1.4.2 Assault On Officer With Soft Body Armor

- Officers struck by gunfire or some other object propelled by a great amount of force in the area protected by soft body armor will be taken to a hospital as soon as possible. Medical treatment is necessary, even if there is no visible injury or the injury seems minor.
- The officer's supervisor will ensure that medical treatment is administered and documented.

## **2.1.8 VEHICLE OPERATIONS**

The operation of state vehicles is regulated by the State of Maryland Department of Budget and Management. [Policies](https://dbm.maryland.gov/pages/fleetmanagementservices.aspx) and procedures may be accessed at <https://dbm.maryland.gov/pages/fleetmanagementservices.aspx>. Agency employees are responsible for the proper care, operation, and cleanliness of agency vehicles under their direct or indirect care.

### **A. Agency Vehicles**

#### **A. Marked Police Vehicles**

- a. Vehicles have exterior markings, lights, siren, and a radio.
- b. Vehicles are used in emergencies and pursuits.

#### **B. Unmarked Police Vehicles**

- a. Vehicles do not have exterior markings, but equipped with lights, siren, and radio
- b. The agency currently does not have an unmarked police vehicle.

#### **C. Administrative Vehicles**

- a. Vehicles do not have exterior markings, lights, siren, or radio.
- b. Vehicles may be used for non-emergencies only and no pursuits.

#### **D. Utility Vehicles**

- a. Vehicles include trucks, bicycles, T3, or Segways
- b. Vehicles are used for non-emergencies only and no pursuits.

### **2.1.8.1 Authorized Drivers**

- A. Only authorized employees may operate agency vehicles.
- B. Vehicle operators must possess a valid operator's license for the vehicle class.
- C. All agency employees, including student Police Aides who are at least 18 years old, may operate agency vehicles consistent with use restrictions.
- D. Persons with six or more points against their license are not permitted to drive state vehicles until the accumulated point total is reduced to less than four points.
- E. Civilian mechanics may operate agency vehicles consistent with their duties.

### **2.1.8.2 Restraint Devices**

All persons driving or riding in agency vehicles will use seat belts/shoulder harnesses in compliance with provisions of the Transportation Article.

### **2.1.8.3 Vehicles to be Secured**

- A. Unattended agency vehicles will be locked to prevent theft.
- B. Vehicles will not be left running while unattended.

### **2.1.8.4 Agency not Responsible for Certain Loss**

The agency is not responsible for damage to or loss of personal property by fire, theft, or collision due to the negligence of operators of agency vehicles.

#### **2.1.8.4 Obedience to Vehicle Laws & Parking Regulations**

- A. Employees will operate agency vehicles in obedience to all regulations and traffic laws.
- B. When traveling out of state, agency vehicles will be driven in accordance with the other states' traffic laws.
- C. Employees are responsible for moving and parking violations received on agency vehicles arising from their operation of agency vehicles. These moving violations include red light or speeding infractions captured by a camera at or near the scene of the violation. However, this does not affect employee's rights to appeal moving violations through established procedures. Operators will pay parking or storage charges as applicable.
- D. In addition, employees may be held accountable for these violations consistent with 1.4 Discipline and Internal Affairs.
- E. Except in emergency circumstances, agency vehicles will be parked in accordance with parking regulations during regular operations.
- F. Agency vehicles parked in restricted areas will not be parked so as to unnecessarily interfere with traffic or impede emergency vehicle response during emergencies.

#### **2.1.8.5 Vehicle Equipment / General Equipment & Supplies**

- A. Marked agency vehicles used in routine or general patrol services are:
  - 1. Emergency vehicles and equipped with lights and sirens;
  - 2. Equipped with supplies that facilitate general or routine patrol services.
- B. Vehicles will be provided supplies consistent with [UPD Form 4 Vehicle Condition Reports](#).
- C. All vehicles will be similarly equipped. Standard equipment for all patrol vehicles includes:
  - 1. First aid kit
  - 2. Personal Protective Equipment kit
  - 3. Fire extinguisher
  - 4. Spare tire and jack with tools
  - 5. Road flares
  - 6. Police Line or caution tape
  - 7. Supply kit containing blankets, tape, flex-cuffs, gloves, hazmat book, etc.
- D. Changes or modifications must be approved by the Support Services Commander.
- E. Equipment assigned to particular vehicles will not be changed or interchanged with other vehicles, altered, or removed without permission from the Operations commander. Sergeants making or authorizing equipment transfers will inform the Operations Commander of changes with explanations via e-mail.

#### **2.1.8.7 Fleet Vehicle Operations**

Special-use vehicles, such as bicycles or Segways, will be used only by personnel who have been trained and authorized by the Operations Commander.

**2.1.8.8**     **Vehicle Inspections**  
**UPD Form #4 Police Vehicle Condition Report**

- A. Pre-Inspection
  - 1. Employees will thoroughly inspect vehicles prior to driving them, or as soon as practical in exigent circumstances, and document deficiencies on Vehicle Condition Reports.
- B. Line Inspection
  - 1. Supervisors or acting supervisors are responsible for ensuring that the weekly Vehicle Condition Reports are completed and forwarded to the Administrative Sergeant for each vehicle under control of the unit.
- C. Vehicles will be inspected for:
  - 1. Cleanliness
  - 2. Damage
  - 3. Tire conditions
  - 4. Oil level
  - 5. Condition and status of assigned equipment and supplies
  - 6. Property left by others.
- D. Vehicles must be searched for weapons and contraband before the beginning of each shift and after every transport.
- E. Property found in vehicles; will be handled according to these scenarios:
  - 1. If contraband or weapons are recovered, recovering officers will obtain CCNs, property numbers, and write a report.
  - 2. Recovered personal property belonging to agency employees will be submitted to Communications for return to the owner.
  - 3. Personal property belonging to citizens will be documented and submitted as found property.
- F. Officers are responsible for immediately restocking expendable vehicle supplies to maintain operational readiness. Officers will record depleted or low quantities of supplies on Vehicle Condition Reports for the Administrative Sergeant to notify the Deputy Chief of Police. The Deputy Chief of Police is responsible for purchasing operational supplies to replenish the stock.
- G. The Support Services Commander is responsible for:
  - 1. Ensuring adequate on-hand stocks of expendable vehicle supplies are available; and
  - 2. Facilitating the replacement, replenishment, and/or repair of other vehicle supplies and equipment.
- H. When a previously undocumented deficiency is discovered during a vehicle inspection, the UMBC Police policy is that it will constitute *prima facie* evidence that the immediate, prior operator is responsible for the deficiency. The operator cannot use an improper inspection as a defense; and they may be held responsible for the deficiencies.
- I. At the end of all tours of duty, the officer will:
  - 1. Remove personal property;
  - 2. Ensure the interior of the vehicle is clean and trash free;
  - 3. Inspect the interior for articles left by others;
  - 4. Ensure that the vehicle is at least 1/2 fueled; and
  - 5. Secure the vehicle.
- J. Vehicles deemed unsafe will be immediately reported to supervisory personnel.

### **2.1.8.9 Vehicle Maintenance**

- A. Vehicle Maintenance personnel coordinates the general maintenance, repairs, and modifications to agency vehicles.
- B. Routine maintenance schedules will be posted by Vehicle Maintenance in the online scheduler accessible by all agency personnel.
- C. Shift supervisors are responsible for checking the online scheduler and ensuring vehicles are sent for maintenance as scheduled.
- D. Issues documented on Vehicle Conditions Reports will be consolidated into maintenance requests.
- E. Shift supervisors will coordinate vehicle pick-up and delivery to appropriate maintenance facilities.
- F. Officers designated to pick-up vehicles from maintenance facilities will, as practical, inspect the vehicle to ensure requested maintenance has been completed.
- G. Officers designated to pick-up vehicles from maintenance facilities will not accept custody of vehicles or sign for vehicle maintenance charges if they believe the maintenance is incomplete or incorrect.
- H. Day shift is responsible for ensuring that patrol vehicles are washed.

### **2.1.8.10 Response Procedures**

- A. Consistent with [TR 21-106](#), officers use vehicle emergency equipment to<sup>1</sup>:
  - 1. Warn persons of hazardous conditions;
  - 2. Signal persons of a police presence;
  - 3. Effect traffic stops;
  - 4. Pursue violators or suspected violators of the law;
  - 5. Respond to "priority" or emergency calls.
- B. Officers must activate the siren and emergency lights in marked vehicles for an emergency response.
- C. Officers must be aware of and compliant with state laws and policies pertaining to emergency vehicles.
- D. Officers shall exercise due care and caution while operating vehicles and will not operate in excess of a speed reasonable and prudent for existing conditions.
- E. Emergency Response Factors<sup>2</sup>
  - 1. Safety of citizens and risk of property damage.
  - 2. Severity of the call or incident.
  - 3. Degree of danger to another member or the public.
  - 4. Proximity to the scene.
  - 5. Proximity of other units.
  - 6. Locale, road, traffic, and weather conditions.
  - 7. Type of police vehicle being used.
  - 8. Existence of immediate obligations (e.g., it is more important to continue a prisoner transport than to respond to an unverified alarm).
- F. Supervisors have the authority to upgrade or downgrade responses as necessary.
- G. Supervisors control the number of units responding to incidents.

---

<sup>1</sup> CALEA 41.2.1d

<sup>2</sup> CALEA 41.2.1c

#### H. Calls for Service

1. An emergency, "lights and siren" response is warranted when a fast response is necessary to prevent injury, render aid, or increase the likelihood of apprehension. Service calls that normally require an emergency response and priority include, but are not limited to the following<sup>3</sup>:
  - a. Homicide, in progress or just occurred
  - b. Rape/Sexual Assault, in progress or just occurred
  - c. Robbery, in progress or just occurred
  - d. Aggravated Assault, in progress or just occurred
  - e. Burglary, in progress or just occurred
  - f. Suicide, attempt or in progress
  - g. Domestic Assault, in progress or just occurred
  - h. Medical emergencies
  - i. Other calls indicative of an emergency response
2. Non-emergency service calls<sup>4</sup> requiring a non-priority or routine response include, but are not limited to:
  - a. Alcohol complaints
  - b. CDS Violations
  - c. Suspicious Persons/Vehicles
  - d. Building unlocks/lock ups
  - e. Vehicle jumpstarts
  - f. Past occurred crimes

#### **2.1.8.11 Escorts of Non-Emergency Vehicles**

- A. Priority escorts of non-emergency vehicles are generally prohibited. In the event of medical emergencies, the Fire Department will be notified, and EMS will be requested.
- B. The Operations Commander is responsible for the planning and coordinating of all requested escorts.

---

<sup>3</sup> CALEA 41.2.1b

<sup>4</sup> CALEA 41.2.1a

## 2.1.9 FIELD INTERVIEWS AND PAT DOWNS

### 2.1.9.1 *Field Interviews*

Officers may stop individuals for the purpose of conducting a field interview only where reasonable and articulable suspicion to believe that a crime has been, is being or is about to be committed. Reasonable suspicion must be more than a hunch or feeling, but need not meet the test for probable cause sufficient to make an arrest. In justifying the stop, the officer must be able to point to specific facts that, when taken together with rational inferences, reasonably warrant the stop. Such facts include:

1	The appearance or demeanor of a suspect suggests that he or she is part of a criminal enterprise or is engaged, or has recently been engaged, in a criminal act.
2	The actions of the suspect indicate he or she has been, may be, or will be engaged in criminal activity.
3	The suspect's presence in a neighborhood or location is suspicious.
4	The suspect is carrying an object that appears to be recently stolen.
5	The suspect's clothing bulges in a manner that suggests he may be carrying a weapon.
6	The suspect is located in close proximity to an alleged crime.
7	The officer possesses a report that the person is engaged in criminal activity or is carrying a weapon.

### **2.1.9.2 Procedures for Field Interviews**

Based upon observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a suspect if he has reasonable articulable suspicion to do so. The following guidelines shall be followed when making a stop to conduct a field interview.

1	When approaching the suspect, the officer shall clearly identify himself as a law enforcement officer, if not in uniform, by announcing the officer's identity and displaying police identification.
2	Officers shall be courteous at all times during the contact but must maintain caution and vigilance for furtive movements to retrieve weapons, conceal or discard contraband, or other suspicious actions.
3	Before approaching an individual, officers should consider whether the circumstances warrant a back-up officer for assistance. Officers conducting field interviews are strongly encouraged to use the "Contact/Cover Officer" system with the back-up officer.
4	Officers shall confine their questions to those concerning the suspect's identity, place of residence and other inquiries necessary to resolve the officer's suspicions; however, in no instance shall an officer detain a suspect longer than is reasonably necessary to make these limited inquiries.
5	Officers are not required to give suspects Miranda warnings in order to conduct field interviews unless the person is in custody and about to be interrogated.
6	Suspects are not required, nor can they be compelled, to answer any questions posed during field interviews. Failure to respond to an officer's inquiries is not, in and of itself, grounds to make an arrest although it may provide a basis for additional observation and investigation.

### 2.1.9.3 **Pat Downs**

An officer has the right to perform a pat down of the outer garments of a suspect for weapons if he has been legitimately stopped and with reasonable articulable suspicion that the individual is **presently armed and dangerous**. Clearly, not every field interview possesses sufficient justification for conducting a protective frisk. Following are some criteria that may form the basis for establishing justification for performing pat down. Officers should note that these factors are not all-inclusive; there are other factors that could or should be considered. The existence of more than one of these factors may be required in order to support reasonable suspicion for the pat down. [MSP Form 97 Firearms Report](#) is completed when a firearm is searched for during a pat down; whether or not the weapon is found.

1	The type of crime suspected, involving a crime of violence or possession of a weapon.
2	The hour of the day and the locations or neighborhood where the stop takes place.
3	Prior knowledge of the suspect's use of force and/or propensity to carry deadly weapons.
4	The appearance and demeanor of the suspect.
5	Visual observations of a bulge, which suggests that the suspect might be carrying a weapon.
6	Whenever possible, pat downs should be performed by an officer of the same sex.

When reasonable suspicion exists to perform a pat down, it should be performed with due caution, restraint and sensitivity. The pat downs are only justifiable and may only be performed to protect the safety of officers and others and may never be as a pretext for obtaining evidence. Under these circumstances, pat down searches should be conducted in the following manner.

1	Whenever possible, a pat down should be conducted by at least two officers using the contact / cover method.
2	In a pat down, officers are permitted only to externally feel the outer clothing of the suspect. Officers may not place their hands in pockets unless they feel an object that could reasonably be a weapon, such as a firearm, knife, club or other item.
3	If the suspect is carrying an object such as a handbag, suitcase, briefcase, sack or other item that may conceal a weapon, the officer should not open the item but instead place it out of the suspect's reach. This does not preclude the officer from asking for a consent search of the item.
4	If feeling the suspect's external clothing fails to disclose a weapon, no further search may be made. If a weapon is present, the officer may only retrieve that item. If the weapon is illegal, the officer may arrest of the suspect and complete a full custody search.

## **2.2.0 USE OF FORCE AND WEAPONS**

### **Overarching Policy Statements:**

1. **Sanctity of Human Life.** It is the policy of the UMBC Police Department to value and preserve human life in all situations.
2. **Use of Force: Objectively Reasonable, Necessary, and Proportional.** Members shall use only the force objectively reasonable, necessary, and proportional to effectively and safely resolve an incident, while protecting the lives of the member or others. The UMBC Police Department places restrictions on use of force that go beyond restrictions set forth by law.
3. **De-Escalation.** Members shall de-escalate as soon as possible and appropriate. Members may be justified in using force at one moment, but not justified in using force several seconds later due to the changing dynamics of a situation.
4. **Duty to Intervene.** UMBC Police Department members have a duty to intervene to prevent or stop the use of excessive force by another member toward any person.
5. **Duty to Provide Medical Aid.** Officers shall render appropriate medical aid as quickly as reasonably possible following any law enforcement action in which injuries have been sustained. Officers will alert Communications and request medical assistance when obvious severe injuries occur, medical distress is apparent, or the subject is unconscious.
6. **Reporting and Review.** Members are responsible for explaining and articulating the specific facts, and reasonable inferences from those facts, which justify the member's use of force. When members do use force, the UMBC Police Department is committed to thoroughly reviewing, investigating, and documenting the actions taken to determine if the use of force was consistent with UMBC Police Department's policy and training.
7. **Training:**
  - Only instructors certified by the Maryland Police Training and Standards Commission may provide Use of Force instruction;
  - Only agency employees certified in the use of agency issued or authorized weapons will be approved to carry and use such weapons.

### **2.2.1 FORCE DEFINITIONS**

**Active Aggression** – A subject's attempt to attack or an actual attack on an officer or another person. Exhibiting aggressive behavior (e.g., lunging toward the officer, taking a fighting stance, striking the officer with hands, fists, kicks) are examples of Active Aggression. Neither passive nor Active Resistance; including fleeing, pulling away, bracing, or tensing; constitute Active Aggression.

**Active Resistance** – Resistance exhibited by a suspect that is between Passive Resistance and Active Aggression (e.g., attempts to leave the scene, flee, hide from detection, or pull away from the officer's grasp). Verbal statements, bracing, or tensing alone do not constitute Active Resistance.

**Aggravated Aggression** – When a subject's actions create an objectively reasonable perception on the part of the officer that the officer or another person is subject to imminent death or serious physical injury as a result of the circumstances and/or nature of an attack. Aggravated Aggression represents the least encountered but most serious threat to the safety of law enforcement personnel or another person.

**Chokehold<sup>1</sup> or Vascular Neck Restraint<sup>2</sup>** – Any technique that applies pressure to the front, sides, or back of the neck that restricts the intake of oxygen or inhibits blood flow for the purpose of gaining control. Chokeholds and Vascular Neck Restraints are prohibited unless the use of deadly/lethal force is justified.

**Deadly/Lethal Force** – Any force likely to cause death or Serious Physical Injury. Deadly/Lethal Force includes, but is not limited to:

- The discharge of a firearm at an individual;
- Strikes with any impact weapon or hard object, such as a baton, flashlight, radio, or Improvised Impact Weapon to the head, neck, sternum, spine, groin, or kidneys;
- Intentionally striking an individual's head against a hard, fixed object, such as a roadway, concrete floor, or wall;
- Chokeholds or Vascular Neck Restraints;
- Any strikes to an individual's throat;
- The use of force on an individual whose health, age, condition, or circumstances make it likely death or Serious Physical Injury will result.

**De-Escalation Techniques** – Actions taken by members that are designed to eliminate the need to use force in order to resolve any event or situation. De-Escalation Techniques include: talking to a person using a tone of voice and language that is not aggressive or confrontational; creating space or placing barriers between the member and the person; waiting the person out when circumstances permit; permitting a person to move about when safe; permitting a person the opportunity to make statements or ask questions; slowing down the pace of an incident; tactical re-positioning and requesting additional resources. The guiding principles for de-escalation are patience, flexibility, and the desire to resolve each situation peacefully

**Force Transition** – The movement from the application of one force type to another consistent with the “objectively reasonable” standard (e.g., escalation/de-escalation).

**Imminent Danger** – Actions or outcomes that may occur during an encounter which places the member in immediate fear for their safety or the safety of others. Imminent danger may be present when a subject has the means and ability to harm the member or another individual, and the member reasonably believes the subject intends to cause harm. The period which is considered imminent and/or immediate may change as the circumstances and facts evident in each situation change.

**Improvised Impact Weapon** – A device or object that is not a department approved weapon, but is nonetheless used as a weapon (flashlight, radio, stick, etc). Such weapons may be unpredictable, ineffective, or exert unexpectedly high levels of damage. Consequently, members shall use Improvised Impact Weapons only in rare, emergency conditions where members lack an authorized baton or less-lethal alternatives and use of an Improvised Impact Weapon is reasonable and necessary to defend against a person displaying Active or Aggravated Aggression.

**Passive Resistance** – Non-assaultive subject fails to comply with the member's commands or is not physically cooperating with an officer's attempts to restrain them without attempting to flee. Passive Resistance may include, but is not limited to going limp, not moving upon lawful direction, and/or verbally signaling an intention to avoid or prevent being taken into custody.

**Physical Force** – Any physical coercion, direct or indirect, by an officer in performance of official duties. Physical Force includes holds, grabs, strikes, and the use of instruments, tools, or weapons.

**Reasonable Belief** – The facts or circumstances the officers knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar

---

<sup>1</sup> CALEA 4.1.7

<sup>2</sup> CALEA 4.1.6

circumstances.

**Reasonable Force** – Force that is objectively reasonable and necessary under the circumstances to affect an arrest or protect the officer or other person.

**Serious Physical Injury** – Permanent impairment, disfigurement, or substantial disruption or harm to one or more body parts, organs, or systems. Serious Physical Injuries include, but is not limited to brain injuries, gunshot wounds, cardiac or respiratory arrest, broken bones, dislocations, or significant bleeding.

**Totality of Circumstances** – Those circumstances that would lead an objectively reasonable officer to believe they are encountering a situation that may require the use of force on a subject. Circumstances to consider may include the nature of the offense, seriousness of the offense, size and strength of the subject, number of subjects, availability of weapons, mental instability of the subject, availability of other force options, training and experience of the member and subject, environmental factors, and availability of back up and specialized units. This list is not meant to be exhaustive.

## **2.2.2 GENERAL PROVISIONS FOR THE USE OF FORCE**

1. Members will use only the force necessary to affect lawful objectives.
2. Members may repel force with force, using only that amount of force reasonably necessary to defeat attackers or overcome resistance.
3. Force may be used when necessary to preserve the peace, prevent commission of offenses, or prevent suicides or self-inflicted injuries;
4. Force may be used when necessary to overcome resistance to lawful arrests, searches and seizures, and prevent escapes from custody; or
5. Force may be used when in self-defense or in defense of another against unlawful violations to their person or property.
6. When acting alone, members may have to resort to greater use of force than would be necessary if other officers were present. Therefore, whenever possible, officers should call and wait for assistance, unless immediate action is required.
7. Members use force consistent with specifications of training standards and guidelines.
8. Members will **NOT** use unnecessary or excessive force.
9. The discharge of firearms at or from motor vehicles is strictly prohibited unless necessary to protect the member's life or the life of another.
10. Members have the duty to intervene to prevent or stop another member's use of excessive force if the member knows or reasonably believes the use of force against another person is excessive.
11. Members who observe other members engaging in unreasonable use of force or become aware of a member engaging in unreasonable force must notify their immediate supervisor. The Deputy Chief of Police must be notified through the chain of command.

The amount and degree of force which may be employed will be determined by surrounding circumstances including:

- The nature of the offense;
- The behavior of subjects who the force is to be used upon;
- Actions by third parties who may be present;
- Physical odds against officers; or
- The feasibility and availability of alternative actions

The use of force is a continuum ranging from verbal commands to deadly force. Officers should exhaust every means of employing the minimum amount of force before escalating to more severe applications of force except where lesser methods would be obviously futile.

### **2.2.2.1 Justifications for Use of Force**

**Point of View Considered.** Justifications for uses of force must be judged from the perspective of reasonable officers, similarly situated, rather than with the 20/20 vision of hindsight. Facts unknown to officers, no matter how compelling, cannot be considered when later determining whether uses of force were justified.

**Reasonableness Factors** will be considered while evaluating uses of force, which include:

1. Severity of the crimes at issue;
2. Whether suspect(s) posed immediate threats to the safety of officers or others;
3. Whether suspect(s) were actively resisting arrest or attempting to evade arrest by flight;
4. Use of force used in-light of circumstances as they appeared to officers during the incident;
5. Whether officers exercised their official discretion in good faith;
6. Allowances for the fact that officers must make split-second judgments in circumstances that are tense, uncertain, and rapidly evolving.

### **2.2.2.2 De-escalation of Incidents**

Members shall use de-escalation techniques whenever possible and appropriate before resorting to force and to reduce the need for force. De-escalation techniques may include verbal persuasion, warnings, and tactical de-escalation techniques, such as slowing down the pace of an incident, waiting out subjects, creating distance (and thus the reactionary gap) between the member and the threat, and requesting additional resources (e.g., specialized units, mental health care providers, negotiators, etc.) to resolve the incident.

1. When reasonable under the totality of circumstances, members should use advisements, warnings, verbal persuasion, and other tactics and alternatives to higher levels of force.
2. Members should recognize that they may withdraw to a position that is tactically advantageous or allows them greater distance in order to de-escalate a situation or consider or deploy a greater variety of force options, including lesser force or no force at all.
3. Members shall perform their work in a manner that avoids unduly jeopardizing their own safety or the safety of others through poor tactical decisions.

### **2.2.2.3 Use of Deadly Force**

Officers may use deadly force only when they reasonably believe that the actions are in defense of human life or in defense of any person in imminent danger of serious physical injury.

### **2.2.2.4 Euthanizing Dangerous Animals**

1. Members are permitted to use force to stop a dangerous animal in circumstances where the animal reasonably appears to pose an imminent threat to human or animal safety and alternative options are not available or would likely be ineffective.
2. Officers euthanizing injured animals will do so only where backstops are certain.
3. Officers euthanizing **possibly rabid animals** will maintain control of the carcass until Baltimore County Animal Control takes custody of the carcass.

## **2.2.3 WEAPONS TRAINING PROGRAMS**

### ***2.2.3.1 Training Standards***

- **Certified Instructors.** Only instructors certified by the Maryland Police Training and Standards Commission (MPTSC) may provide Use of Force instruction.
- **Lesson Plans.** Instructors will use Lesson Plans that meet the mandated instruction by the Maryland Police Training and Standards Commission.
- **Policy & Law.** Instructors conducting the training are responsible for issuance and instruction of our Use of Force policy, procedure, and relevant case law.
- **Documentation.** All training, proficiency, and policy receipt will be documented and submitted to the Training Director for inclusion in training files, personnel files, and applicable databases.
- **Required Initial Training.** Only agency employees certified in the use of agency authorized weapons will be approved to carry and use such weapons.
- **Proficiency.** Members must demonstrate proficiency in the use of any weapon to become authorized to carry and use.
- **Inspections.** All weapons will be inspected, reviewed, and approved by departmentally qualified weapons instructors or armorers prior to being issued to employees.
- **Unsafe Weapons.** Weapons deemed unsafe will be removed from service by departmentally qualified weapons instructors or armorers and replacement weapons will be issued.

### ***2.2.3.2 Qualification Requirements/ In-Service Firearms Training***

Minimum acceptable passing scores for firearm proficiency:

<b>Firearm</b>	<b>Re-Certification</b>	<b>Daylight</b>	<b>Reduced Light</b>
Agency Issued Handgun	Annual	70%	70%
Authorized, Privately Owned Handguns	Annual	70%	70%
Patrol Rifle	Semi-Annual	80%	N/A

The Training Director, in conjunction with agency firearms and weapons instructors, will schedule and publish firearms training and qualification dates. Unit supervisors will be consulted in the assignment of officers to training dates.

### ***2.2.3.3 Riot Baton***

Only Uniformed Officers may carry the Riot Baton for preplanned, mobile field force operations. Officers must re-qualify biannually with the Riot Baton to maintain authorization to carry the weapon.

### ***2.2.3.4 Oleoresin Capsicum (OC) Spray***

1. Only OC delivery systems approved for use by the Chief of Police can be used.
2. Officers will:
  - a. First be trained and certified **prior** to carrying OC spray;
  - b. Carry issued OC canisters only in agency issued holders; and
  - c. Undergo OC retraining to maintain their authorization to carry OC.
3. The use of OC spray will be consistent with applicable training.
4. Officers will render aid and decontamination measures to subjects on which OC spray has been used as soon as possible and practical after such use.
5. Discharged duty canisters, regardless of the extent of discharge, will be submitted to the Quarter Master in sealed, plastic bags for replacement.

6. Use of force reports must be completed for all discharges of OC, except for training purposes, and must include:
  - a. Effects of OC spray use on suspects and other contaminated personnel;
  - b. Decontamination measures and first aid given or offered to suspects and any other contaminated personnel or areas.

#### **2.2.3.5 ASP Expandable Baton**

Members will only carry a departmentally issued ASP Baton and will undergo training **prior** to carrying the weapon.

#### **2.2.3.6 Remedial Training**

Officers may request permission from the Chief to be temporarily excused from, or rescheduled for, weapons re-qualification because of **temporary** medical conditions. If officers fail to qualify with issued or authorized weapons during regular re-certification, instructors will:

1. **Notify** officers that they need remedial training in accordance with applicable qualification standards;
2. **Conduct** same-day remedial training and re-qualification programs;
3. **Inform** officers who re-qualified in same-day remedial training they will remain on full duty, but are still required to attend additional remedial training in the future;
4. **Provide** additional required remedial training, regardless of same-day re-qualifications;
5. **Document** proficiency, remedial training requirements, and corrective action taken.

**Note: This policy affects only the weapon that the officer did NOT qualify with.**

If officers fail to qualify during same-day or additional remedial firearms training and re-qualification programs, firearms instructors must:

1. **Notify** the Chief and the Training Coordinator immediately in writing;
2. **Document** the scores and action taken; and
3. **Suspend** officers on an emergency basis. Administrative suspensions for failure to qualify are non-disciplinary. Officers will continue to receive full pay and benefits, but the officer will have no police authority. Emergency suspension hearings will be scheduled and conducted in accordance with **1.4 Discipline & Internal Affairs**.

Officers will be sent for medical evaluation if the inability to qualify is believed to be the result of a possible medically related condition. Supervisors will adjust officers' work schedules to accommodate remedial training assignments as needed.

Upon completion of additional remedial instruction designed by firearms instructors, officers will be retested and must attain at least **70%** daylight and **70%** reduced light qualification scores to remain in full duty status.

Firearms instructors are responsible for immediately providing written notice to the Chief and supervisors when officers fail to qualify following remedial training for the purpose of initiating other appropriate training or personnel actions.

**2.2.4 FIREARMS**

1. **Accountability**

- **The Operations Commander** is responsible for the agency’s weapon authorizations and training.
- **Officers** are responsible for continuous and safe display, handling, cleanliness, and security of all issued and authorized firearms and ammunition; in accordance to the training they have received.

2. **Discharge**

Firearms may only be discharged in the following situations

<b>Self- Defense</b>	To defend themselves or others when there is reasonable belief that there is imminent danger of death or serious physical injury
<b>Apprehend Violent Felons</b>	To apprehend fleeing persons when no reasonable alternatives for apprehension exist <b>and</b> officers have probable cause to believe that the persons:
	Have committed crimes involving the infliction or threatened infliction of serious physical harm, <b>AND</b>
	Pose imminent and significant threats of serious physical harm to officers or to others;
<b>Training</b>	During agency mandated firearms training and requalification
<b>Practice</b>	For practice in areas where discharging firearms would not be unsafe or illegal
<b>Euthanize Animals</b>	With supervisory or administrative approval, to kill dangerous animals or animals so badly injured or ill that humanity requires they be removed from further suffering.
	Great care must be taken to protect the public from ricocheting bullets.

Use of firearms is **prohibited** for warning shots, misdemeanor arrests, or if innocent persons or bystanders would be severely and unduly endangered.

### **2.2.4.1 Authorized Handguns**

Unless otherwise authorized by the Chief, officers will **only** possess, wear, carry and use issued or authorized firearms and ammunition. Officers will be issued sufficient ammunition for duty.

**Out-of-State:** Officers who travel or live outside of Maryland are expected to comply with the laws of the States that they live or travel in. See [US LEOSA House Bill 218](#) for further rules and obligations for out-of-state transport of firearms.

#### **LEOSA Rules:**

The carrying officers must:

- Meet qualifications standards and regularly qualify with the firearm;
- Not be the subject of any disciplinary action by the agency;
- Not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance;
- Not be prohibited by Federal law from receiving a firearm.
- Carry photographic identification issued by the UMBC Police Department;
- As used in this section, the term **'firearm'** does not include:
  - (1) any machine gun (as defined in section 5845 of the National Firearms Act);
  - (2) any firearm silencer (as defined in section 921 of this title); and
  - (3) any destructive device (as defined in section 921 of this title).

**Off Duty Storage:** Officers are permitted to have their service firearms while off duty; however, the firearm must be unloaded and secured in a gun case *or* with a trigger lock. The ammunition must be stored separately. When traveling off-duty, the firearm must be in a holster or gun case. If the firearm needs to be left in a vehicle, it must be secured in a locked trunk. Officers are required to have their badge, identification, and MPCTC certification while armed.

Firearms can also be stored and secured in the off-duty officer's issued department locker.

### **2.2.4.2 Authorized Off-Duty Handguns**

1. Officers must obtain approval before carrying an off-duty pistol by the Training Director, supported by a recommendation of a certified Firearms Instructor.
2. Officers are authorized to carry privately owned firearm, as long as they (1) qualify with the firearm, and (2) the firearm can be concealed, and (3) it is legally registered.
3. Officers will report all instances of pointing or discharging their off-duty weapon in accordance with **2.2.6 Reporting Use of Force**.

### **2.2.4.3 Procedures for Approval of Weapons**

#### **Personal Firearm**

Members must submit a [UPD Form 63 Request for Approval of Off-Duty Weapon](#) to the Operations Commander or designee. (Note: this same form will be used when requesting to use a personal weapon while on-duty).

Upon receipt of UPD Form 63, the Operations Commander or designee will:

- Ensure that the weapon is acceptable for agency use, whether on or off duty;
- Ensure that training is conducted and that the member understands the policy;
- Confirm that the member is proficient with the weapon prior to use.
- Approve or disapprove the request. Disapprovals will require a written explanation as to the reasons for the disapproval.

#### **2.2.4.4 Authorized Ammunition**

**REFER:** [WEAPONS AUTHORIZATION CHART](#) FOR SIMPLIFIED POLICY

#### **2.2.4.5 Firearm Maintenance**

**The Operations Commander** is responsible for:

- Coordinating with agency armorers all repairs and maintenance of agency owned firearms;
- Maintaining records pertaining to maintenance transactions and repairs of agency firearms;
- Maintaining records pertaining to the issuance and surrender of agency owned firearms; and
- Issuing firearms

These duties may be jointly shared with the Business Services Specialist and the Lead Firearms Instructor.

**Agency armorers** are responsible for firearm approval, maintenance, and safety. Once a year, every agency-owned firearm will be inspected and serviced by an agency armorer or agency-authorized armorer

Malfunctions or complaints concerning issued firearms or ammunition will immediately be brought to the attention of supervisory personnel who will notify agency firearms instructors. The Lead Firearms Instructor will be contacted to replace unsafe firearms or ammunition.

**Supervisors** will conduct monthly firearms inspections and document results.

#### **Officer Responsibilities**

- Inspect issued firearms weekly, being alert for corrosion or lubrication
- Clean issued firearm(s) after they have been fired
- Maintain cleanliness of firearm between firings
- Obtain written permission from the Chief prior to authorizing any repair, modification, or refinishing of the firearm
- Surrender all agency issued firearms, weapons, ammunition, and equipment when leaving the employ of the agency or upon suspension.

**Evidence Manager:** Firearms taken as the result of firearm recoveries, police power suspensions, emergency suspensions, disciplinary suspensions, shootings, etc., will be documented on property receipts and submitted to the Evidence Manager.

### 2.2.4.6 Loss or Theft of Firearms

#### Off-Campus

When a theft or loss of firearm occurs outside of our jurisdiction:

- Immediately notify the police agency of the jurisdiction to respond to the scene
  - Make a police report and provide the reporting agency's Case Number (CCN)
1. Immediately report the loss or theft of a firearm to the on-duty patrol squad supervisor.
  2. The officer must immediately write a UMBC Police report:
    - Crime Report (**CR**) if the theft occurred on campus; or
    - Incident report (**IR**) if:
      - the theft occurred off-campus and was reported to the local law enforcement agency; or
      - the lost firearm occurred on or off campus.
  3. The **On-duty Supervisor** must immediately
    - Notify the Operations Commander; and
    - Conduct a preliminary investigation; and (c)
    - Reports on whether or not the loss resulted from officer non-compliance with directives.
  4. **Communications personnel** must confirm the firearm is in NCIC or create an NCIC entry for thefts of firearms.
  5. **Communications personnel** must create an NCIC entry if the firearm is recovered.
  6. **The Lead Firearms Instructor** will issue replacement firearms and ammunition.

### 2.2.5 PATROL RIFLE PROGRAM

The UMBC Police Department establishes the use of patrol rifles for members of the agency. The patrol rifle does **NOT** replace or reduce the use of a SWAT / Tactical Team in a high-risk situation. The patrol rifle is for limited use as defined in this policy, and only until such time as the Tactical Unit assumes responsibility for the situation. The rules for deployment are:

<b>Use</b>	In a support position against a suspect(s) who is believed to be a threat to officers and the public.
<b>Eligibility</b>	Only rifle-certified patrol officers will deploy the weapon and will do so consistent with the Department's Use of Force policy.
<b>Equipment</b>	Rifles, ammunition, and related equipment are provided by the agency. Members can use personal equipment with permission from the Commander of the Operations Section.
<b>Assignment</b>	This a supplemental duty, not a primary duty assignment

#### 2.2.5.1 Selection Criteria and Process

1. The Operations Commander will determine the number of patrol rifles and certified officers assigned to each squad.
2. Officers requesting certification training will make a request through the chain-of-command on a [Form 3 Department Memorandum](#).
3. The Operations Commander will assess an officer's qualifications based on, but not limited to:
  - Previous special weapons experience other than issued firearm.
  - Previous firearms qualification scores.
  - Supervisor recommendations.
  - The member's disciplinary history.

- Previous training record and performance ratings.
  - Demonstrated ability to exercise good judgment under stressful conditions.
  - Ability to successfully perform strenuous physical activity.
  - Squad assignment and staffing needs.
4. Officers selected to train with the patrol rifle must successfully complete and maintain satisfactory scores for all established training requirements and successfully qualify bi-annually with the patrol rifle.
  5. The agency's Firearms Instructors, with permission from the Operations Commander, will issue/assign the patrol rifles to certified patrol officers for deployment as per this policy.

#### **2.2.5.2 Deployment Criteria**

The patrol rifle shall only be deployed in **extraordinary circumstances**. Officers shall not deploy or carry a patrol rifle on routine calls for service or routine traffic stops. Situations in which the deployment of a patrol rifle may be appropriate, when supported by reasonable articulable suspicion, include:

- When a suspect is armed with a high-powered weapon or wearing body armor; or,
  - An active shooter incident; and/or
  - Barricades and hostage incidents.
1. **What to consider** when using the rifle:
    - The current environment so as not to induce unnecessary stress or panic on the immediate public community.
    - Whether the deployment of the long gun will incite or aggravate a situation as opposed to being a protective measure.
    - Environmental concerns, such as high population areas indoors and outdoors, increased range and need for a deeper backdrop, current special events occurring in or around the campus.
    - Officers must announce deployment of long guns over radio.
  2. **Shift/unit commanders** may deploy the patrol rifle for an unplanned, spontaneous field incident, and/or when circumstances exist where they determine the deployment of the patrol rifle would allow for a tactically superior advantage. Considerations for deployment include, but are not limited to potential threats of:
    - Suspects believed to be wearing protective body armor.
    - Suspects armed with or have immediate access to a weapon.
    - Suspects situated in a tactically superior position.
    - **EXCEPTION:** When a certified patrol officer encounters an immediate life-threatening situation that meets the deployment criteria and exigent circumstances exist, he/she may deploy the patrol rifle without prior approval.
  3. Once the threat is resolved, or the Tactical Unit has assumed responsibility for an incident, the patrol rifle will be secured in the patrol vehicle trunk.

#### **2.2.5.3 Storage**

<b>Secured</b>	Rifles will be issued only to rifle certified officers and they must be stored and secured in the officer's issued locker in the locker room.
<b>Inspection</b>	The rifle's user will routinely inspect the rifle for care and defects.
<b>Use and Transport</b>	When in use, the rifle must be carried in its case and kept inside of a locked police vehicle trunk.
	The clip will be inserted into the weapon, but NO round will be chambered. Only when the operator deploys a rifle will a round be chambered.
<b>Secured</b>	At the end of a shift, rifles will be returned to the officer's secured locker.

**2.2.5.4 Certified Officers**

1. Only certified patrol officers are authorized to deploy a patrol rifle.
2. Patrol officers who are equipped with the patrol rifle will:

<b>On Duty</b>	Notify communications they are patrol rifle equipped at start of shift.
<b>Secure</b>	Properly secure the unloaded patrol rifle in the trunk of their police vehicle. One magazine will be inserted into the weapon.
<b>Respond</b>	Respond to requests for a patrol rifle.
<b>Operational Authority</b>	Ensure that each situation meets the deployment criteria and that approval is obtained prior to deploying the patrol rifle at an incident, unless exigent circumstances exist.
<b>Report</b>	Whenever the weapon is used, immediately reported to the shift commander. The details of the incident justifying deployment will thereafter be submitted via a <a href="#">Form 87 Use of Force Report</a> through the chain-of-command prior to the end of the member's tour of duty.

3. Officers who are de-certified or ordered to relinquish their patrol rifle, will turn their assigned equipment to the Operations Commander.

**2.2.5.5 Shift Commanders**

<b>Respond</b>	to all patrol rifle requests
<b>Determine</b>	if deployment of the patrol rifle is necessary
<b>Notify</b>	the appropriate personnel if the patrol rifle is discharged
<b>Document</b>	the use of a patrol rifle and ensure all appropriate documentation is completed
<b>Inspection</b>	Ensure the patrol rifle is inspected by an agency Firearm Instructor, who will then write a report on the findings of the weapon's operation.

**2.2.5.6 Operations Commander**

<b>Authority to</b>	May suspend or revoke an officer's patrol rifle certification at any time.
---------------------	--

<b>Suspend</b>	
<b>Coverage</b>	Monitors certified patrol officer shift assignments within the command to ensure adequate coverage of patrol-rifle-certified-officers.
<b>Records</b>	Maintains a current list of certified officers.
<b>Program Manager</b>	<ul style="list-style-type: none"> <li>• Maintains a record of all patrol rifles issued; and</li> <li>• Ensures that the weapons are properly stored and maintained.</li> <li>• Conducts inspections in January and June, using a firearms instructor, who will complete a report documenting the inspection.</li> </ul>
<b>Storage</b>	Establish a secure storage area and weapon/accessories protocol for maintenance, accounting and accessibility.
<b>Evaluation</b>	Critiques all situations involving the deployment of the patrol rifle for appropriateness.
<b>Annual Review</b>	<ul style="list-style-type: none"> <li>• Documents incidents of rifle deployment; and</li> <li>• Evaluates the Patrol Rifle's Effectiveness; and</li> <li>• Discusses suggestions for program improvements.</li> <li>• Submitted to the Deputy Chief of Police</li> </ul>

### 2.2.5.7 Communications

1. Broadcasts the need for a patrol rifle and the location of the request.
2. Assigns the patrol rifle equipped unit to the call as backup.
3. Notifies and assigns the shift commander to respond.
4. Ensures that all responders are aware that a patrol rifle is deployed.
5. Complies with the Notification requirements in the Manual of Operations.

## 2.2.6 REPORTING USE OF FORCE

### 2.2.6.1 General Reporting Requirements

1. Use of force reports (**UMBC Form # 87 Use of Force**) **are required** when:
  - Force is needed to accomplish a lawful purpose. This may be an arrest but may also include force used to restrain a subject for an emergency petition. When a member is in doubt, submit the report for administrative review.
  - Firearm is **drawn and pointed** at individuals
  - Firearm is **discharged** for purposes other than training (range qualifications) or off-duty recreation (hunting, target practice).
  - Firearm is **accidentally discharged**, even if the weapon was not pointed at someone;
  - Actions result in **injury or death** of another individual;
  - Any force that uses **lethal or less lethal weapons**.
2. All uses of force as defined in the previous section require timely:
  - **Notification** to administrative or supervisory ranked personnel by involved officers or on their behalf if involved officers are unable to do so;
  - **Completion and submission of reports** and all related documents by involved officers or on their behalf if involved officers are unable to do so
  - **Third party investigation** by another law enforcement agency (Baltimore County Police, Maryland State Police) when a firearm is discharged in use of force State Police).
3. The Operations Commander reviews all use of force incidents in a timely manner.
  - Incidents involving no apparent chargeable conduct will be submitted to the Chief and recommended for closure.
  - Incidents involving apparent chargeable conduct will be referred to the Deputy Chief of Police for follow-up consistent with **1.4 Discipline and Internal Affairs**.
4. The Deputy Chief of Police is responsible for ensuring an annual analysis of all use of force incidents is conducted and submitted to the Chief in order to reveal patterns or trends that could indicate training needs (to ensure proper practices), equipment upgrades, or policy modifications.

The analysis should include:

- Date and time of incidents
  - Types of encounters resulting in use of force
  - Trends or patterns related to race, age, and gender of subjects involved
  - Trends or patterns resulting in injury to any persons including employees
  - Impact of findings on policies, practices, equipment, and training
5. **Out-of-Jurisdiction incidents.** Officers will notify the appropriate law enforcement agency to respond to any incident of uses of force when the incident occurs outside the primary or concurrent jurisdiction of the UMBC Police.
- Local jurisdictions involved will be responsible for thorough investigation of incidents including the pursuit of criminal charges, if warranted.
  - Officers involved will notify on-duty supervisory personnel as soon as possible.

#### **2.2.6.2 Involved Officers' Responsibility**

1. **Notifications and Reports:** Involved officers will make required notifications and prepare necessary reports detailing facts regarding uses of force or discharges of firearms
  - **Timely:** Reports must be completed prior to the end of involved officers' shifts if the officers are physically and emotionally able to do so.
  - **When disabled:** If involved officers are unable to complete required reports, supervisory personnel will prepare the reports using the best information available.
2. Involved officers will ensure appropriate medical aid is provided as necessary after all lethal and less lethal uses of force. This includes:
  - Care and treatment of injuries; includes decontamination after use of OC spray;
  - Increased observation to detect obvious changes in condition;
  - Alert Communications and request medical assistance.
3. Officers who shoot or critically injure persons in the line of duty will receive post-trauma defusing within eight hours and other post-trauma mental health services as necessary.

#### **2.2.6.3 Responding Officer's Responsibility**

Responding officers who arrive at scenes of other officers' uses of force resulting in death or injury will, if appropriate:

- Render or ensure first aid is provided to injured officers **or others** after triage examinations;
- Alert communications to situations and request medical assistance and additional personnel;
- Secure any suspects, injured or otherwise, according to directives;
- Secure and protect the scene from any contamination of evidence;
- Identify and/or detain witnesses present; and
- Remain at the scene until supervisory personnel arrive unless there are hazardous conditions which require evacuation of the immediate area for safety purposes.

#### **2.2.6.4 Communications Responsibilities**

Communications personnel will ensure notifications are made when officers use deadly force or when there are serious physical injuries resulting from agency activities. Those to be notified are:

- On-duty patrol squad supervisor;
- Criminal investigator;
- Operations commander;
- Media / Public Information Officer;
- Chief of Police;
- Baltimore County Police Critical Incident Stress Team.

Communications supervisor will send the assigned incident investigator copies of all involved and/or related recorded telephone and radio transmissions.

### 2.2.6.5 Shift Supervisor's Responsibility

<b>Response</b>	Respond to scenes whenever officers use deadly force or there are physical injuries resulting from agency activities.
<b>Assignment</b>	At least one officer will be directed to remain with bodies or injured persons. In cases where persons are taken to hospitals, assigned officers will remain with the persons, securing any physical evidence, until relieved by investigators.
	At least one officer will be directed to remain with involved officers to assure their safety, and that no unnecessary questioning is initiated concerning the incident.
	One officer will be sent to the medical facility to act as a liaison between medical and agency personnel if an officer is injured and taken to an emergency facility.
<b>Secure Weapons &amp; Evidence</b>	<ul style="list-style-type: none"> <li>• As safety permits, involved officers' weapons must be secured as evidence.</li> <li>• In cases of firearms use, ammunition used in the incident must be secured.</li> <li>• Firearms, shell casings, and magazines are evidence.</li> <li>• Involved officers will be issued replacement firearms unless suspended. If suspended, NO replacement firearm is issued unless authorized by the Chief.</li> <li>• <b>Privately owned firearms:</b> Secure the weapon as evidence and examine for operation to determine if the weapon was properly working, altered, etc.</li> </ul>
<b>Control</b>	Incidents will be turned over to command ranked officers when ordered to do so.
<b>Documentation</b>	Reports of incidents are completed by officers, if physically and mentally possible.
	Supervisory personnel will ensure that reporting requirements are met.
	All personnel at incident scenes will submit detailed reports of their actions.
	Copies of all reports will be sent to the Deputy Chief of Police or designee.

### **2.2.6.6 Command Responsibility**

1. The chief or designee will make notification arrangements to the next of kin if officers are critically injured. The chief will ensure that follow-up support is provided to families of involved officers.
2. If agency members use deadly force or cause serious physical injuries, involved member(s) will be removed from line-duty assignments pending administrative review to determine if the member is to be placed on suspension, paid administrative leave, in non-contact assignments, or returned to full-duty status. Note: this may include a non-sworn member who is involved in a serious crash. These actions and reviews are to:
  - Protect the community's interest when member may have exceeded the scope of their authority in the use of deadly force; and
  - Shield members who have not exceeded the scope of their authority from possible confrontations with the community.These reviews will be structured and conducted according to **1.4 Discipline and Internal Affairs**.
3. If incidents occur outside the primary or concurrent jurisdiction of the agency, the Operations commander will determine if a personal response the incident scene is warranted. In all cases, the shift supervisors will be responsible for collecting and forwarding copies of reports made by other agencies.
4. If the Operations Commander is unavailable, the Chief or designee will take on responsibility of the Operations Commander.
5. The Chief of Police will ensure:
  - Follow-up medical support is provided to involved officers; and
  - Arrangements are made for officers who use deadly force or cause serious physical injuries as the result of agency activities to receive post-incident debriefing and/or counseling as soon as practical after incidents.

### **2.2.6.7 Administrative Review of Use of Force Incidents**

1. The Operations Commander will respond to the scene when officers use deadly force or there are injuries resulting from agency activities.
2. The Operations Commander gathers all the associated reports.
3. There will be an Investigation into the use of force, and an examination of the reports submitted for the incident. The investigation will be conducted or coordinated by the Deputy Chief of Police consistent with **1.4 Discipline and Internal Affairs**.
4. The designated Internal Affairs member will submit a **Report of Investigation (ROI)** to the Chief. The report will contain relevant facts and circumstances surrounding incidents and determinations:
  - Actions of agency employees were in accordance with the law;
  - Actions of agency employees were in accordance or not with agency directives;
  - Actions of agency employees were in apparent violation of law and should be referred to the chief who will confer with the Office of the State's Attorney;
  - Actions of agency employees were justifiable under law but violated agency directives;
  - Agency disciplinary actions are necessary; or
  - Changes should be made regarding:
    - Training;
    - Supervision and accountability procedures;
    - Psychiatric or psychological counseling;
    - Hiring and promotion criteria;

- Deployment and dispatch techniques; or
- Operational policy and practices

## 2.2.7 **VEHICLE PURSUITS**

### 2.2.7.1 ***Vehicle Pursuits Definitions***

**Motor Vehicle Pursuit** – (1) is an active attempt by a law enforcement officer; (2) using a marked police vehicle, (3) using emergency lights and siren, (4) to stop a suspect motor vehicle whose driver is attempting to avoid apprehension or refusing to stop. (5) Other police vehicles will not be used to pursue a vehicle; including: Segways, T3, or bicycles. (6) Although a Use of Force, only the [UPD Form 28 Pursuit Report Form](#) needs to be completed; unless other force is used in the arrest.

### 2.2.7.2 ***General Policy on Pursuits***

1. Only pursue suspects fleeing a crime of violence (i.e.: murder, rape); **and**
2. Who pose an ***immediate-life-threatening danger*** to the public.
3. ***It is the responsibility of the pursuing officer to justify that the risk of pursuit is justified by the threat posed by a vehicle pursuit.***
4. Our intention is to greatly reduce the incidence of vehicle pursuit.

### 2.2.7.3 ***Motor Vehicle Pursuit Procedures***

#### **Initiating Unit**

1. Use the siren and emergency light(s) throughout the entire pursuit.
2. Notify a supervisor immediately.
3. Advise Communications of the:
  - Initiation and reason for a pursuit.
  - Location and direction of travel.
  - Speed, traffic, and road conditions.
  - License number and description of wanted vehicle.
4. Continually update location and speed of the fleeing vehicle.
5. Terminate a pursuit when leaving campus and another agency assumes the pursuit or risk factors increase beyond the immediate need for apprehension.
6. Complete [UPD Form 28 Pursuit Report Form](#).

***The primary officer may discontinue a pursuit at any time.***

#### **Secondary Unit**

1. Assume a position to the rear of the primary pursuit officer's vehicle.
2. Confirm a supervisor is aware of the pursuit.
3. Act as a monitor car and assume communications.
4. Terminate a pursuit when instructed to do so by a supervisor.

### **Shift Commander**

1. Does not relinquish command of the pursuit, except to a higher authority.
2. ***Terminate any pursuit when risk factors increase beyond the immediate need for apprehension.***
3. Continuously monitor pursuit vehicles and communications for adherence to this policy.
4. Confirm that one of the UMBC officers in a pursuit files a **UPD Form 28 Pursuit Report Form** and complete the supervisor's narrative of the pursuit on the form. The form must be completed when an officer is engaged in a pursuit, regardless of the agency that initiates or concludes it.

### **Communications Personnel**

1. Immediately notify on-duty supervisor of pursuit;
2. Notify and maintain communications with appropriate agencies when pursuit enters other jurisdictions, or as other pursuits enter this agency's jurisdiction.

### **Roadblocks & Forced Stopping**

Officers will **not** use cordon roadblocks, moving or rolling roadblocks, barrier roadblock, or any other form of roadblock or technique, to forcibly stop pursued motor vehicles.

#### ***2.2.7.4 Other Agency Pursuit into Our Jurisdiction***

1. Communications personnel will attempt to establish communications between agencies when other agencies pursue vehicles into this agency's jurisdiction.
2. We follow our rules during a pursuit on campus, not the other agency's policies.

#### ***2.2.7.5 Post Pursuit Discipline***

Officers will maintain post pursuit discipline once the stop is made. The supervisor will clear any units that are no longer needed at the scene.

#### ***2.2.7.6 Post-Pursuit Maintenance***

1. Supervisory personnel will inspect all agency vehicles involved in pursuits in order to determine road worthiness and/or pursuit related maintenance needs.
2. Vehicles requiring post-pursuit maintenance will be placed out of service. Replacement vehicles will be assigned depending on availability.

#### ***2.2.7.7 Administrative Review & Analysis of Pursuits***

1. **Reporting Use of Force:** All pursuits and forced stopping will be documented, reviewed, and analyzed.
2. **Per incident:** The Operations Commander reviews the form **28 Pursuit Report** and other reports in order to:
  - Determine if the pursuit was carried out within existing directives;
  - Re-examine the pursuit directive in light of a specific incident;
  - See the need for additional or revised training for officers and supervisors; and
  - Provide data to establish a management information system for pursuit driving.
3. **Annual Analysis and Report:** The Deputy Chief of Police receives the reports for each pursuit (Form 28 Pursuit Report) and the analysis conducted by the Operations Commander (the review called for in section "B" above), and then conducts a report reviewing the agency's pursuit policy and practice to determine if corrections are

needed. Along with review is to determine if pursuits are occurring but not being properly reported. This aspect is determined by listening to dispatch recordings and in meetings with Police Communications Operators, supervisors, and officers. ***The absence of pursuit reports does not remove the requirement of reviewing the policies and practices associated with the reporting process.***

### 2.2.8 **FOOT PURSUIT**

The UMBC Police Department recognizes the danger inherent in foot pursuit. Here are the procedures to enhance officer safety for foot pursuit:

1. **Do not wait to communicate.** Get on the radio immediately and call for assistance. Call for a K-9 unit and or a helicopter if available to search for the suspect.
2. **Put out a good description** of the suspect and his or her direction of travel.
3. **Do NOT try to out-run the suspect.** This isn't a race. Slow down and carry on a moving surveillance of the fleeing suspect from a distance that allows for a lot of reactionary gap time. We want to track the suspect until:
  - They tire, surrender, or try to hide;
  - We have sufficient police resources in the area;
  - We have specialized assistance; i.e.: K-9, Aviation, etc.
4. **Re-assess:** If you lose sight of the suspect, stop, find cover/concealment, arm yourself, and set up a perimeter while waiting for backup.
5. **Re-assess:** Get centered; reduce your breathing and heart rate. Work on getting out of tunnel vision and diminished hearing. Make a plan or review your plan and then engage it.
6. Let the suspect tire out from running; let him or her experience the reduced vision and hearing instead of you.
7. Suspects usually go to ground and hide soon after an officer loses sight of them. Setting up a perimeter and using a K-9 and air support to find the suspect has historically proven to be the most successful method of capture.
8. Usually it is not a matter of "if you will catch the suspect," just when.

## **2.3.0 COLLECTING EVIDENCE**

### **2.3.1 Handling Evidence & Property**

#### **A. General Statement of Intent**

1. All employees of the UMBC Police Department will properly secure, process, and document any property which may have been confiscated or which has come under their care.
2. The UMBC Police Department uses the Maryland State Police laboratory services and adheres to [MSP Guidelines for Submitting Physical Evidence](#) for processing and handling evidence.

#### **B. The handling and disposition of property involves several phases:**

1. Discovery & Capture: Taking control of property or evidence.
  - a. Evidence should be photographed.
  - b. Wear gloves and carefully package to prevent contamination.
2. Processing & Documentation: Labeling and documenting property and the transfer of property in reports and forms to properly store, categorize, and locate it.
3. Release and/or Disposal: Releasing and/or disposing of property requires strict compliance with procedures to ensure the integrity of the agency and its members. Dispositions must be documented.

#### **C. Store in agency temporary storage only.** No other permanent or temporary storage location may be substituted unless specifically authorized by the Evidence Manager.

#### **D. Immediate and secure storage.** Members coming into possession of any evidence, controlled dangerous substances (CDS), or found or recovered property will, before the end of their duty hours, submit the property for storage and complete a UPD Form 16A or UPD Form 16B.

#### **E.** The Evidence Manager, or the Commander of the Support Services Section are available on an on-call status, 24 hours a day and 365 days a year. If technical equipment or skills are needed, the Baltimore County Police Crime Lab can be requested through the 911 Communications Liaison.

#### **F. Chain of Custody.** The sequence of custody, control, transfer, and disposition of property/evidence must be chronologically documented on UPD Form 16 and in the Records Management System (RMS) Property/Evidence Record.

#### **G. Sketches and note-taking.** Assistance can be obtained from the Baltimore County Police Crime Lab and Crash Team.

### **2.3.2 Processing Functions**

- A. Physical evidence will be preserved and collected at crime scenes by principal investigating officers unless Baltimore County Police or Maryland State Police assume scene control.

- B. Evidentiary functions of employees at incident scenes include protecting the crime scene, locating and processing evidence, and reporting actions.
- C. If damage or destruction of evidence by natural or outside sources is not a concern, members should work through incident scenes collecting evidence in a logical sequence, attempting to avoid disruption of other evidence. Processing requirements will determine the progression of processing tasks, such as photograph, sketch, fingerprint, mark, and collect.
- D. Employees are expected to make reasonable efforts to collect available evidentiary information, materials, and substances for comparison purposes in forensic laboratory analyses.
- E. Employees should avoid touching or contacting articles of evidence with anything that might contaminate or destroy the evidentiary value of the articles.
- F. Perishable evidence should be collected first.
- G. Materials and substances will be collected from known sources whenever possible to facilitate comparison with physical evidence collected.

### **2.3.3 Basic Rules for Packaging Evidence**

- A. Weapons must be safely packaged.
  - 1. Firearms must be unloaded
  - 2. Knives must be wrapped
  - 3. Needles must be placed in a "sharps" container
- B. Evidence and property must be marked and tagged with the case number, date submitted, officer name, and badge number.
- C. The Evidence Manager may refuse to accept improperly packaged evidence and require the officer to repackage.

### **2.3.4 Officers' Role in the Property / Evidence Process**

- A. Recover the evidence/property.
  - 1. Attempt to locate and notify owners.
  - 2. Document efforts and identification, if applicable.
- B. Complete UPD Form 16 Property/Evidence.
- C. Package the evidence/property.
- D. Identify package with a tag, label, case number, officer name, and badge.
- E. Document evidence/property in RMS.
- F. Place evidence/property into temporary storage lockers.
- G. Create a report in RMS detailing the recovery.
- H. Fingerprint Evidence
  - 1. Primary officers are responsible for ensuring scenes are processed for fingerprint evidence when processing would benefit investigations.
  - 2. Latent fingerprints will be affixed to 3" X 5", or larger, index cards. The back sides of latent print cards will be completed consistent with their design.
  - 3. For latent fingerprints, employees should consider and evaluate:
    - a. Size of the articles to be dusted;
    - b. Type of surfaces to be dusted; and

- c. If moving or transporting objects will destroy latent fingerprints.
4. Officers who request latent fingerprint examinations through MSP must:
  - a. Complete latent fingerprint card information;
  - b. Place latent print cards in evidence envelopes;
  - c. Complete MSP 67; and
  - d. Arrange for completed packets to be taken to MSP by the property custodian.
5. Latent fingerprint cards with possible evidentiary value, but not submitted to MSP, will be submitted to the property custodian.

### **2.3.5 Supervisors' Role in the Property / Evidence Process**

- A. Inspect & Approve Officer's work;
- B. Authorize contacting additional assistance from other Crime Laboratories or contacting the Evidence Manager for special circumstances.

### **2.3.6 Controlled Dangerous Substances Procedures (CDS)**

- A. Never smell or taste suspected CDS.
- B. If possible, gloves should be used when handling CDS and wash hands immediately after handling.
- C. MSP Form 67 Request for Laboratory Examination must be completed to request analysis of CDS.
- D. UPD Form 16 Property/Evidence Report must be completed by the seizing officer for any amount of CSA taken into possession.
- E. UPD Form 16B Continuation must be completed if more than six items are seized.
- F. Document the number of item(s) to be processed, i.e., number of pills, etc.
- G. A supervisor must witness and verify the count of CDS.
- H. Substances must be secured in an approved, heat sealed, clear, plastic evidence pouch (Kapak).
- I. The package is identified with the adhesive label provided. The label is placed in the top right corner (positioned just like a postage stamp on a letter).
- J. The officer who seals the Kapak evidence bag must place their initials on the heat seal with a permanent felt tip marker to prevent tampering.
- K. Large amounts of evidence may be split between two or more large Kapak evidence bags that will be labeled and heat-sealed.
- L. CDS is recorded on a separate Property/Evidence Form, apart from any other (non-CDS) property relating to the same incident.
- M. Absent evidence of CDS residue, paraphernalia (pipes, cigarette papers, empty capsules, spoons, plastic bags, bongs, etc) will not be recorded or packaged as prescribed for CDS. Further, it is not be forwarded to the MSP Crime Laboratory.
- N. Unless the item contains evidence of CDS, record, process, and dispose of according to established procedures for personal property or evidence, i.e., wrapping papers, empty vials, etc.
- O. MSP Laboratory Policies
  1. Submit only the bowl of a bong (it contains the residue), not the whole bong.
  2. Do not submit moldy or wet vegetable matter--Dry prior to submission.
  3. Do not submit Marijuana seeds (they will not be analyzed) unless they are absolutely essential to the case.
  4. The use of field test kits on small samples is discouraged. Evidence may be destroyed. Field test kits may be used by properly trained individuals for probable cause or screening purposes. However, they are not to be considered as thorough as laboratory testing. Do not include the used test kit with the

submission.

5. Weights will not be recorded on the MSP Form 67A by anyone other than a chemist during analysis.

### **2.3.7 Suspected Liquid PCP**

- A. For a PCP lab, or large quantities, or a possible methamphetamine seizure, use the same process as a Hazardous Material incident, with the same contacts.
- B. Seek advice from the Maryland State Police on-call forensic chemist (contact MSP Telecommunications Division Duty Officer after hours and weekends at 410-653-4200). The duty officer will call the chemist and have them contact the requesting officer. (Alternate number 443-357-1315)
- C. If a smaller amount, it needs to be in a sealed container, and placed into a sealed evidence can (it looks like a paint can that has never been used for storage). If a member can smell the PCP odor, the evidence is NOT properly sealed.
- D. Wear gloves to prevent skin contact with chemicals.

### **2.3.8 Hypodermic Syringes and Needles**

- A. Searches should first be made visually, if possible. All searches should be conducted in a careful, slow, and deliberate manner. Rubber gloves should be worn anytime a syringe is handled, as well as when making searches of areas where such items may be encountered.
- B. Hypodermic syringes and needles, unless absolutely critical to the prosecution of a major case, will not be routinely analyzed by the Crime Laboratory. The Baltimore County State's Attorney's Office must request analysis in writing.
- C. Syringes and needles are infectious waste/hazardous materials and will be disposed of using an "infectious waste" sharps container. The containers are kept in the Report Writing Room and are marked with a biohazard sign.
- D. The squad supervisor makes the determination of the evidentiary value syringe, weighing the seriousness of the offense versus health hazards involved. Whenever possible, photographs should be used.
- E. Full containers are taken to the UMBC Health Services for disposal.
- F. No other disposal device or method will be substituted by departmental personnel for disposal of syringes and needles.

### **2.3.9 Chain of Custody**

- A. Laboratory Analysis: CDS evidence will be transported to the MSP laboratory.
- B. CDS evidence will not be opened for visual inspection and verification until analysis by a chemist. CDS will not be accepted if the original seal on the pouch appears to have been tampered.
- C. The individual transporting the CDS completes the chain of custody portion on the MSP Form 67, indicating MSP's receipt of the items.
- D. The laboratory evidence coordinator date stamps copies and provides a copy of the (Receipt) MSP Form 67.
- E. CDS submitted for analysis will be identified in the "Item Description" section of the Property/Evidence Form and clearly marked "Submitted for Analysis" along with the package number containing the material.

### **2.3.10 Court Custody**

When CDS is taken into custody by the court, the Court Evidence Receipt will be attached to the Property Record. Upon completion of the judicial proceedings, the investigating officer will return the evidence to this Department's custody.

NOTE: During inventories or upon change of custody of the sealed pouch after laboratory analysis, the recipient or employee conducting the inventory shall inspect the evidence pouch and verify that the seal is intact. The employee conducting the inventory shall immediately notify the Deputy Chief of Police if there is any indication that the seal or pouch has been tampered with or altered in any manner. The Deputy Chief of Police will initiate appropriate action.

### **2.3.11 CDS for Display, Demonstration and Investigative Purpose**

- A. The Evidence Manager will be responsible for all controlled dangerous substances utilized for departmental training and investigative purposes.
- B. The Community Resource Sergeant will submit a Departmental Memorandum (UPD Form #3) to the Evidence Manager requesting the controlled dangerous substance, the date and time of the demonstration, and the department requesting a demonstration.
- C. The Evidence Manager will retain written requests and document the use of CDS.
- D. The Evidence manager will establish a record keeping system to monitor the use of CDS for training or investigative purposes.

### **2.3.12 Firearms**

- A. Unload firearms prior to packaging. Never submit a loaded weapon. If unsure how to make the weapon safe, contact a supervisor.
- B. If a firearm will be used as evidence (i.e: fumed for fingerprints, etc), handle the firearm as little as possible and use gloves.
- C. Pay special attention to automatic weapons. After the magazine has been removed, the chamber must also be cleared.

### **2.3.13 Packaging Firearms**

- A. List all firearms and serial numbers on UPD Form 16.
- B. Firearms will be stored separately from other property or evidence.
- C. Multiple firearms and/or firearms related evidence (e.g., bullets, cartridge cases, magazines, clips, ammunition, extra barrels, separate firearms parts, etc.) collected for a case will be included on the same UPD Form 16.
- D. Ammunition is packaged separately from any firearms.
- E. Do not use tape of any kind on firearms, ammunition, clips, or magazines.
- F. Use a wire Evidence tag for all firearms, twisted securely to the trigger guard.
- G. Only one Firearms Evidence tag and item number is required for a firearm and any ammunition, clip, or magazine contained in the firearm.
- H. Do not insert any object into the barrels, cylinder, chambers, or magazine housing of the firearm. The firearm needs to be unloaded.
- I. Bag loose ammunition in a small paper bag. The ammunition must be dry.
- J. Bag any clip or magazine in a separate paper bag and then place them in a larger paper bag with the firearm and tie off the bag.

### **2.3.14 Investigation**

- A. Determine Ownership by searching the Maryland State Police firearms registration file (METERS- MGUN). The information needed for the search are:
  1. Manufacturer
  2. Weapon type
  3. Model number
  4. Caliber or gauge
  5. Serial number
  6. Reason for the trace should accompany every request

- B. Whenever any handgun comes into the possession of this department, or whenever an individual is found to be in possession of a handgun, either with or without a handgun permit, the following procedures will be followed:
  - 1. The upper portion of [MSP Form 97](#) will be completed and
  - 2. The employee completing the form will indicate whether the form is being utilized as a "Stop and Frisk Report", "Firearms Incidental to Arrest Report," "Trace Report," or any combination of the three.
  - 3. The [MSP Form 97](#) will be forwarded to the MSP Handgun Permit Unit.

### **2.3.15 Opening and Resealing Packaged Property**

- A. Whenever a package is opened at the original seal, the original seal will be placed inside the original package when it is resealed.
- B. Place the new seal in the same manner as described for the original seal.
- C. When resealing KAPACs, the officer will ensure that the original seal is visible and will put their initials and the date of resealing on the seal.
- D. Whenever packaged evidence is opened and resealed, the name of the officer possessing the evidence will appear in the Chain of Custody on UPD [Form 16](#).
- E. When opening a sealed evidence package or container, the reason will be explained in a supplemental police report (documenting the opening / re-sealing).

### **2.3.16 Hazardous Materials/ Explosive Devices**

- A. Only authorized personnel (fire department, bomb squad, etc.), will handle and dispose of hazardous materials or explosive devices. They have the training and facilities to properly control and store those items. Assistance can be obtained from:
  - 1. Risk Management (UMBC);
  - 2. the Maryland Hazardous Waste Laboratory and Spill Response Team,
  - 3. the Maryland State Fire Marshal's Office;
  - 4. or the distributor of the material in question.
- B. Release such materials only to authorized personnel for storage / disposition.
- C. Should the hazardous material be necessary evidence to a criminal prosecution, the following procedures will apply:
- D. Photograph the items to include proper identification, labels, placards, etc.
- E. See that the material is properly disposed of by authorized personnel.
- F. Complete a Property/Evidence Record Report and have the release signed by the representative of the authorized agency removing the material.

### **2.3.17 Digital Media and Photography**

The Records Unit shall be the Agency-wide repository for all digital images of an evidentiary nature. Digital images will be transferred from the digital media card as soon as possible directly to the ARMS system within the report.

- A. Any use of photographic equipment must support the legitimate interests of law enforcement in the detection, investigation, and prosecution of criminal matters or in support of University Policies, Rules and Regulations.
- B. Photographic evidence is treated with the same level of responsibility afforded any other physical or forensic evidence.
- C. Digital media is discoverable to the defense and can be subpoenaed for examination.
- D. Personnel using the digital cameras will **not** attempt to manipulate an existing image captured by any other member of the UMBC Police Department in any manner.
- E. Upon completion of photographing a scene or incident, personnel will transfer the images from the camera onto the ARMS system for the incident.

- F. Officers may submit additional photographs taken with personally owned cameras or photographs obtained from witnesses, victims, or other parties to an incident or case, for inclusion in a department file or record. A report will explain how the photos were obtained and from who (to be summonsed to court).
- G. Media will not be released to, shown to or possessed by any unauthorized person without specific authorization from the Chief of the UMBC Police Department. Exceptions include the State's Attorney Office; UMBC's University Counsel; Defense Counsel; a Trial Judge, Hearing Board, Hearing Panel or any Administrative Panel; or upon prior authorization by the Chief of Police or Chief's designee.
- H. All digital images are placed onto the ARMS system as soon as possible. After the photos are transferred, the digital images on all media cards will be deleted.

### **2.3.18      Handling Money**

- A. Money shall be handled as property.
- B. If cash is recovered and the owner is unknown, complete a numbered receipt with UPD Form 16. The money and the UPD Form 16 will be submitted to the Evidence Manager.
- C. If cash is recovered and the owner is known, the cash is not classified as evidence or subject to forfeiture. Store in an envelope for a small amount or a Kapac bag for large amounts. Return as soon as possible to the owner. Complete UPD Form 16.
- D. If special collector coins or coins/cash with collector value are recovered, store in a Kapak bag and submit to Evidence for safekeeping. Complete UPD Form 16.
- E. Money will be forwarded to the Business Services within five (5) working days. This includes found property where the owner does not claim their property within 5 days.
- F. A simple count by denomination will be used when packaging money. For example, 50 twenty-dollar bills = \$1,000, 40 ten-dollar bills = \$400, etc. Stack the currency by denomination and rubber band large groups.
- G. Money seized for criminal investigations will be photographed. The photographs will be added to the Records Management System (RMS) as part of the report per Maryland law. The money is stacked and photographed as a stack, not each separate bill. The exact total is placed in the lower right corner of the item description section.
- H. If currency serial numbers are relevant to the case (e.g., to identify bait currency, etc.), each piece of paper currency should be photocopied to show the denomination and serial number. Use the overlap method and reduce or enlarge copies. Federal law prohibits exact copying of US currency. The photocopies will be submitted as evidence. Do this prior to packaging.
- I. If the currency seized is rare or collectible or a negotiable instrument having a value greater than the face value, it must be submitted to the Evidence Manager and held as separately as evidence.
- J. The Evidence Manager will deliver the sealed envelope (KAPAK) to the Comptroller's Office for deposit and obtain a cashier's receipt for the money.
- K. The Evidence Manager will verify claims to money in writing to the Comptroller's Office and will include the full name, address and social security number of the claimant and the applicable property record number. The Comptroller's Office will process the claim and forward the money to the claimant.

### **2.3.19      Stolen Vehicles**

- A. Stolen vehicles will be processed as with all other crime scenes.
- B. Vehicles are towed to the established towing service for the University.

- C. A locate must be sent via NLETS notifying the ORI (Original Agency reporting the theft) of the recovery of the vehicle, location stored, and whether any arrests were made.
- D. The Original agency reporting the theft is responsible for notifying the victim of the recovery and location of their vehicle.
- E. If needed, the vehicle can be indexed in the National Impound Program via METERS.

### **2.3.20 Computer Equipment**

- A. Computer equipment will be seized and processed consistent with the [US DOJ Federal Guidelines for Searching and Seizing Computers](#) or as synopsised in Searching and Seizing Computers, FBI Washington Field Office by the Computer Analysis Response Team.
- B. Officers anticipating seizing computers or related equipment as evidence will contact the MSP Computer Crimes Unit to ensure on-scene computer forensic assistance.

### **2.3.21 Stained Articles**

- A. Any evidence contaminated with blood/body fluids (e.g., saliva, tears, vomitus, semen, urine, stool), whether wet or dry, shall be handled with disposable gloves.
- B. Such evidence must be dried before packaging. These articles are dried in a secure, well ventilated room and not exposed to sunlight or heat.
- C. The evidence is then packaged separately in paper bags. Never use plastic bags to package this evidence.

### **2.3.22 Laboratory Submission**

- A. The Maryland State Police Crime laboratory is the facility used for most of our crime laboratory needs. Therefore, their policies, practices and procedures will be adhered to in the collection, packaging and processing of evidence.

### **2.3.23 Investigations Handled by other Agencies**

In cases where another agency is used for the primary investigative unit; i.e.: Baltimore County Police are used for rape, homicide cases; their policies, practices and procedures will be adhered to in the collection, packaging and processing of evidence. In these cases, the Baltimore County Police recover and store the evidence.

### **2.3.24 Equipment & Supplies**

- A. Equipment and supplies are found in the packaging closet in the Ready Room.
- B. Members discovering that supplies are low are to notify their supervisor.
- C. The Operations Section will ensure that adequate supplies are available.
- D. Digital camera memory cards are kept in the supervisor's room. The Operations Section will ensure that media cards are available for patrol use.
- E. Equipment that is needed, but not immediately available, can be obtained by a request for assistance from the Baltimore County Police or the Maryland State Police Crime Labs.

## **2.3.25      DNA Evidence Collection**

### **2.3.25.1      *General***

- A. Officers will request assistance from the Baltimore County Police or Maryland State Police to collect and preserve evidence for DNA analysis, except when DNA samples are collected during arrest processing.
- B. If necessary to collect DNA related evidence in exigent circumstances, officers will:
  - 1. Collect the evidence in such a way to prevent contamination;
  - 2. Wear gloves always and change them frequently, especially if they become contaminated;
  - 3. Thoroughly clean instruments such as scissors, forceps, and knife blades with alcohol swabs before and after contacting each item;
  - 4. Presume any type of body fluid or tissue is infectious regardless of the source;
  - 5. Use universal precautions, such as gloves, eye protection, foot coverings, and disposable gowns or clothing, as appropriate; and
  - 6. Collect, document, and submit evidence as required.
- C. Arrestee DNA Collection: Consistent with [Public Safety \(PS\) 2-501](#), all adults and juveniles charged as adults for qualifying crimes will have their DNA collected after arrest and processing. Qualifying crimes are:
  - 1. Abduction and/or kidnapping
  - 2. Burglary First degree under CR § 6-202
  - 3. Burglary Second degree under CR § 6-203
  - 4. Burglary Third degree under CR § 6-204
  - 5. Attempted first, second, or third degree burglary.
  - 6. Child abuse in the first degree under CR § 3-601
  - 7. Manslaughter, except involuntary manslaughter
  - 8. Assault in the first degree
  - 9. Murder
  - 10. Assault with intent to murder
  - 11. Robbery under CR § 3-402 or CR § 3-403 Carjacking/ Armed carjacking
  - 12. Use of a handgun in the commission of a felony or other crime of violence
  - 13. Rape
  - 14. Assault with intent to rape
  - 15. Sexual offense in the first degree
  - 16. Assault w/ intent 1st degree sexual offense
  - 17. Sexual offense in the second degree
  - 18. Assault w/ intent 2nd degree sexual offense
  - 19. Continuing course of conduct with a child under CR § 3-315
  - 20. Sexual abuse of a minor under CR §3-602 if:
    - a. The victim is under 13 years and the offender is an adult at the time of the offense; and
    - b. The offense involved:
      - i. Vaginal intercourse, as defined in CR § 3-301
      - ii. A sexual act, as defined in CR § 3-301
      - iii. Any penetration into the victim's genital opening or anus; or

- iv. Intentional touching of the victim's or the offender's genital, anal, or other intimate area for sexual arousal, gratification, or abuse.

#### **2.3.25.2 Officer Duties and Responsibilities**

- A. Complete the training program for DNA collection;
- B. Do Not collect DNA samples until charging documents have been completed, reviewed, and approved by a supervisor;
- C. Complete the appropriate sections for DNA collection in the arrest book maintained in the processing room;
- D. DNA samples are collected consistent with the DNA kit instructions, completing registrations: Paper / Pen Form located in the DNA kit;
- E. Give arrestees a copy of the "Notification of Rights;"
- F. Ensure copies of the "Notification of Rights" are included in completed arrest packets and submitted to Central Records;
- G. Place completed DNA collection kits in outgoing mail;
- H. Include DNA collection related information in report narratives. This information is:
  1. Name of the officer who collected the DNA sample;
  2. Date and time the DNA sample was taken; and
  3. Name of the supervisor who approved the charging documents and the authority to collect the DNA;
- I. If arrestees refuse to submit to DNA collection:
  1. Notify a supervisor of the refusal;
  2. Complete the DNA collection kit without the swab, noting the refusal on the registration form;
  3. Ensure the commissioner conducting the initial appearance is told of the arrestee's refusal to submit to DNA collection.
  4. Document the refusal in the related report narrative.
  5. Mail the kit to the address on the kit with the explanation that the subject refused.

#### **2.3.25.3 Supervisor Duties and Responsibilities:**

- A. Review charging documents to ensure probable cause exists to charge suspects with qualifying crimes;
- B. Indicate approval of charging documents by initialing and dating the lower right-hand corner of each page;
- C. Ensure that DNA samples are collected and collection kits are completed only by officers who are trained to do so;
- D. Ensure required DNA collection related information is included in related report narratives and the arrest book; and
- E. Notify the Support Services Commander if a person arrested for a qualifying crime refused to submit to DNA sample collection.

#### **2.3.25.4 Records Manager Duties and Responsibilities**

- A. Ensure a list of qualifying crimes is posted in the processing room;
- B. Ensure arrest book pages are configured to collect required DNA information;
- C. Ensure arrest related documents for qualifying crimes are reviewed for compliance.

**2.3.25.5 Evidence Manager Duties and Responsibilities:**

- A. Serve as the agency's liaison to the MSP Forensic Sciences Division;
- B. Ensure the agency has a supply of approved, current DNA collection kits with a reasonable stock in the processing room;
- C. Promptly notify the investigations supervisor of any possible DNA hit confirmations; and
- D. Submit written quarterly lists of DNA collection activities and possible DNA hit confirmations to the property custodian's commander.

**2.3.25.6 Investigations Duties and Responsibilities**

When notified of DNA confirmations hit, the investigations unit will:

- A. Ensure timely follow-up investigations are conducted; and
- B. Coordinate any necessary notifications to allied agencies.

**2.3.25.7 Support Services Commander Duties and Responsibilities**

- A. Ensure that all officers are trained in the DNA sample collection process;
- B. Liaison with the Office of the States Attorney when eligible suspects refuse to submit to DNA sample collection;
- C. Review quarterly DNA activity reports from the property custodian and disseminate that information in the form of quarterly and yearly reports to the Chief; and
- D. Report required information to the Governor's Office of Crime Control and Prevention.

**2.3.25.8 Packaging Evidence**

- A. Employees will comply with applicable directives established in the MSP Forensic Sciences Division [Guidelines for Submitting Physical Evidence](#).
- B. Choose containers suitable to the type of evidence being collected:
  - 1. The size and weight of articles; and
  - 2. Whether the articles could rot or deteriorate if packaged incorrectly.
  - 3. Package evidentiary articles separately to avoid contamination.
  - 4. Fluids or stains will be packaged separately to prevent cross-contamination.
  - 5. Items will be packed to minimize interior movement within packages.
  - 6. Markings or labels will be placed on packages or containers.
  - 7. Whenever possible, packages will be labeled before placing evidence in them to prevent damaging evidence when writing on packages.

**2.3.26 Report Preparation**

- A. Members are responsible for documenting their actions towards evidence collection and handling in their official reports.
- B. Members also note the property / evidence in the ARMS system.
- C. The Evidence Manager is responsible for making notations in the ARMS system for actions dealing with evidence; i.e.: transport to a crime lab, destruction or

release, etc.

### **2.3.27 Prisoner Property**

- A. An arrestee's personal property will be packaged, and appropriately identified.
- B. The package should be transported with the arrestee.
- C. If it is not possible to transport the property with the arrestee (hospitalized, etc.), it will be properly tagged, inventoried, and stored in a temporary locker.
- D. Property may be returned to the owner or their designated representative. The person receiving the property will sign the bottom of the Form 16, and the releasing officer will complete the name, address and phone number for that person.

### **2.3.28 Lost & Found**

- A. Reasonable attempts will be made and documented to locate the property owner.
- B. Items may be transported to the Lost and Found Desk in the Commons.
- C. Discretion must be used in cases where the found property has significant value.
- D. Property held at the station must be packaged and a Form 16 completed.
- E. Unclaimed Property will be disposed of according to the Retention Schedule Table.
- F. Known owner: Must attempt notification within three days of receiving the property. Serialized property or property with owner applied numbers will be checked through NCIC, METERS and other available databases for law enforcement. Members will note the efforts they take to return property in the ARMS / CAD system.
- G. Unknown owner: the receiving employee will obtain the name, address, and telephone number of the person turning in that property, in addition to the circumstances surrounding the recovery on a CAD card. Again, discretion must be used in cases where the abandoned property has significant value.

### **2.3.29 Results of Laboratory Analysis**

- A. The primary crime laboratory used by the UMBC Police is the Maryland State Police Forensics Lab. They are certified to perform all of the examinations that they conduct. Should we request a forensic examination that is beyond their certification, the evidence would be transferred to another certified laboratory: the Federal Bureau of Investigation's Crime Laboratory or the U.S. Alcohol, Tobacco and Firearms Forensics Lab.
- B. The official results of laboratory exam are sent to the Evidence Manager in a written report. This written report is scanned and entered into the ARMS System, and the original is kept in the Records Section.
- C. These labs use their agency's Chain of Custody report, which will be completed and maintained until the evidence is returned to UMBC custody, where our agency Evidence Form 16 then is used.

### 2.3.30 Special Circumstances

All in-custody and evidentiary property is stored within a designated and secure area (Evidence Room) with access limited to authorized personnel to ensure chain of custody and integrity.

Examples:

Item	Special Handling
CDS	If too large, contact Evidence Manager
PCP	Cannot be stored at UMBC Police Department. Contact Evidence Manager
Needles	HazMat "Sharps" container
Firearms	Make safe before temporary storage
HazMat / Explosives	Cannot be stored at UMBC Police Department. Contact Evidence Manager
Digital photos	Store in ARMs
Stolen Vehicles	Search and secure any evidence/ valuables.
Computers	Do not attempt to search w/o police tech
Stained articles	Must be dried first. Contact Evidence Manager
Large items such as: Bicycles, appliances	Contact Evidence Manager
Vehicles	Same as stolen vehicles
Perishable items	Contact Evidence Manager. Must be placed in secure refrigerator inside Evidence Room

When assessing the degree of security to provide, the member and their supervisor should weigh the importance of the property it is placing in these areas and the consequences if the property is stolen, damaged, or contaminated while in-custody

### 2.3.31 Vehicles held as Evidence

- A. If the vehicle is the evidence (i.e.: Hit & Run), forensic grade photographs must be taken (usually by Baltimore County Police Department per the MOU or the Maryland State Police).
- B. If the vehicle needs to be stored for courtroom presentation, it must be stored in a secure location, i.e., the Maryland State Police lot in Waterloo, Maryland.
- C. Vehicle only contains evidence:
  1. If it is a crime of violence, the Baltimore County Police Department processes the vehicle per the MOU. The BCPD will tow the vehicle to the Vehicle Processing Room in Towson. UMBC Police must follow the vehicle to ensure the chain of custody and write a report.
  2. For all other crimes, UMBC Police must immediately process the vehicle, remove evidence, and secure the vehicle.
- D. Officers holding vehicles
  1. Ask if the vehicle is part of an investigation taken over by the Baltimore County Police Department or the Maryland State Police, then the towing agencies policy and procedures will be used.
  2. If the vehicle is towed solely for the UMBC Police Department, have the vehicles towed by UMBC authorized towing service.
  3. Notify the Evidence Manager.

4. Required forms
  - i. UPD Form 16 Property/Evidence
  - ii. Evidence tag, to be attached to the vehicle and visible.
5. Vehicle claimants
  - i. May not receive vehicle without approval from investigating officer.
  - ii. Must provide proper identification.
  - iii. Must pay tow charges if required.
  - iv. Sign UPD Form 16 to release custody of vehicle.
6. Evidence Manager
  - i. Notify vehicle owner via phone and certified US mail
  - ii. Notify the Baltimore County Police Abandoned Vehicle unit if vehicle is not claimed in a reasonable time.
  - iii. Contact towing/storage business with progress updates
  - iv. If necessary, notify General Counsel to protect the University's financial responsibility for the towing/storage of the vehicle.
  - v. If the vehicle must be held as evidence, coordinate with the Baltimore County State Attorney's Office and the investigating officer to determine the length of the impoundment. A vehicle held for too long may need special precautions to avoid deterioration of the vehicle and evidence.

## 2.4.0 COMMUNICATING WITH PEOPLE IN DIFFICULT SITUATIONS

### 2.4.1 Persons with Limited English Proficiency (LEP) & Hearing Impairment

**Policy Statement:** It is the policy of the UMBC Police Department to take reasonable steps to provide meaningful access to all individuals in any encounter with the Department regardless of their national origin or limited ability to speak, read, write, or understand English. A language assistance implementation plan details the steps to be taken in implementing this Policy. The improper use of language or a document could be detrimental to the prosecution of a case and/or present a negative impression of the Department.

#### PROCEDURES:

1. **Stay poised:** Members must remain calm, patient, and assure the Hearing Impaired or LEP person that you will seek assistance. Attitude and body language are key factors in establishing a calm situation and trust. Remember that many LEP persons are immigrants from countries where the police are feared, not respected.
2. **Use Family / friends:** The affected person's family or friends may be used to assist in translation for non-criminal interpretations. A family member or friend will not be used to render the necessary interpretation for an interview, interrogation, or charging document due to personal involvement, considerations of confidentiality or evidence (unless exigent circumstances exist).
3. **Find which foreign language:** Have a foreign language speaker show you which language they speak. Use a language identification card found at one of these websites and have them point at their native language: (1) [language identification card](#), (2) [US Census](#). print the card and have the person identify their language. **Tell the person to: "Point to your language. An interpreter will be called. The interpreter is provided at no cost to you."**
4. **Deaf or hearing-impaired subjects:** may be able to communicate through writing, visual aids, gestures, and the use of a Telecommunication Device (TDD/TTY) or dialing 7-1-1 from any phone. The Federal Communications Commission (FCC) has adopted the use of the 7-1-1 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities.
4. **Request help:** Officers will attempt to locate the appropriate language interpreter by requesting the Baltimore County Police Communications Team to broadcast for an on-duty officer that may be available for assistance as an interpreter for the specific language (410-307-2020).
5. **Language Line:** If an on-duty officer is not readily available, the officer will make the necessary arrangements for the use of the Language Line. **All Language Line conversations will be conducted through the Baltimore County Communications Center.** The cost for this service is paid through a grant from the United States Department of Justice. [For Spanish written and voice DR15](#) (DUI Advice of Rights).

## **Definitions**

- Non-Certified Interpreter - is an interpreter that is generally accepted as reliable in collecting information and communicating immediate needs of LEP or Hearing Impaired individuals.
- Certified Interpreter - is an interpreter who has Maryland Court recognized interpretation skills and is currently listed on the [Maryland Court Interpreter "Release List" Registry](#).

### **2.4.2 Interviews and Interrogations**

Due to the highly sensitive nature of interviews and interrogations and their close scrutiny by the Judicial System, the following procedures will be used:

1. Any incident or case where the Miranda Rights Waiver ([UPD form 10](#) and [11](#), or the [Waiver of Rights to Prompt Presentment](#)) is implemented and the subject is or may be charged with a crime, the shift supervisor responsible for the case will make the decision on whether a certified interpreter is used.
2. The investigating officer will be present during the interview or interrogation to assist the interpreter and will remain responsible for all duties not related to interpretation.
3. The interpreter will summarize their participation and actions of the interview and the information will be placed on either a Supplemental report or a Confidential Report of Investigation.

## **2.4.3            Dealing with Mentally Ill Persons: Emergency Evaluations**

*Reference:* [General Order 2013 – 5 Emergency Petitions](#)

### **2.4.3.1            General Policy:**

The agency will provide appropriate services to ensure the health and safety of mentally ill persons, their families, and the university community, and to proactively refer those impacted by mental illness when police action is not warranted. The training function is responsible for ensuring:

1. Recruit level training includes initial training and is consistent with MPTC regulations regarding the (1) identification of, (2) response to, and (3) reporting on mentally ill persons and persons with mental health issues;
2. All employees receive initial training on dealing with mentally ill persons;
3. All employees receive refresher training on dealing with mentally ill persons annually<sup>1</sup>; and
4. Documentation of training is maintained for accreditation and other relevant purposes.

---

<sup>1</sup> CALEA 41.2.7

**2.4.3.2 Recognizing Mental Illness and Mental Health Issues**

Employees should be alert to symptoms common to mental illness. While a single symptom or isolated event does not necessarily indicate mental illness or mental health issues, professional help should be sought if symptoms persist or worsen.

<b><i>Mental Illness Symptoms</i></b>	<b><i>Symptom Behaviors</i></b>
Social Withdrawal	<ul style="list-style-type: none"> <li>• Sitting and doing nothing;</li> <li>• Withdrawal from family and / or friends;</li> <li>• Dropping out of activities;</li> <li>• Decline in academic or athletic performance.</li> </ul>
Depression	<ul style="list-style-type: none"> <li>• Loss of interest in activities;</li> <li>• Expression of hopelessness or helplessness;</li> <li>• Changes in appetite or weight gain/loss;</li> <li>• Behaviors unrelated to events or circumstances;</li> <li>• Excessive fatigue and sleepiness or in-ability to sleep;</li> <li>• Pessimism;</li> <li>• Thinking or talking about suicide</li> </ul>
Thought Disorders	<ul style="list-style-type: none"> <li>• Inability to concentrate or cope with minor problems;</li> <li>• Irrational statements;</li> <li>• Poor reasoning, memory and judgment;</li> <li>• Expressing thoughts of greatness or ideas of being harassed or threatened;</li> <li>• Peculiar use of words or language structure;</li> <li>• Excessive fear or suspiciousness.</li> </ul>
Expression of Feelings	<ul style="list-style-type: none"> <li>• Hostility;</li> <li>• Indifference;</li> <li>• Inability to cry or excessive crying;</li> <li>• Inability to express joy;</li> <li>• Inappropriate laughter;</li> <li>• Nonverbal expressions of sadness or grief.</li> </ul>
Unusual or Erratic Behaviors	<ul style="list-style-type: none"> <li>• Hyperactivity or inactivity;</li> <li>• Deterioration in personal hygiene and appearance;</li> <li>• Involvement in automobile accidents;</li> <li>• Drug or alcohol abuse;</li> <li>• Forgetfulness and loss of valuable possessions;</li> <li>• Attempts to escape through geographic change, frequent moves or hitchhiking trips;</li> <li>• Bizarre behavior;</li> <li>• Inappropriate use of household decorations, such as aluminum foil covering windows;</li> <li>• Accumulation of waste matter or trash;</li> <li>• Unusual sensitivity to noises, light, colors, and clothing;</li> <li>• Changes in sleeping and eating habits.</li> </ul>
Cognitive Impairments	<ul style="list-style-type: none"> <li>• Disorientation in time, place, or person;</li> <li>• Confusion, incoherence and extreme paranoia;</li> <li>• Inability to find way in familiar setting;</li> <li>• Inability to solve familiar problems;</li> </ul>

	<ul style="list-style-type: none"><li>• Impaired memory for recent events</li></ul>
--	---

### **2.4.3.3 Contacts with Mentally Ill Persons**

- A. Persons with mental illness or mental health issues can be easily upset and may engage in tantrums or self-destructive behavior. Minor changes in daily routines may trigger these behaviors.
- B. Family or friends can assist in calming an individual exhibiting unusual behavior.
- C. Guidelines for dealing with persons who possibly have mental illnesses include:
  - 1. Speak calmly using short, direct phrases
  - 2. Use non-threatening body language and keep your hands by your sides if possible.
  - 3. Eliminate commotion by moving the person to a calm environment or by removing distractions, upsetting influences, or disruptive people from the scene.
  - 4. Understand that the person may be unable to hold a rational conversation.
  - 5. Understand the delusion or hallucinatory experience is real to the person.
  - 6. Look for personal identification or medical alert necklaces or bracelets.
  - 7. Gather information from family, caregivers, and bystanders.
  - 8. Be patient.
  - 9. Understand that mentally ill people may use other forms of communication, such as signals or gestures, or demonstrate limited speaking abilities.
  - 10. Maintain a safe distance.
  - 11. Request officers if non-sworn employees are dealing with mentally ill persons and believe immediate assistance is needed.
- D. Officers should generally avoid the following:
  - 1. Moving suddenly, giving rapid orders, or shouting
  - 2. Forcing discussions
  - 3. Direct, continuous eye contact
  - 4. Touching the person, unless essential for safety
  - 5. Crowding the person or moving within the person's comfort zone
  - 6. Expressing anger, impatience, or irritation
  - 7. Assuming an unresponsive person cannot hear
  - 8. Using inflammatory language, such as "mental" or "mental subject"
  - 9. Offering the individual multiple choices and creating confusion
  - 10. Challenging delusional or hallucinatory statements
  - 11. Misleading the individual to believe that officers on scene think or feel the way the individual does
- E. For interviews and interrogations:
  - 1. Consult with mental health professionals and the Office of the State's Attorney to determine whether the persons are competent to understand their rights (against self-incrimination).
  - 2. Do not interpret the lack of eye contact and strange actions or responses as possible indications of deceit, deception, or evading questions.
  - 3. Use simple, straightforward questions.
  - 4. Do not employ common interrogation techniques, suggest answers, pose hypothetical conclusions, or attempt to complete statements of persons who are slow to respond.
  - 5. Understand that a mentally ill person may be easily manipulated and may be

highly suggestive.

- F. Once sufficient information has been collected about the nature of the situation and the situation has been stabilized, there are several options the officer can take. These options include:
1. Take no further action.
  2. Allow the person to go with family caregivers, or mental health providers.
  3. Transport person for medical attention if they are injured or abused.
  4. Transport individual to substance abuse center.
  5. Assist in arranging voluntary admission to mental health facility.
  6. Transport for involuntary emergency psychiatric services evaluation.
  7. Arrest if crimes have been committed.

#### **2.4.3.4 Emergency Psychiatric Evaluations**

[Md. HEALTH-GENERAL Code Ann. § 10-622](#) contains controlling language that describes when Officers may take persons into custody and petition for emergency psychiatric evaluations.

**Emergency Protective Services (Transportation of Adults to Medical Facilities):** Any peace officer who acts as a custodian of an emergency evaluatee shall have the immunity from liability described under [§ 5-624\(c\) of the Courts and Judicial Proceedings Article](#).

#### **2.4.3.5 Intoxicated Evaluatees**

- A. Intoxicated evaluatees shall not be transported to a crisis center hospital for psychological evaluation.
- B. Offer the individual a preliminary breath test (PBT).
- C. Individuals shall not be transported if the PBT reading is over .04.
- D. Observe the individual until they are sober enough for evaluation.
- E. If the individual refuses a PBT, the officer must wait until the individual is sober enough for an evaluation.

#### **2.4.3.6 Geriatric Evaluations**

When taking persons 65 years of age or older into custody:

- A. During normal business hours, the Geriatric Evaluation Service will be contacted through the [Baltimore County Health Department](#), prior to transportation to the emergency facility.
- B. During off hours, present petition procedures apply.

#### **2.4.3.7 Petition Process**

- A. Officers must first observe the individual for current symptoms of mental illness. Then upon the officer's own observations or based upon information received from third parties, may file a petition. [Petition Form and Instructions](#) and [Certification by Peace Officer Form](#)
- B. When an individual meets the emergency petition criteria, the officer will:
  1. Take the individual into custody, whether or not a crime has been committed.
  2. Inform the evaluatee of the reason for their apprehension and that they are being taken into custody under the Annotated Code of Maryland.
  3. Complete a Petition for Emergency Evaluation (original and two copies) and attach a copy of the petition to each copy of the report.
  4. Notify the nearest relative and/or interested person (as shown on the petition).

- Notification will include the evaluatee's present and future whereabouts.
5. Transport the individual to the closest designated emergency facility.
  6. Complete a police report.

#### **2.4.3.8 Transportation of Evaluatees**

The UMBC Police Department provides assistance to our community when in distress, which includes transport to a hospital for mental health care and treatment.

- A. Evaluatees will be transported by police vehicle to the nearest emergency facility when a petition is initiated by a police officer, certified medical authority, or endorsed by the court.
- B. Transportation must be accomplished with care to avoid injury to the officers and the patient. Special precautions, such as leg restraining straps and handcuffs, may be necessary.
- C. When an evaluatee is released from an emergency facility and desires transportation:
  1. Arrangements for transportation will be made by the emergency facility.
  2. If the emergency facility cannot provide transportation, ***the police will be contacted and provide transportation.***
- D. When the person to be transported needs medical treatment:
  1. The officer will request an ambulance.
  2. If the evaluatee is violent, the officer may ride inside the ambulance to ensure the safety of EMTs when requested by ambulance personnel.
  3. If necessary, the officer's service weapon may be placed in a locked compartment in the ambulance until arrival at the emergency facility.

#### **2.4.3.9 Hospital Procedures**

- A. Deliver the evaluatee to the registration desk and advise the registrar of the need for an evaluation.
- B. Advise the registrar that the subject will be responsible for billing, not UMBC.
- C. Inform the registrar that if the evaluatee is not violent, the officer will not remain unless requested by a physician.
- D. Advise the supervisor of their status after 15 minutes if the hospital does not relinquish their service or immediately if the officer is requested to stay.

#### **2.4.3.10 Supervisors**

- A. Respond to the hospital and assess the evaluatee's behavior, when the hospital does not relinquish an officer's services.
- B. Confer with the physician when a physician requests that the officer remain.
- C. Assess the evaluatee for violent behavior, keeping in mind that the mere fact that an individual has been involuntarily taken to a hospital for an Emergency Evaluation suggests the potential for violence. Consideration should be given to the evaluatee's past actions and propensity for violence, as well as the supervisor's observations at the hospital.
- D. The decision to relinquish an officer's hospital duties and the factors that led to the decision must be documented in the police report.

#### **2.4.3.11 Emergency Mental Health Near UMBC**

- A. The Baltimore County Bureau of Mental Health administers a Crisis Mental Health System through a contract with the Affiliated Sante Group, Inc. Services may be

received by calling (410) 931-2214 or visiting

<https://baltimorecounty.md.networkofcare.org/mh/emergency-services.aspx>.

**B. West Side Shelter – Catonsville**

Emergency shelter beds for 100 men. Residents receive dinner and breakfast as well as laundry and shower facilities. Supportive services provided by Lazarus Caucus include support with identification, birth certificates, transportation, clothing, and meal coordination. Call 410-853-3000 for individuals seeking shelter. The shelter is located at 55 Wade Ave, Catonsville, MD 21228. More information can be found at: <https://www.baltimorecountymd.gov/departments/health/resources/cold.html>.

**2.4.3.12 Voluntary Commitment Rules**

- A. The UMBC Counseling Center personnel will contact UMBC Police requesting a voluntary transport for further mental evaluation when it does not rise to the level where an Emergency Petition would be appropriate.
- B. Officers will advise the student that for their safety and that of the officers, the transport can only take place if the student is searched and handcuffed prior to being transported.
- C. Evaluatees can refuse to be restrained; however, officers will advise the subject that the transport cannot be conducted if they refuse.
- D. Officers will respond to the Counseling Center and meet with the student. If the student refuses to cooperate with a voluntary transport, the University Health Clinic will decide if they can perform an emergency evaluation. If not, the officer can leave, and no transport will occur.
- E. The on-duty St. Agnes Hospital reception personnel must be informed that this is a voluntary admission and that the UMBC Police Department is only providing transport.
- F. Officers will complete an incident report if a transport is done. A refusal shall be documented in a CAD card.

**2.4.3.13 Logistics**

- A. Due to the sensitive nature, care should be taken to protect the privacy of individuals being transported.
- B. Officers should park on the sidewalk on the North side of the
- C. Officers should escort the student outside the North door of UCC to avoid taking the student out the front lobby waiting area.

	<b><i>INVOLUNTARY TRANSPORT</i></b>	<b><i>VOLUNTARY TRANSPORT</i></b>
<b><i>Who fills out the Emergency Petition form?</i></b>	Counseling Center personnel or police officers when they have personal observations.	Emergency Petitions are not completed with voluntary transports.
<b><i>Security</i></b>	Officers will handcuff and search the individual prior to transport. Procedures are consistent with prisoner arrest and transport procedures.	Officers will advise the student that for their safety and that of the officers, the transport can only be conducted if the student is searched and handcuffed prior to being transported
<b><i>Can they refuse to be handcuffed and/or searched</i></b>	No.	Yes, but officers will advise the student that they cannot be transported.
<b><i>Transport</i></b>	Officers will transport the individual to St. Agnes Hospital to be turned over to the mental health unit	Officers will respond to the Counseling Center and meet with the student
<b><i>Paperwork</i></b>	Officers will provide the hospital with the petition and make a copy for our records.	No paperwork is given. The on-duty reception personnel must be informed that this is a voluntary admission.
<b><i>Police Reports</i></b>	Officers will complete an incident report for Emergency Evaluation.	Officers will complete an incident report for a Sick Student.

## **2.4.4 Dealing with Diplomats, Foreign Nationals and their Family / Agents**

**Resources:** [Training Video](#)  
[FAX sheet for Consular Notification](#)

### **2.4.4.1 Diplomatic Immunity**

A primary source document relating to diplomatic immunity is the US Department of State "Guidance for Law Enforcement Officers: Personal Rights and Immunities of Foreign Diplomatic and Consular Personnel." [Link](#)

### **2.4.4.2 Levels of Diplomatic Immunity**

- A. Police officers may intervene to any extent necessary with persons of any level of immunity in circumstances where public safety is in imminent danger or it is apparent that a serious crime may otherwise be committed. This includes the authority for officers to defend themselves and others from personal harm.
- B. Full diplomatic immunity means that: those persons, their residences, vehicles, belongings, and papers cannot be searched. They cannot be arrested or detained and are not required to give evidence as witnesses. Those persons with full diplomatic immunity are:
1. Diplomatic agents;
  2. Diplomatic mission staff;
  3. Administrative and technical mission staff;
  4. Spouses of 1 - 3; and
  5. Dependent children of 1 - 3, until the age of 21 or 23, if full-time students.
- C. Limited criminal immunity prevents convictions if judges find that criminal acts transpired in the course of official duties. Persons enjoying limited immunity may be detained or arrested, their persons and belongings searched, and they may be required to give evidence as witnesses. Those persons with limited criminal immunity are:
1. Service staff such as chauffeurs, drivers, mission servants, and domestic mission employees; and
  2. Consular officers.
- D. Persons who have no criminal or diplomatic immunity are:
1. Families of service staff;
  2. Families of consular officers;
  3. Consular service staff or their families;
  4. Citizens of the United States who are employed by a consulate; and
  5. Private servants of any foreign national.

### **2.4.4.3 Claims of Diplomatic Immunity**

- A. The burden of proof falls upon those claiming any level of diplomatic immunity to display valid diplomatic credentials.
- B. All incidents involving claims of any level of immunity, whether *bona fide* or not, will be documented in appropriate agency reports. Copies of reports involving persons with *bona fide* immunity will be forwarded to the United States Department of State by the Chief.
- C. Vehicles bearing diplomatic registration plates, or owned by persons with full diplomatic immunity **cannot be searched**. If it becomes necessary to tow vehicles with diplomatic license plates, officers will first attempt to locate owners/agents and request cooperation in moving same. If unsuccessful, officers will:
1. Have vehicles relocated to a nearby legal parking space;
  2. Accept the related towing bill and forward same to Fiscal Services; and
  3. Ensure owners/agents or the owners/agents embassies are notified of vehicle locations and reasons for the vehicles being towed.

**2.4.4.4 Other Foreign Nationals**

A. Other foreign nationals, not granted criminal immunity, are afforded certain rights and privileges under agreements between the United States and certain foreign countries.

These individuals are:

1. Families of embassy services staff, or of consular officers;
2. Private servants of diplomatic agents; and

3. **All other non-United States citizens, regardless of legal status**

**This applies to anyone NOT born in the United States.**

B. Certain procedures must be adhered to when dealing with foreign nationals.

1	<b>Inform their Consulate or Embassy</b>	detainees of their right to have their governments informed of their detentions.
2		required according to Federal law as a part of the Vienna Convention on Consular Relations
3		we must inform appropriate foreign consulates or embassies without unnecessary delay and <b>should make written records of such notifications</b>
4		Foreign nationals should be advised when their consuls have been notified
5	<b>Visitation</b>	Consular officers have the right to visit their nationals, to converse and correspond with them, and to arrange for their legal representation. A foreign consular officer may not take such actions on behalf of such persons if those persons being held expressly oppose the actions.
6	<b>Passport</b>	In determining that an arrestee is foreign national, the officer may assume this is the country on whose passport or other travel document the foreign national travels.
7	<b>Reference</b>	refer to the U.S. State Department <a href="#">booklet on Consular Notification and Access</a> .
8	<b>Fax</b>	Fax sheet: <a href="#">Notifying Consular Officers of Arrest or Detention</a>

### 2.4.4.5 Summary of Diplomatic and Consular Privileges and Immunities

(Reprinted from US Department of State Guidance for Law Enforcement Officers: Personal Rights & Immunities of Foreign Diplomatic & Consular Personnel).

Category	May be Arrested or Detained	Residence May be Entered Subject to Ordinary Procedures	May be Issued Traffic Citation	May be Subpoenaed as Witness	May be Prosecuted	Recognized Family Member
<sup>(A)</sup> Diplomatic Agent	NO <sup>(2)</sup>	NO	YES	NO	NO	Same as sponsor (full immunity & inviolability).
<sup>(A)</sup> Member of Admin. & Tech. Staff	NO <sup>(2)</sup>	NO	YES	NO	NO	Same as sponsor (full immunity & inviolability).
<sup>(A)</sup> Service Staff	YES <sup>(1)</sup>	YES	YES	YES	NO for official acts. Otherwise, YES <sup>(1)</sup>	No immunity or inviolability. <sup>(1)</sup>
<sup>(B)</sup> Career Consular Officers	YES if for a felony & pursuant to warrant. <sup>(1)</sup>	YES <sup>(4)</sup>	YES	NO for official acts. Testimony may not be compelled any time.	NO for official acts. Otherwise, YES <sup>(1)</sup>	No immunity or inviolability. <sup>(1)</sup>
<sup>(B)</sup> Honorary Consular Officers	YES	YES	YES	NO for official acts. YES all other cases.	NO for official acts. Otherwise, YES.	No immunity or inviolability.
<sup>(B)</sup> Consular Employees	YES <sup>(1)</sup>	YES	YES	NO for official acts. YES all other cases	NO for official acts. Otherwise, YES <sup>(1)</sup>	No immunity or inviolability. <sup>(1)</sup>
<sup>(C)</sup> International Org. Staff <sup>(3)</sup>	YES <sup>(3)</sup>	YES <sup>(3)</sup>	YES	NO for official acts. YES in all other cases.	NO for official acts. Otherwise, YES <sup>(3)</sup>	No immunity or inviolability.
<sup>(C)</sup> Diplomatic Level Staff of Missions to Int'l Org.	NO <sup>(2)</sup>	NO	YES	NO	NO	Same as sponsor (full immunity & inviolability).
<sup>(C)</sup> Support Staff of Missions to Int'l Org.	YES	YES	YES	YES	NO for official acts. Otherwise, YES.	No immunity or inviolability.

<sup>(A)</sup>Diplomatic <sup>(B)</sup>Consular <sup>(C)</sup>International Organizations

- (1) This table presents general rules. Particularly in the cases indicated, the employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (2) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or the prevention of serious criminal acts.
- (3) A small number of senior officers are entitled to be treated identically to "diplomatic agents."
- (4) Note that consular residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

## **2.5.0 CAMPUS LAW ENFORCEMENT**

### **2.5.1 Risk Assessment & Analysis**

- A. The UMBC Police Department is committed to maintaining a safe working, learning, and living environment for all members of the campus community.
- B. The UMBC Police Department's Emergency Manager conducts a documented risk assessment and analysis annually that addresses:
  - 1. Specific areas to be reviewed
  - 2. Identifying records and reports to be used
  - 3. Potential risks to the campus community from criminal activity
  - 4. Potential risks to the campus community from accidents
  - 5. Potential risks of property loss to the institution and individuals
  - 6. Liability issues
- C. The Emergency Manager serves as the Liaison to the Crisis Management Executive Team (CMET) and reports the findings (conclusions and recommendations) of the Risk Assessment to appropriate officials within the University community. [UMBC Emergency Operations Plan \(2020\)](#).

### **2.5.2 Purpose**

#### **Definitions**

- A. **Targeted Violence** is any incidence of violence where a known or knowable attacker selects a particular target prior to a violent attack.
- B. **Concerning Behavior** is any range of behaviors falling along a spectrum that, due to their nature or severity, affect or potentially affect the campus or the workplace, generate a concern for personal safety, or result in physical injury.
- C. **Threats** are inappropriate behaviors, verbal or nonverbal communications, or expressions that lead to the reasonable belief that an act has occurred or may occur that may lead to physical harm to the threatened, to others, or to property.

#### **General**

- A. Violence is a process as well as an act. Careful analysis of violent incidents shows that violent acts often are the culmination of long-developing, identifiable trail of problems, conflicts, disputes and failures.
- B. Traditional law enforcement activities aim at apprehending and prosecuting perpetrators of violence after the commission of their crime. The UMBC Police Department endeavors to proactively identify potential acts of targeted violence and attempts to reduce or recommend actions to reduce a threat. Members of the agency, when presented with information or concerns about a possible future violent crime, must understand their responsibilities, authority, and tools.

### **2.5.3 Documenting Behavior**

- A. Officers will document behavior that is reported or deemed threatening. Certain acts also require preliminary investigation. Examples include:
  - 1. Acts of violence
  - 2. Threats, whether direct, indirect, implied, or veiled
  - 3. Harassment
  - 4. Homicidal or suicidal thoughts or actions
  - 5. Intimidation

6. Stalking or unwanted pursuit
- B. Mental health concerns, including voluntary or involuntary commitment Other behavior that may require documentation and preliminary investigation include:
  1. Weapons on campus
  2. Belligerence or angry outburst
  3. Preoccupation with violent themes
  4. Apparent obsession with someone
  5. Domestic disputes
  6. Intentional destruction of personal property

#### **2.5.4 Preliminary Investigations**

- A. Threat assessments will be performed by sworn officers of the agency. Officers will attempt to find the following indicators of risk of violence:
  1. Involvement of, possession of, or access to weapons or weapons training.
  2. Escalating aggression, which includes increasingly concerning behavior that increases in frequency, intensity, or physical contact.
  3. Negative mental status, which may indicate mental health issues such as depression, paranoia, or homicidal or suicidal thoughts. This may also include feelings of injustice, humiliation, or anger. Negative mental status may be a result of drug or alcohol use.
  4. Negative Member Status, which may be indicated by unemployment, termination, suspension, disciplinary action, negative performance review, unstable employment, demotion, being passed over for promotions or pay raises (employees), or ejection or sanctions from a group.
  5. Personal Stressors, as related to relationships, physical health, financial status, legal issues, family concerns, coping styles and support system availability.
  6. History of Violence and Conflict, which can be detected by a criminal history, direct communication, or being a victim of or a witness to family violence.
- B. Officers should search for necessary information about a suspect by checking databases and other resources available to them. These include:
  1. Criminal history
  2. NCIC
  3. RMS
  4. Social media
  5. Victim or witness statements
  6. Statements from co-workers, friends, roommates, supervisors, or residence life staff
- C. Officers will include information concerning these checks in their report narratives. The preliminary investigation will include the collection of evidence or property that corroborates the incident:
  1. Email messages;
  2. Letters or papers;
  3. Instant Messaging messages; and
  4. Any other items that may be of evidentiary value.
- D. The preliminary investigation must be worked until complete. If an officer will be on days off, the case may be handed over to an officer on another squad that is working in the interim.

### **2.5.5 Threat Assessments**

Threat assessments may be managed by the Criminal Investigations Unit and will be coordinated through the Operations Commander. Where a full threat assessment is not conducted, the original report CCN will be used. Cases requiring a full threat assessment will involve a more in-depth investigation. This may include, but is not limited to:

- A. Contacting law enforcement agencies where the suspect lives or lived;
- B. Conducting a canvass of the suspect's neighborhood to question them about the suspect's behavior.

### **2.5.6 Working with the Campus Community**

Threat Assessments may require other departments at the University to act in support of the victim. These include:

- A. Academic Affairs
  1. Victim needs a change in classes
- B. Residential Life
  1. Victim needs a change in housing
- C. Transportation Services
  1. Victim needs a change in parking
- D. Counseling Center
  1. Victim is a student and in need of counseling
- E. Employee Assistance Program
  1. Victim is an employee and in need of counseling
- F. Student Judicial Programs
  1. Suspect is a student and violated the Code of Student Conduct

### **2.5.7 Resources to address potential campus threats:**

#### **2.5.7.1 Behavioral Risk Assessment and Consultation Team:**

UMBC's Behavioral Risk Assessment and Consultation Team assists faculty, staff and students address situations where a person is displaying disruptive or threatening behavior. The Behavioral Risk Assessment and Consultation Team is an interdisciplinary team that examines reports of such behavior to assess and identify persons whose behaviors may endanger their own or others' health and safety. The Team is designed to provide information, recommendations, and referrals to those dealing with threatening or disruptive situations. It does not adjudicate, discipline, or impose sanctions against any member of the campus community, nor does it provide or mandate treatment and, therefore is not a disciplinary body. To contact the UMBC's [Behavioral Risk Assessment and Consultation Team](#)

#### **2.5.7.2 Office of Equity and Inclusion:**

Interpersonal conflicts are inevitable in any work or educational setting. At UMBC, strategies and tools to resolve them include formal grievance procedures, formal and ad hoc complaint investigations, mediation, counseling, coaching and, when appropriate, sanctions. However, early intervention can often avert both unnecessary suffering and workplace disruption.

#### **2.5.7.3 Mediation**

Mediation is a voluntary, confidential process that allows individuals to resolve their

conflicts with the assistance of a neutral third party. The UMBC Office of Equity and Inclusion offers mediation services through professionally trained faculty, staff and student volunteers. Each mediation session is conducted by two mediators. Members of the campus community who are experiencing interpersonal conflicts are invited to contact the Office of Equity and Inclusion to explore the possibilities of using the center's mediation services.

#### **2.5.7.4 Conflict Resolution**

The success of the UMBC Office of Equity and Inclusion rests with the university's commitment to provide its constituents with an ongoing, confidential program for voluntary resolution of interpersonal conflict. In addition to mediation services, the center offers:

- A. Conciliation
- B. Facilitation
- C. Coaching
- D. Education
- E. Training
- F. Referrals

These services will support the university's goal to provide appropriate, alternate means for the resolution of campus conflicts.

#### **2.5.7.5 Relationship Violence:**

UMBC seeks to improve overall UMBC Community health by encouraging pro-social relationship behaviors and lifestyle changes that can positively impact our community. We are working to build a comprehensive campus-wide atmosphere of awareness and support for the prevention of intimate partner violence. UMBC wants to prevent intimate partner violence so that all UMBC students can be successful in their educational pursuits and as members of society at large—as parents, spouses, partners, researchers, co-workers, family members and leaders.

[Relationship Violence Awareness & Prevention](#)

### **2.5.8 Preparation of Annual Security Report**

The UMBC Police Department prepares the institution's Annual Security Report. The report is prepared for compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This data is submitted annually to the U.S. Department of Education.

- A. The report contains information about campus security, including campus security programs, recommended personal safety practices, the authority of the University Police, campus disciplinary procedures, alcohol and drug policies, sexual assault/offense programs, crime reporting procedures, emergency operations plan, timely warning and alerts notification systems, crime alerts and campus crime statistics for the most recent three year period. The report also contains other operational and reporting requirements.
- B. All enrolled students, faculty and staff are provided with printed materials which list the Public Safety website where this report can be located. Additionally, printed copies of the report may be obtained at the Department of Public Safety. This report can also be accessed electronically at the Department of Public Safety's website.

- C. The Annual Fire Report is prepared and maintained by the Department of Environmental Safety and can be read at <https://police.umbc.edu/daily-crime-log/>.

### **2.5.9 Emergency Notifications & Timely Warnings**

#### **A. Emergency Notifications**

Emergency Notifications, or Campus Alerts, are issued to alert the campus community about significant emergencies or dangerous situations. An Emergency Notification is required to be issued upon confirmation of a significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of students or employees. Examples of significant emergencies or immediate threats include, but are not limited to:

1. Active shooter;
2. Approaching tornado, hurricane, or other extreme weather conditions;
3. Earthquake;
4. Gas leak;
5. Bomb threat;
6. Chemical or hazardous waste spill;
7. Civil unrest or rioting; and
8. Explosion.

Campus community members are encouraged to sign up with Omnilert to receive Emergency Notifications via text message; however, the alerts are also posted to MyUMBC.

#### **B. Authority**

The Shift Commander can authorize the use of the Emergency Notification system; however, any member can use the system to alert the campus during an emergency.

#### **C. Timely Warnings**

Pursuant to the Clery Act, a Timely Warning, or Crime Alert, must be issued for Clery Act crimes that occur on Clery Act geography that are reported to Campus Security Authorities (CSAs) or the police *and* are considered to be a serious or continuing threat to students and employees. Clery Act crimes are:

- A. Homicide
  - a. Non-negligent Manslaughter
  - b. Negligent Manslaughter
- B. Rape
- C. Fondling
- D. Incest
- E. Statutory Rape
- F. Robbery
- G. Aggravated Assault
- H. Burglary
- I. Motor Vehicle Theft
- J. Arson
- K. Hate Crimes (any of the above-mentioned offenses motivated by bias)
  - a. Larceny
  - b. Simple Assault
  - c. Intimidation
  - d. Vandalism

L. Violence Against Women Act (VAWA) Offenses

- a. Domestic Violence
- b. Dating Violence
- c. Stalking

Timely Warnings, or Crime Alerts, are posted to MyUMBC and sent via email.

D. **Documentation**

A Timely Warning Decision Matrix (Form 216) must be completed by the Operations Commander, Support Services Commander, or Deputy Chief for every reported Clery crime that occurred on Clery geography and submitted to the Clery Compliance Coordinator.

E. **Authority**

The Chief of Police or Deputy Chief are responsible for issuing Timely Warnings, or Crime Alerts, if the reported Clery crime is determined to be an ongoing threat. The Chief of Police or Deputy Chief may issue Crime Alerts for non-Clery crimes that are determined to be an ongoing threat at their discretion.

F. **Testing**

The Emergency Notification system will be tested to ensure it is functioning properly if it has been one year since the last Emergency Notification was issued.

G. **Administrative Issues**

1. **Training**

The Administrative Sergeant is responsible for training agency members of this policy and how to use the Emergency Notification/Omnalert system.

2. **Misuse**

Members who misuse the e2Campus text alert system are subject to the disciplinary actions listed in 1.4 Discipline & Internal Affairs.

**2.5.10 Daily Crime Log**

- A. The UMBC Police maintain a daily crime log that can be accessed on the Department's website.
- B. The log lists any crime reported to the UMBC Police by classification, case number, date, time, general location and disposition. Daily crime logs from previous years are also available on the website.
- C. The daily crime log is maintained in accordance with Clery Act guidelines.

**2.5.11 Escorts**

- A. The UMBC Police Department provides escort service to anyone requesting an escort.
- B. On-duty supervisors may make exceptions to this policy for extenuating circumstances.
- C. Requests for Escort services are made through the Police Communications dispatcher or directly to an employee.
- D. All requests for escorts will be honored unless higher priority calls for service prohibit providing the service.
- E. In the event an escort cannot be provided, the supervisor who made the decision not to provide the service will send an email message to the Operations Commander documenting the inability to provide the service with an explanation of the justification.
- F. Requests for Escort Services will be assigned to Student Marshals if they are on duty. If

there are no Student Marshals on duty, the Request for Escort Service will be assigned to a patrol officer.

- G. Student Marshals can also initiate escorts themselves. The role of the Student Marshal is proactive and incident-driven. Therefore, a Student Marshal is welcome to ask someone if they would like an escort. Due to civil liability, Communications must be appraised of the destination of the escort.
- H. Employees may transport individuals for escort in agency vehicles.
- I. Student Police Aides working Foot Patrol are normally assigned escort calls if they are on duty.  
Student Police Aides must wear the regular uniform, which is fully described in the Student Marshal Manual of Operations.
- J. Communications will provide the requestor of the escort the estimated time it will take to meet the requestor.
- K. Communications will document on the CAD card the time the request was made and the arrival time of the assigned unit.

#### **2.5.12 Blue Light Emergency Phones**

- A. Blue Light Emergency Phones are installed throughout the campus in both interior and exterior locations. In the event of an emergency, simply activating one of the phones will immediately notify personnel in the UMBC Police Department Communications Center.
- B. If a caller is unable to speak or remain with the phone, Communications personnel will dispatch police to the phone's location. Procedures for responding are similar to any other call for service or emergency.
- C. Blue Light Emergency Phones are either mounted on a wall or encased within a tall blue freestanding pole and are marked "Emergency". The phones typically have blue lights overhead, making their locations easier to find. Individuals may contact the UMBC Police Department directly and without charge by activating these phones.
- D. Officers are also dispatched to check the phones when somebody connects/calls and there is no response (open phone line).
- E. Blue Light Emergency phone locations are determined by UMBC Facilities Management construction project standards. These standards determine the number and location of emergency phones for each construction project shall be determined by the Consultant on a project by project basis. The UMBC Police Department has input to move Blue Light Emergency phone locations as needed to be closer to handicap accessible locations or bus stops.
- F. Blue Light Emergency locations are also determined as based upon student groups' recommendations for emergency phone locations based on their perception of crime/fear.
- G. A "needs review" for Blue Light Emergency phones will be based upon a documented security survey, which will be conducted once every four years.

#### **2.5.13 Maintenance and Testing**

- A. All campus Blue light emergency telephones will be inspected and tested monthly by the Security Officers or Student Marshals while on Foot Patrol. Security Officers also note any problems they may observe while on normal

- patrol, such as a blue light out.
- B. The results of the inspections and tests will be documented on the Emergency Phone Inspection Checklist [UPD form 253](#).
  - C. If a Blue light emergency telephone is found to be out of service or have any other problems, an email message is sent to the Help Desk at the Office of Information Technology and they coordinate repairs. A copy of the email is saved and the problem is logged on a Student Marshal Foot Patrol log.
  - D. It is the sole responsibility of Security Officers working Foot Patrol to check and report any deficiencies or malfunctions of Blue Light phones on campus. Essentially, Security Officers working Foot Patrol check for cleanliness, proper functioning of the buttons, proper functioning and coloring of the lights (especially the blue display light), and clear transmission of the speaker.
  - E. Any deficiencies discovered on Blue Light phones should be noted on the Foot Patrol log, including the location of the phone, its pole number, and its telephone number, if known.
  - F. Blue Light checks are coordinated through the Supervisor-in-charge of the Security & Event Services.

#### **2.5.14 Agency Role in Monitoring Alarms**

- A. The agency provides alarm monitoring for institutionally installed and maintained alarms.
  - 1. Agency personnel will respond to and make notifications consistent with the agency's alarm database information.
  - 2. Institutional security related alarms monitored by the agency include:
    - a. Panic;
    - b. Motion;
    - c. Shock (vibration);
    - d. Tamper.
  - 3. Institutional safety and maintenance related alarms monitored by the agency include: Battery;
    - a. Fire;
    - b. Power;
    - c. Smoke detector;
    - d. Temperature;
    - e. Water flow.
- B. Officers will respond as requested and consistent with response protocols to those alarms within the agency's primary jurisdiction that are privately monitored.
- C. In some incubator buildings on campus, the Baltimore County Police Department may be the first notification of an alarm through their 9-1-1 Center. UMBC Officers may provide back-up assistance to the Baltimore County Police in response to security related alarms outside the agency's primary jurisdiction consistent with Concurrent Jurisdiction and Extra-jurisdictional Authority Operations.

### **2.5.15 UMBC Police Department's Role in Administrative Investigations**

There may be times when the University Administration will request that the Police Department conduct an investigation on a matter that may not be criminal on its face.

- A. **Standards:** All investigative steps and actions must meet the standards used within a criminal investigation. The steps must be legal, moral and meet established law enforcement ethical standards.
- B. **The goal of the investigation:** The investigator and police administrator must make sure that all parties understand our role in the investigation.
- C. **Use of law enforcement databases:** Any use of existing law enforcement database MUST meet the established rules and laws for those systems: i.e.; NCIC, METERS, etc. some systems require that they can only be used in a criminal investigation.
- D. **Privacy:** The investigator may need to review and analyze university records, and related materials. We need to recognize that some of these files may involve privacy and protected information. The University's Counsel should be consulted for the resolution of civil legal issues that may arise during an investigation.
- E. **Interviews:** UMBC Police investigators can seek additional interviews with witnesses and interested parties; insofar as their role as a certified police officer is not used in an otherwise civil process. Procedures and tactics that may be allowed in a criminal investigation may not be acceptable for an administrative investigation. The trained investigator needs to know what is allowable. The University Counsel and the Baltimore County State's Attorney's Office **must** be consulted if there are any questions as to the legality of procedures that the UMBC Police Department uses in an administrative investigation.
- F. **Reports:** Any time an investigator is used, there is the expectation that full and complete police reports will be created. These may be held as confidential and non-public records with the consent of the Chief of Police and the University Counsel.
- G. **Criminal Charges:** In the event that a criminal charge may arise from an administrative investigation (i.e.: theft charges), then the Baltimore County State's Attorney's Office will be consulted for formal charging.

### **2.5.16 Office of Residential Life Calls for Service**

#### ***2.5.16.1 General Discussion***

Two instances when officers are called by ORL to residential housing:

- A. **Provide security:** To assist with a room inspection, where the representatives feel that there is a chance of a confrontation that could become violent.
- B. **Law enforcement:** When the representative is contacted about drug use or alcohol in an apartment, they contact us to perform police duties.

Members of the ORL are **not** agents of the UMBC Police Department. We are independent organizations with different rules and responsibilities. Members of the UMBC Police Department are **not** agents of the Office of Residential Life; and we are held to different rules.

In their care-taker role, ORL has a civil contract for housing that allows them to conduct unannounced apartment inspections for health and safety purposes.

We are bound by the 4<sup>th</sup> Amendment of the U.S. Constitution. Generally, we conduct only consent searches of these apartments. If there is an emergency, i.e.: a strong chemical smell that may endanger other residents, we can enter and conduct a search.

It is the responsibility of the officer to support the decision to conduct a warrantless search of a constitutionally protected area.

Most often, we gain consent to search an apartment. Bear in mind; we cannot threaten the occupant in order to gain consent (i.e.: “If you do not consent, the University will eject you from campus housing”). Threats and false promises invalidate consent and are prohibited.

**Room Entry & Inspections**

<b>Move-in/ out</b>	at initial occupancy and prior to departure
<b>Maintenance</b>	to make repairs at any time during the school year
<b>Dangerous Condition</b>	when there are <b>reasonable grounds</b> to believe that a condition exists which constitutes a danger to health, safety, and security of the occupants of a room, residence hall, or apartment building in which unauthorized equipment is present in a room.
<b>“Guests”</b>	where unauthorized person(s) are living in the room.

**2.5.16.2 Role of the ORL Representative**

- A. **Assist:** At crime scenes is that of a resource person to assist the police officer. This means the actions of the Residential Life representative is directed by the police officer in charge of the scene.
- B. **Identify:** As a resource person the representative can assist the officer by providing information about anything that is within the scope of their authority **AND** reasonably within the scope of the police action (i.e.: identification of subjects that reside in a particular room).
- C. **Apply their rules to their actions:** Nothing in the UMBC Police procedures restricts the Residential Life representative from using the judicial referral option for activities or behaviors that jeopardizes safety, even if consent to search is not granted.

**2.5.16.3 Procedures**

- A. **Who is authorizing the search?** Room Entry & Inspection falls under the fourth amendment when they are conducted at the direction of a police officer.
- B. **Who discovers contraband & how:** When a Residential Life representative discovers contraband, they must:
  - 1. Articulate how the contraband was located,
  - 2. Explain their authority to be in the area where the contraband was discovered, and;
  - 3. Not be acting at the direction of the police (the inspection wasn’t at the Police Department’s request or suggestion).
- C. **Custody of Evidence:** All contraband recovered by the Residential Life representative will be turned over to a police officer and the contraband will be processed in accordance with police department procedures. ORL representatives **cannot** store or possess contraband.
- D. **Notification: CONTACT ON-CALL COMMUNITY DIRECTOR:** Generally, anytime police establish contact with a resident student and it results in a law enforcement or administrative action; the On-Call Community Director will be notified.

Notifications will be made for such contact anywhere on property owned, leased, or under the control of UMBC. Examples of these law enforcement or administrative contacts are behavior problems, alcohol related incidents involving a resident student, injuries, or any contact resulting in the issuance of a Judicial Referral or arrest.

**2.5.16.4 Duties of UMBC Police Officers:**

<b>Conservator of the Peace</b>	When a member of the ORL staff is conducting an inspection, a police officer's only role is to provide security for the staff.
<b>Observe from the threshold</b>	The officer will remain at the entrance, in such a location, so as to see the Residential Life representative.
<b>Weapons security</b>	The officer will visually scan the area for weapons. In such cases, the officer will take the appropriate action to secure the object.
<b>Occupant resistance</b>	If conditions are such where occupants are not complying with the ORL representative, the police officer will take appropriate action to ensure the safety of the Residential Life representative.
<b>Contraband</b>	Any contraband observed by police officers may be subject to seizure. The contraband must be in plain view.
<b>Search Warrant</b>	If a decision is made to search further, a search warrant will be required. Once a police officer directs a representative of Residential Life to take official action, the representative becomes an agent of the police.

**2.15.6.5 Legal definitions:**

- A. **Plain view:** when observations are made in a constitutionally protected area; ie: inside of a room, inside of a vehicle, etc. The Plain view doctrine requires that the officer must have been legally in the constitutionally protected area ("**Prior Valid Intrusion**"); ie: responded to a call for service at an apartment.
- B. **Open view:** when observations are made outside, in a non-constitutionally protected area; ie: when a subject smoking marijuana outside.
- C. **Warrantless search** is any search of a student's suite, room, or apartment without a court authorized search and seizure warrant.
- D. **Dog sniffs: Use of canine to detect the scent of CDS:**

**In a Constitutionally protected area: need a search warrant:**

Use of a drug detection dog **within** a residence or in an area where the occupant had a reasonable expectation of privacy requires a court authorized search and seizure warrant, unless a **Consent to Search form** is completed.

**In an Open area, no reasonable expectation of privacy:**

Use of a drug detection dog in a hallway does not require a warrant. The rationale used is that smells emanate from a constitutionally protected area out to open view, detected by a trained and certified K9 unit.

***Must be for criminal prosecution:*** Drug detection dogs will not be used to scan for evidence of drugs for administrative purposes.

**Post-consent search:** Anytime a drug detection dog is used to scan for drugs after a [Consent to Search form](#) has been executed, the dog handler will be provided a copy after the officer clears the scene.

**2.5.16.6      *Consent Searches at Residence Life Facilities:***  
Refer to [2.8.2 Search and Seizure](#).

## **2.6.0 TRAFFIC ENFORCEMENT**

### **2.6.1 General Policy for Traffic Law Enforcement**

- A. The responsibility for enforcing traffic laws and regulations is shared by all officers.
1. Officers assigned to patrol squads bear the agency's primary responsibility for the delivery of police traffic related services and traffic law enforcement.
  2. All enforcement actions will be conducted firmly, fairly, impartially, and courteously. The UMBC Police Department prohibits traffic contacts that are based upon a "profile" or any other biased based reasons.
  3. Enforcement actions should take into account the degree and severity of the violations.
    - a. Officers should operate on the premise that deliberate violations of traffic laws, and hazardous violations, deserve more vigorous enforcement efforts than do inadvertent violations or non-hazardous violations.
    - b. Warnings or other non-punitive enforcement actions may be substituted for arrests or citations when circumstances warrant, especially with inadvertent violations.
  4. Officers' decisions on enforcement options will be based on laws, directives, training and experience and should involve common sense.
  5. Both qualitative and quantitative factors are facets of the agency's traffic enforcement program.
- B. Officers' traffic related duties and responsibilities may include:
1. Conducting traffic safety education and public information sessions.
  2. Enforcing traffic laws;
  3. Investigating collisions;
  4. Operating speed measuring devices; or
  5. Specialized traffic and parking control.
- C. Enforcement actions are verbal warnings, written warnings, repair orders, uniform citations, and custodial arrests.
1. Officers may deliver verbal warnings to violators. Similarly, verbal warnings may be appropriate when drivers are unaware of minor equipment violations.
    - a. Officers issuing verbal warnings will:
      1. Fill out a race-based traffic stop decal;
      2. Affix the race-based traffic stop decal to a blank 8 ½ x 11 sheet of paper; and
      3. Submit the paperwork to a supervisor for approval and submission to Records.
    - b. The use of verbal warning will be reviewed on a regular basis by the Operations commander.
    - c. Excessive use of verbal warnings by an individual officer may prompt a review of that officer's traffic stops.
  2. Officers may issue written warnings to drivers in situations similar to those where officers would consider giving verbal warnings. Written warnings provide:
    - a. The agency and officers with additional documentation of violator contacts; and
    - b. Violators with written reminders of their violations.
  3. Repair orders may be issued in accordance with Title 22 of the Transportation Article.
  4. Maryland Uniform Complaint and Citations should be issued to violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic.
  5. Physical arrests for violations of the Transportation Articles will be made in accordance with [Article 26, Subtitle 2](#).

- D. Authority to Issue Traffic Citations and Make Arrests
  - 1. [Transportation Article 26-201](#) contains controlling language describing when officers may issue citations to drivers when probable cause exists that persons have committed specified violations.
  - 2. All officers are provided updated copies of the Maryland Vehicle Law and related statutes through the yearly issuance of "The Maryland Vehicle Law" as provided through the MVA.
  - 3. Transportation Article 26-202 has controlling language that describes the violations of the Maryland Vehicle Law, including any rules or regulations, for when persons may be arrested without warrants.

### **2.6.2 Operational Tactics**

- A. Traffic enforcement tactics may vary depending on the nature of violations and their potential for creating hazards to persons or property or obstructing the free flow of traffic.
- B. Enforcement tactics may include:
  - 1. Roving patrol between points on targeted roadways;
  - 2. Patrols of defined problem areas;
  - 3. Stationary observation with agency vehicles being concealed or readily visible;
  - 4. Use of marked or unmarked vehicles; and
  - 5. Roadside safety checks.
- C. Only vehicles equipped and authorized as emergency vehicles will normally be utilized for stopping vehicles or traffic enforcement.
  - 1. Officers involved in uniformed bicycle patrol may request assistance from officers operating emergency vehicles, or utilize whistles, bells, or other modes of signaling drivers to stop for enforcement purposes.
  - 2. Uniformed officers operating non-emergency vehicles may attempt to stop drivers for enforcement or other purposes utilizing horns, requesting the assistance of officers operating emergency vehicles, or by reasonably following drivers until they stop or park.

### **2.6.3 Use of Emergency Equipment for Traffic Enforcement**

- A. Emergency lights will be used consistent with TR 21-106 Emergency Vehicles. Emergency lights are usually used in conjunction with sirens when;
  - 1. Signaling drivers and pedestrians that emergency conditions exist and the right-of-way should be relinquished to emergency vehicles;
  - 2. Engaging in pursuits;
  - 3. Responding to crimes in progress;
  - 4. Stopping traffic violators;
  - 5. Assisting motorists parked/stopped in hazardous locations; or
  - 6. Responding to emergency situations.
- B. Sirens will be used simultaneously with the emergency lights when in pursuits, when responding to emergency calls, or to signal violators to stop.
- C. Spotlights, take down lights, and alley lights may be used to assist officers in conducting traffic stops or investigating criminal activities.
- D. The public address system (PA) may be used:
  - 1. During traffic stops in order to direct commands to vehicle occupants from a safe distance;  
or

2. In directing persons when unusual conditions exist, such as when the roadway is temporarily obstructed, or when alerting pedestrians to hazardous conditions.

#### **2.6.4 Unknown Risk Vehicle Stops**

- A. When observing traffic violations for which contacts are going to be initiated, officers will notify communications of: vehicle registration, description and location of stops.
- B. Officers should also provide to communications other relevant information that may include:
  1. Number of vehicle occupants;
  2. Suspicious or furtive activities of vehicle occupants; or
  3. Reason for stop.
- C. Stops should be made in areas which afford officers and violators the greatest safety while minimizing disruptions of normal traffic flow.
  1. Patrol vehicles should be positioned approximately 15 to 20 feet to the rear of violators' vehicles and offset slightly left to provide additional protection to officers.
  2. Emergency lights will remain activated until stops are completed.
  3. When situations allow, officers should direct violators to move to more desirable locations when violator vehicles are stopped in unsafe locations or where they unreasonably impede normal traffic flow.
  4. Additional considerations should be given to stop locations, positioning of police vehicles, and police vehicle lighting effects on oncoming traffic during night time stops.
- D. Officers approaching vehicles and coming in contact with violators will:
  1. Have necessary equipment available;
  2. Use caution and be alert to suspicious movements, contraband, or weapons;
  3. Take up a position consistent with current training to allow for changing tactical options;
  4. Be alert and courteous;
  5. Present a professional image in language, dress, grooming, and bearing;
  6. Identify themselves and greet violators courteously;
  7. Request violators' drivers licenses and vehicle registrations;
  8. Inform drivers of reasons for stop;
  9. Check for signs of physical impairment, emotional distress, and alcohol and/or drug abuse;
  10. Take appropriate enforcement actions and complete required forms;
  11. Explain charges and/or other enforcement actions and required actions with drivers; and
  12. Facilitate violators re-entering traffic flow safely.

#### **2.6.5 High Risk Vehicle Stops**

- A. Because of officer safety concerns, special procedures will be used during vehicle stops when vehicle occupants are suspected of being armed, dangerous, or who are suspected of committing serious crimes.
- B. When conducting high risk vehicle stops, officers will, as necessary and practical:
  1. Notify communications immediately of locations and give thorough descriptions of vehicles and occupants;
  2. Keep suspect vehicles in view and request sufficient assistance in making stops;
  3. Keep support units informed of locations and direction of travel to aid their approach with

- minimal use of emergency equipment;
  - 4. Do Not stop vehicles unless absolutely necessary until adequate support is available and in position;
  - 5. Plan to stop suspect vehicles in locations which present minimal dangers to other citizens;
  - 6. Move vehicles into position to the rear of suspect vehicles;
  - 7. Use emergency equipment to stop violators;
  - 8. Direct support units to stop on-coming traffic and control down range pedestrian traffic;
  - 9. Attempt to stop violators on the extreme right side of the road;
  - 10. Turn off sirens and turn on PA when suspect vehicles have stopped;
  - 11. Position their vehicles to provide maximum protection, cover, and concealment;
  - 12. At night, focus lights on the interiors of suspect vehicles; and
  - 13. Position themselves inside the vehicle, to the left edge of the seat, behind the engine block, and remaining accessible to the PA microphone.
- C. Officers initiating high risk vehicle stops are in command of the incident, and will;
- 1. Direct each occupant out of the vehicle by using the PA system if available;
  - 2. Order the driver to shut off the motor and put the keys on the roof of the vehicle;
  - 3. Order all occupants to place their hands on the ceiling, on the windshield, or out a window;
  - 4. Order occupants to exit the vehicle from the most optimal side, one at a time; and
  - 5. Ensure occupants are ordered to positions where they will be placed on the ground and handcuffed.
  - 6. If PAs are unavailable, officers will give voice commands. If officers are unable to be heard by voice, commands may be given by another officer who has access to a PA.
  - 7. To reduce confusion, officers initiating stops will be the only ones to direct suspects, unless control is given to another officer on the scene. An announcement will be made over the radio, clarifying who is in charge.
  - 8. Support officers will cover arresting officers, as well as suspect vehicles, when suspects are brought back to the police vehicles for handcuffing.
  - 9. Officers will not get within each other's line of fire.
  - 10. When all occupants have been removed from suspect vehicles, support officers will move to cover and search the vehicle.
  - 11. All persons in suspect vehicles will be searched and handcuffed before being placed in police vehicles and transported.

#### **2.6.6 Traffic Stops by Officers in Plain Clothes**

- A. Traffic stops by officers in plain clothes are **forbidden**, as the Transportation Articles requires drivers to produce and display their licenses only to uniformed police officers.
- B. If a serious violation occurs, plainclothes officers will call for uniformed assistance and request that violators await arrival of uniformed officers.
- C. When violators fail to stop for unmarked vehicles operated by officers in plain clothes, uniformed officers in marked vehicles will be requested to assist in stopping violators.

## **2.6.7 UNIFORM ENFORCEMENT PROCEDURES**

### **2.6.7.1 Nonresidents**

- A. Nonresidents of Maryland may be issued traffic citations in the same manner as Maryland residents consistent with TR 26-201.
- B. Officers may, consistent with provisions contained in TR 26-202, arrest nonresidents and take them before District Court Commissioners for pretrial dispositions.

### **2.6.7.2 Juveniles**

- A. Traffic Offense (no jail sentence): Charged on Maryland Uniform Complaint and Citations
  1. Except when concurrently charged with criminal offenses or jailable traffic offenses. Use UPD Form 22 only.
- B. Operation of an Off-Road Vehicle upon the Roadway: UPD Form 22C Juvenile Referral and Custody Report and release to self-custody, provided the juvenile:
  1. Provides identification;
  2. Not involved in an act which necessitates further investigation or prosecution;
  3. Signs UPD Form 22C and voluntarily receives copies;
  4. Have not caused damage to persons or property; and
  5. Receive and comply with proper instructions prior to release.
- C. Serious Traffic Offense (jail possible): UPD Form 22C Juvenile Referral and Custody Report and release to parents.
  1. No exceptions. Examples include DUI, no license under 16-101, suspended/revoked under 16-303, reckless driving, etc.
- D. Upon completion of UPD form 22C, copies will be forwarded to the Records Unit.

### **2.6.7.3 Legislators**

Members of the United States Congress, the Maryland General Assembly, the elected members of city or county governments, the federal or state judiciary, and the executive branches of government enjoy no immunity from citation or arrest under Maryland law. Agency employees will address office holders with the respect customarily accorded to their offices or standings within the community.

### **2.6.7.4 Foreign Diplomats & Consular Officials**

See section 2.4.4: Dealing with Diplomats and their Family / Agents

- A. Officers may issue traffic citations or warnings to drivers who are believed to have diplomatic immunity. Issuance of citations does not constitute arrests or detention of diplomats. Diplomats **DO NOT** have to sign citations, and **CANNOT** be arrested for refusal to sign citations. The burden of proof falls upon those claiming diplomatic immunity to display valid diplomatic credentials. View: Diplomatic [Driver's Licenses](#)
- B. Those entitled to diplomatic immunity will **not** be compelled to take any sobriety or otherwise mandatory tests, and, except in extreme cases, should **not** be restrained. Sobriety tests may be conducted, but are **not** required, in order to determine sobriety of drivers.
- C. The property of persons enjoying full immunity, including vehicles, may **NOT** be searched or seized. Vehicles will **NOT** be impounded, but may be towed a distance necessary to remove them from obstructing traffic or endangering public safety.

1. If diplomats' vehicles are suspected of being stolen or used in the commission of crimes, occupants may be required to present vehicle documentation to permit police verification of vehicle status through computer checks.
  2. Vehicles verified to have been stolen or to have been used by unauthorized persons in the commission of crimes may be searched. [U.S. Department of State, Office of Foreign Missions, Guidance for Law Enforcement Officers](#).
- D. All serious motor vehicle infractions committed by persons with alleged, or true diplomatic immunity will be documented in police reports. Report copies will be forwarded to the United States Department of State by the Office of the Chief.
- E. Officers may contact the Office of Foreign Missions during regular business hours or the Command Center of the Office of Security, Department of State during non-business hours in order to verify diplomatic status. Other directives related to diplomatic immunity are contained in **2.4.4**.

#### **2.6.7.5 Military Personnel**

- A. Military Personnel are required to obey the rules of the road while operating vehicles in Maryland.
- B. Military personnel are exempt from certain licensing requirements consistent with TR 16-102 and 16-115, and vehicle registration requirements consistent with TR 13-402.1.
- C. Arresting officers will ensure the Officer on Duty (OD) or the military police of the military reservation, ship, or installation to which the military person is assigned is notified if traffic enforcement results in the physical arrest of an active duty member of the armed forces of the United States.

#### **2.6.8 Driving Suspended or Revoked**

- A. TR 16-202: Power of Arrest authorizes officers to make full, custodial arrests of drivers consistent with TR 16-303 Driving while privilege is canceled, suspended, refused or revoked.
- B. Officers should take into consideration drivers' prior driving histories and reasons for license suspensions, revocations, etc., when determining to make full, custodial arrests. The important factor is Failure to Appear (FTA) charges, which are indicative that the driver will not appear for trial. However, officers will not allow drivers who are suspended, revoked, etc. to continue to drive.
- C. Officers may attempt to place appropriate charges against drivers if their license status cannot be determined upon initial contacts, but are subsequently determined to be suspended, revoked, etc.

#### **2.6.9 Speed Violations**

- A. Excessive speed is one of the greatest causes of death and injuries on the highways. Officers will uniformly enforce speed laws within agency jurisdiction where those violations pose threats to persons or property.

- B. Officers should base the enforcement of speed limits upon violation locations, time of day, traffic volume, proximity of pedestrians, and danger caused to other motorists.

#### **2.6.10      Off-Road Vehicle Violations**

- A. Officers will enforce laws pertaining to off-road vehicles. To be operated on roadways, off-road vehicles must be registered or exempted in accordance with TR 13-402, Vehicles Subject to Registration; Exceptions.
- B. Unregistered or unauthorized off-road vehicles may be impounded and towed if found in violation of the Transportation Articles and in operation on public highways or on university property.
- C. Persons illegally operating off-road vehicles on public highways should be charged on appropriate charging documents.
  - 1. Officers may exercise discretion for off-road vehicle violations and issue verbal or written warnings.
  - 2. Off-road vehicle violations endangering lives or property should result in appropriate charges being placed rather than written or verbal warnings.

#### **2.6.11      Equipment Violations**

- A. Officers should consider the continued safe operation of vehicles, general conditions of vehicle equipment, and types of vehicle equipment defects when enforcing vehicle equipment laws and regulations.
- B. Officers should issue Safety Equipment Repair Orders for equipment violations on vehicles registered in Maryland.
- C. Written warnings for equipment violations may be issued to drivers of vehicles not registered in Maryland.
- D. Uniform citations for equipment violations may be issued to drivers of vehicles consistent with the Transportation Articles.

#### **2.6.12      Public Carrier / Commercial Vehicle Violations**

- A. Officers taking enforcement actions against public carriers or commercial vehicles should consider factors that include, but are not limited to:
  - 1. Extra space and stopping requirements of oversized vehicles;
  - 2. Possible traffic congestion caused by improper stopping, standing, or parking of commercial vehicles;
  - 3. Delivery access for commercial vehicles;
  - 4. Severity of violations;
  - 5. Whether violations were willful or inadvertent;
  - 6. Whether violations posed immediate threats to persons or property; and
  - 7. If enforcement actions are prompted by citizen complaints or repeat or chronic offenders.
- B. Commercial vehicles may be stopped for inspectional purposes without probable cause in accordance with TR 25-111, Motor Carrier Safety Inspections. Baltimore County Police and the Maryland State Police can be contacted to assist with these inspections. Members

conducting inspections must be certified through NHTSA as truck inspectors.

- C. Consistent with TR 16-813, persons licensed as commercial drivers may not drive, operate, or be in physical control of commercial motor vehicles while they have any alcohol concentration in their blood or breath.
  - 1. Officers will complete DR-102 forms when alcohol tests of commercial drivers result in findings of 0.04% or above.
  - 2. Officers will complete DR-15A forms when alcohol tests of commercial drivers result in findings of 0.08% or above.

### **2.6.13 Multiple Violations**

- A. Officers stopping violators for multiple violations may issue citations for all violations or exercise discretion by issuing citations only for the most serious violations and issuing warnings or taking no formal actions on lesser violations.
- B. Multiple paper citations that are issued to violators must have their numbers loop recorded in accordance with citation guidelines.

### **2.6.14 Newly Enacted Laws & Regulations**

- A. Grace periods are frequently established or accepted relating to newly effective traffic laws or regulations.
- B. Officers will not issue citations for violations occurring during legally established grace periods but may issue warnings.
- C. Officers may issue citations during informal or accepted grace periods if violations are serious, hazardous, or contribute to collisions.

### **2.6.15 Violations Resulting in Traffic Collisions**

- A. Officers who investigate nonfatal collisions and complete ACRS reports should take enforcement actions if probable cause can be developed for violations of the Transportation Article.
  - 1. Enforcement discretion is encouraged when collision damage is minor or when ACRS reports are not required.
  - 2. Enforcement discretion is discouraged when there is evidence of deliberate or flagrant violations causing or contributing to collisions.
- B. Violators may be physically arrested for certain motor vehicle law violations consistent with TA 26-202.
- C. Officers will not file charges in fatal collision cases excepting in cases involving driving under the influence or while impaired by alcohol and or drugs.  
[Memorandum of Understanding with the Baltimore County Police](#) (see page three)
  - 1. Officers may place alcohol-related charges only against violators only in order to arrest violators and conduct chemical tests.
  - 2. The Baltimore County State's Attorneys' Office personnel are responsible for screening fatal collision investigations in order to place or authorize the placing of charges against violators.

### **2.6.16 Pedestrian and Bicycle Law Enforcement**

- A. Officers will monitor pedestrian and bicycle movements to ensure compliance with the Transportation Articles.
- B. Enforcement actions involving violations by pedestrians and bicyclists should receive enforcement emphasis equal to that of regular traffic enforcement. Appropriate enforcement action will be taken in situations involving violations leading to collisions, non-collision hazards, and non-hazardous pedestrian and bicycle violations.

### **2.6.17 Occupant Protection Enforcement**

- A. Seat belt usage is the single most effective way to prevent injuries and fatalities in the event of a motor vehicle accident. Child safety seats and booster seats help protect the lives of children in the event of an accident.
- B. The goal of the agency's occupant protection strategy is to reduce the risk of serious injuries and death to members of the community. Officers should take appropriate enforcement action in situations involving violations of occupant protection laws.

### **2.6.18 Traffic Arrests**

- A. Officers may arrest persons without warrants for violations of the Transportation Articles consistent with TR 26-202.
- B. When motorists are operating vehicles in violation of TR 16-303 Driving while privilege is canceled, suspended, refused, or revoked, officers may determine that this meets the provisions of TR 26-202 (a)(2)(ii) when deciding whether to make full, custodial arrests.
- C. The manner of arresting traffic violators is the same as for making other arrests. Directives related to processing of traffic arrestees are contained in **2.8 Arrest Procedures**.
- D. Vehicles under the control of persons arrested for motor vehicle offenses will be handled as **Towed Vehicle, section 3.2.29**.

### **2.6.19 Vehicle Tag Impoundment**

- A. Vehicle registration plates may be impounded by officers for:
  - 1. Expired (in excess of 30 days) or suspended registration plates;
  - 2. Compulsory insurance violations, with control numbers;
  - 3. MVA financial responsibility flags, with control numbers;
  - 4. MVA accounting flags, with control numbers;
  - 5. MSP pick up orders, with control numbers; or
  - 6. Unauthorized use of registration plates.
- B. Officers impounding vehicle registration plates will obtain property numbers, complete property receipts and submit plates to the Evidence Coordinator.
- C. Vehicles may **not** be impounded for suspended registration plates due the VEIP (Vehicle Emissions Inspection Program) Inspections.

### **2.6.20 Traffic Safety Education Materials**

The agency provides traffic safety educational materials to the community in order to support enforcement efforts, enhance public understanding of traffic safety, and achieve voluntary compliance with traffic laws and regulations.

### **2.6.21 Hazardous and Non-hazardous Violations**

- A. Officers will uniformly enforce hazardous and non-hazardous violations of laws within agency jurisdiction where those violations pose threats to persons or property.
- B. Officers should base the enforcement of hazardous and non-hazardous violations upon violation locations, time of day, traffic volume, proximity of pedestrians, and the potential for danger caused to other motorists.

### **2.6.22 MARYLAND UNIFORM COMPLAINT & CITATIONS**

#### **2.6.22.1 Completing Citations**

- A. Officers will complete all (E-TIX and paper) traffic citations in accordance with procedures established by the Maryland Motor Vehicle Administration and the [DC/CR 90 collateral book provided by the District Court of Maryland](#).
- B. Officers will provide violators required information relative to specific charges at the time violators are charged.
- C. When violators are charged using paper citations:
  - 1. Violators should be instructed to carefully read the back of their citation copies for precise instructions and information.
  - 2. Violators can elect to stand trial or pay established fines if offenses are established in the [DC/CR 90](#). Violators will be informed of court dates and locations by the District Court.
  - 3. Violators must stand trial on dates and at locations established and provided by the District Court if offenses are designated as "Must Appear."
  - 4. Violators will be requested to sign citations, not admitting guilt, but promising to appear for trial or prepay fines.
  - 5. Violators are subject to arrest if they refuse to sign citations.
  - 6. Possible consequences of not paying fines or appearing in court may include the suspension of driving privileges and/or issuance of bench warrants.
- D. When violators are charged using E-TIX citations:
  - 1. Violators should be instructed to carefully read the back of their citation copies for precise instructions and information.
  - 2. Violators can elect to stand trial or pay established fines if offenses are established in the [DC/CR 90](#). Violators will be informed of court dates and locations by the District Court.
  - 3. Violators must stand trial on dates and at locations established and provided by the District Court if offenses are designated as "Must Appear."
  - 4. Possible consequences of not paying fines or appearing in court may include the suspension of driving privileges and/or issuance of bench warrants.

#### **2.6.22.2 E-TIX Program**

- A. All sworn personnel below the rank of Lieutenant will be trained on and use the E-TIX System for issuing written warnings and traffic citations.

- B. E-TIX citations cannot be voided.
- C. Administrative ranked personnel, officers assigned to foot, bicycle or motorcycle patrol may still use paper citations and warnings for enforcing traffic violations.
- D. The E-TIX Process will be managed by the Records Unit:
  - 1. The Records Unit will be responsible for liaison with the Maryland State Police and the District Court; and
  - 2. Citation Control will supply the E-TIX paper.
- E. E-TIX software and equipment will be managed and maintained by the Technology Unit.

### **2.6.22.3 Paper Citation Accountability**

- A. When violators are **not** taken before commissioners, the;
  - 1. White (court) and yellow (law enforcement headquarters) copies will be submitted to the Citation Control Unit;
  - 2. Officers who are permitted to write paper citations will be required to place the completed race based traffic decal on the back of the yellow copy of the citation before submitting it to the Citation Control Unit;
  - 3. Pink copies will be retained by issuing officers;
  - 4. Second white copies (court/defendant's) will be submitted to the Citation Control Unit for must appear violations and to defendants for minor violations; and
  - 5. Blue (defendant's) copies will be given to defendants
- B. When violators are taken before commissioners;
  - 1. White copies not retained by commissioners will be submitted to the Citation Control Unit;
  - 2. Yellow copies will be submitted to the Citation Control Unit;
  - 3. Pink copies will be retained by issuing officers;
  - 4. Second white copies (court/defendant's) will be given to Commissioners;
  - 5. Blue (defendant's) copies will be given to defendants; and
  - 6. Officers who are permitted to write paper citations will be required to place the completed race based traffic decal on the back of the yellow copy of the citation and submit it to the Citation Control Unit.
- C. Paper citations that have not been presented to violators for signature may be voided administratively. In these cases, officers will submit all copies to the Citation Control Unit, with officer information filled out, citations marked "void," an explanation for the citation being voided, and initials or signature of a supervisory or administrative ranked officer in approval.
- D. Paper citations signed by violators must be disposed of in court, through dismissal by judges or declarations of *nolle prosequi* by Assistant State's Attorneys.

### **2.6.23 MARYLAND SAFETY EQUIPMENT REPAIR ORDER (MSP #157)**

- A. MSP #157 will be used to issue SEROs. They will be issued only to motor vehicles or trailers assigned permanent Maryland registration.
- B. Yellow, gold, and buff copies will be given to violators.
  - 1. Yellow copies will be retained by inspection stations or police agencies completing

- inspections.
  - 2. Gold copies may be retained by owners.
  - 3. Owners are responsible for ensuring buff copies are mailed to MSP.
- C. White copies will be forwarded to the Citation Control Unit. Applicable information will be entered into ARMS by the Citation Control Unit prior to forwarding originals to MSP.
- D. Officers are required to place the completed race based traffic decal on the back of the white copy of the SERO before submitting it to the Citation Control Unit.
- E. Officers may retain pink copies.

#### **2.6.23.1 Certification of SEROs**

- A. Officers may certify SEROs only when marked defects are noted with an asterisk. SEROs containing defects not noted with an asterisk must be certified at authorized inspection stations.
- B. Upon determining that repairs are within lawful limits, officers will enter information at the bottom of the SERO in the spaces provided. This information includes:
- 1. Officer's Rank, signature and ID number;
  - 2. Certification date;
  - 3. Agency name;
  - 4. Agency code (HL/UM); and
  - 5. Agency mailing address.
- C. After certifying and completing SEROs, officers will;
- 1. Submit yellow copies to the Records Unit; and
  - 2. Give the owner/agent the gold and buff copies.

#### **2.6.24 WARNING NOTICES / FIELD INTERVIEW REPORT**

- A. The agency provides dual purpose Warning Notice / Field Interview forms. Only one use per form is allowed.
- 1. Officers assigned to foot or bicycle patrol may issue written warnings.
  - 2. Sworn personnel will use the E-TIX System for issuing written warnings.
  - 3. Sworn personnel ranked Lieutenant or higher and officers not trained in the E-TIX System may issue written warnings from a warning book.
- B. When officers use the forms to issue **written** warnings:
- 1. Violators are given yellow copies.
  - 2. Officers may retain pink copies.
  - 3. All other copies will be submitted to the Citation Control Unit with a race-based traffic decal affixed to the back of the warning and destroyed following the entry of applicable information by Citation Control Unit personnel.
- C. When officers use the Field Interview forms to record information gathered during field interviews:
- 1. The form will be submitted to the ARMS system by the issuing officer.

### **2.6.25      Requests For Driver Re-Examination**

- A. Officers may request re-examination of Maryland licensed drivers who appear incapable of safely operating vehicles.
  1. Officers will utilize the MVA #JA, Request for Re-Examination of Driver, for this purpose.
  2. The physical defects and summary sections of the #JA must be conclusive and specific in order to relieve officers from having to appear at MVA hearings.
- B. Conditions which may lead to requests for driver re-examination include;
  1. Driver incompetency;
  2. Physical or mental disabilities or diseases; or
  3. Other conditions that might prevent persons from exercising reasonable care and control of motor vehicles.
- C. Completed forms will receive supervisory review and will be submitted to the Citation Control Unit.
- D. [eTix instructions for sending re-examination request over eTix.](#)

### **2.6.26      Selective Enforcement**

- A. The Operations Commander is responsible for ensuring selective enforcement activities are conducted by the agency.
  1. Selective enforcement activities are based on analysis of traffic violation and collision data obtained from the Maryland Automated Accident Reporting System (MAARS / ACRS); and
  2. The analysis of traffic offenses and collisions includes geographic, temporal, and causative factors that include, but are not limited to:
    - Types of collisions and violations;
    - Kinds of vehicles involved;
    - Volume of traffic;
    - Locations of violations and collisions;
    - Environmental factors;
    - Day of the week; and
    - Hourly distribution of collisions.
- B. The Operations commander will ensure selective enforcement activities are assigned on a priority basis. Officers should be deployed to areas which have been identified as either high collision or traffic violation areas. Enforcement at these locations will be focused on collision causing violations.
  1. High collision locations will be identified through analysis of traffic collision data.
  2. Days and times that collisions most frequently occur will be identified in traffic analysis reports. Officers should be deployed to concentrate on days and times when collisions and traffic problems most frequently occur.
  3. Officers are deployed for selective traffic enforcement in order to achieve an agency goal of protecting life and property.
- C. The Operations Commander is responsible for ensuring evaluations and analysis of all selective enforcement programs are conducted annually. Additional evaluations and analysis may be conducted in order to address or study immediate concerns.

## **2.6.27 Radar**

- A. The Operations Commander is responsible for the radar enforcement program:
1. Processing maintenance requests;
  2. Ensuring maintenance, damage, and repair information is recorded and maintained; and
  3. Analyzing the effectiveness of the program.
- B. Only certified radar operators or officers in radar operator training are permitted to operate the agency's radar units.
1. Radar operators are responsible for ensuring equipment operation is consistent with their training, NHTSA standards, and specific equipment operating instructions.
  2. Radar operators must conduct the minimum of radar operation hours as established by the radar program coordinator in order to retain their program certifications.
  3. Operator training and equipment standards for agency radar units will meet or exceed current National Highway Traffic Safety Administration (NHTSA) standards.
  4. Radar units will be periodically inspected by radar operators to ensure they are receiving proper care and upkeep. Only specifically designated personnel are authorized to make minor repairs to radar equipment. All other maintenance must be conducted by authorized maintenance technicians.
  5. Radar units, and their assigned tuning forks, will be calibrated by authorized maintenance technicians biannually. Written calibration documentation or repairs will be maintained by the program coordinator.
  6. The use of radar for speed enforcement is a component of the agency's selective enforcement program.
  7. Radar enforcement will not be conducted during inclement weather.

## **2.6.28 ALCOHOL / DRUG RELATED TRAFFIC OFFENSES**

*See separate file 2.6.28*

## **2.6.29 TRAFFIC DIRECTION & CONTROL**

### **2.6.29.1 Equipment**

- A. Officers and Student Marshalls will wear issued reflective safety vests when directing traffic.
- B. Whistles enhance traffic directions given by officers and should be used whenever practical.
- C. Uniform hats enhance officer recognition and visibility while directing traffic. Uniform hats will be worn during traffic direction activities, except during periods of high winds or when the exigency of the situation precludes wearing of uniform hats.
- D. Officers will use flashlights with traffic wands for traffic direction during periods of low light or unfavorable weather conditions.
1. Flares will not be used during hazardous or explosive incidents or conditions.

### **2.6.29.2 Uniform Signals**

- A. Manual traffic direction should be conducted uniformly to enhance driver and pedestrian recognition and responses.

- B. Hand signals will be used during traffic direction.
  - 1. To stop traffic, raise an arm with hand extended and palm toward the moving traffic to be stopped.
  - 2. To start traffic, extend an arm and hand and bring the hand sharply in the direction that traffic is to be moved.
- C Whistle signals may be used during traffic direction.
  - 1. To stop traffic, use one long blast.
  - 2. To start traffic, use two short blasts.
  - 3. Multiple whistle blasts may be used to get the attention of drivers.

### **2.6.29.3 Manual Operation of Traffic Control Devices**

- A. Officers who have been suitably trained may operate automated traffic signals in the manual or flash mode when the signals are malfunctioning or when manual operation would facilitate the flow of traffic.
- B. Officers are prohibited from adjusting or otherwise attempting repairs on traffic signals.
- C. Officers will notify communications of any traffic signal malfunction, or signal placed on flash as the result of malfunction, and request the appropriate agency be notified to effect repairs.

### **2.6.29.4 Temporary Traffic Control Devices**

Traffic cones are available for use during traffic control assignments.

- 1. The use of cones is preferred to flares during periods of extended traffic direction.
- 2. The Operations Commander is responsible for ensuring that cones are delivered and picked up during special events. Employees will request cones when needed.

### **2.6.29.5 Special Event Traffic Planning**

- A. The agency will develop traffic contingency plans for special events in order to ensure proper flow of traffic through or around the area. These special events may be sporting events, parades, demonstrations, festivals, or other large public gatherings.
- B. Traffic control planning for special events will be conducted by Operations Commander. Each proposed event will be studied to determine its impact on:
  - 1. Ingress and egress of vehicles and pedestrians;
  - 2. Effect and impact on students during class change;
  - 3. Spectator control;
  - 4. Availability and effect upon available public transportation;
  - 5. Provisions for news media;
  - 6. Alternate routes for through traffic;
  - 7. Temporary traffic controls and parking prohibitions;
  - 8. Emergency vehicle access;
  - 9. Staffing requirements; and
  - 10. Provisions for relief of personnel assigned point control duties.
- C. The Operations Commander will prepare an operations plan detailing staffing requirements, assignments, and duties of the event as well as ensure that all involved personnel are briefed on the operations plan.

### **2.6.29.6 Collision, Fire, Emergency, and Disaster Scenes**

- A. Officers have primary responsibility for the direction and control of traffic at collision, fire, emergency, and disaster scenes in order to:
  - 1. Allow for the ingress and egress of police and other emergency equipment;
  - 2. Coordinate access and detour routes with communications personnel as well as on-scene ranking fire department officials;
  - 3. Prohibit access to unauthorized vehicles and persons attempting to enter affected areas;
  - 4. Halt or divert approaching traffic away from or around scenes; and
  - 5. Provide for a system of alternate routes to move traffic around sites.
- B. Officers will notify communications when incidents require closure of lanes of traffic.
- C. If detours will be in effect for an extended time, detour routes will be communicated to the university community through the PIO.
- D. Officers will, when practical, implement traffic controls at key intersections along campus related evacuation routes to allow rapid evacuation of the injured.
- E. Officers will direct volunteer firefighters arriving at fire scenes in privately owned vehicles to park outside established perimeters. Related problems should be addressed through fire department incident commanders.

### **2.6.29.7 Adverse Road and Weather Conditions**

- A. Adverse road or weather conditions which might create traffic congestion or motorist hazards will be reported by officers to communications. Officers will provide locations, hazard type, and other information which might assist in determining appropriate responses. Hazardous roadway conditions are: Roadway damage; Damage to traffic control devices; Downed power lines; Water main breaks; Construction areas; or Snow, icing, or flooding.
- B. Officers will direct traffic at necessary locations until appropriate temporary traffic controls can be placed or hazards are eliminated. This does not include instances where the weather causes a large number of locations to become hazardous.

### **2.6.30 Traffic Engineering**

- A. UMBC Facilities Management is responsible for the administration of [institutional traffic engineering](#).
- B. The Maryland State Highway Administration (SHA) maintains engineering responsibility for state-owned and maintained roadways.
- C. Because the UMBC Police Department does not perform traffic engineering functions for the university, the agency is responsible for:
  - 1. Referring complaints or suggestions concerning traffic engineering deficiencies to appropriate organizations; and
  - 2. Transmitting collision and enforcement data to appropriate organizations.
- D. The agency collects and transmits engineering relevant data as part of its regular collision investigation activities consistent with directives for MAARS / ACRS.

- E. The chief will appoint a liaison with the traffic engineering organizations.
- F. Members should refer citizens to the appropriate agencies when approached with traffic engineering concerns.
- G. Agency employees will contact Communications to make notifications whenever traffic engineering deficiencies pose immediate hazards to persons or property.
- H. Agency employees will submit written or email accounts through their chain of command to the agency's traffic engineering liaison when they become aware of traffic engineering deficiencies (not immediate hazards), but require examination by traffic engineers.

**2.6.31**        **Assistance To Motorists**  
*See separate file 2.6.31*

**2.6.32**        **Road Services**  
*See separate file 2.6.31*

**2.6.33**        **Vehicle Fires**

- A. Officers will respond to vehicle fires to provide assistance to the motorists involved.
- B. Officers will advise communications of the extent of fires and damages.
- C. Communications will advise Baltimore County Fire Department of any information which may assist them in determining staffing and equipment needs.
- D. If practical, Officers should use fire extinguishers located in police vehicles.

**2.6.34**        **Medical Emergencies**

- A. Officers will handle medical emergencies involving persons in vehicles consistent with their individual levels of expertise, training, and certification.
- B. Employees will request ambulance services upon discovery of medical emergencies.
- C. To assist the fire department, employees will provide communications with the types or nature of emergencies, patient conditions, and any other pertinent information.

**2.6.35**        **Vehicle Escorts**

- A. **Priority escorts of non-emergency vehicles are generally prohibited.** *During a medical emergency, an ambulance should be called to handle the transport.* Escorting a civilian vehicle during a medical emergency is a highly dangerous practice and should be avoided. If an escort is authorized, one or two police marked vehicle would be needed to escort the civilian vehicle to the nearest hospital emergency room to avoid endangering other highway users.
- B. Legitimate requests for scheduled escort services include: those associated with funerals, dignitary motorcades, oversized vehicles, highway construction vehicles, and vehicles with hazardous or unusual cargos.
- C. When practical, requests for vehicle escorts will be forwarded to the Operations Commander for evaluation and approval.
  - 1. On-duty patrol squad commanders may evaluate and approve escorts when time constraints prohibit notifications to Special Events.
  - 2. This does not preclude officers providing escorts of motorists to locations within the

agency's jurisdiction as a component of motorist services, e.g., escorting lost motorists.

### **2.6.36 Hazardous Roadway Conditions**

- A. Hazardous roadway conditions include: Defects in roadways; defects or lack of highway safety features; Lack of traffic control or information signs; Lack of roadway lighting systems; Obstructions; Ice or heavy snow; Fire and/or smoke; or Vehicles parked or abandoned on or near roadways.
- B. When hazards are identified and are believed to require immediate correction, e.g., fallen trees or electrical lines, officers will immediately inform communications of situations and identify assistance required. Officers will protect scenes, direct traffic, or take other actions necessary to isolate hazards.
- C. When roadway or traffic-related signs are observed to be missing or damaged, officers will notify communications to request appropriate notifications.

### **2.6.37 Hazardous Materials on Roadways**

- A. HAZMATS are elements, compounds, or combinations thereof, which are flammable, corrosive, explosive, toxic, radioactive, oxidizers, or highly reactive.
- B. Officers will take every precaution available, reasonable, and prudent when it is believed that collisions or spills involving HAZMATS have occurred.
- C. The Baltimore County Fire Department has primary responsibility in handling HAZMAT incidents. Officers provide support to assist the Baltimore County Fire Department.
- D. When it is believed that HAZMAT spills have occurred, initial responding officers will:
  - 1. **Fire/ Rescue:** Request the Baltimore County Fire Department;
  - 2. **Supervisor:** Request a supervisor respond to the scene;
  - 3. **Contain:** Establish a perimeter by closing off all access roads leading to the scene;
  - 4. **Evacuate:** non-essential personnel from within perimeters; and
  - 5. **Identify:** Attempt to identify [HAZMATS via placard numbers or symbols](#).
    - a. Identifications should be made from as far away as possible.
    - b. Officers should not jeopardize their own safety for material identification purposes.
- E. Supervisory will coordinate all activities with the Baltimore County Fire Department in the safe resolution of HAZMAT incidents.

### **2.6.38 PARKING ENFORCEMENT**

*See separate file 2.6.38*

### **2.6.39 CRASH INVESTIGATION**

*See separate file 2.6.39 Crash Investigation*

### **2.6.40 Establishing Investigative Responsibilities**

*See separate file 2.6.39 Crash Investigation*

### **2.6.41 Collision Investigation & Report Requirements**

*See separate file 2.6.39 Crash Investigation*

### **2.6.42 Collision Scene Duties**

*See separate file 2.6.39 Crash Investigation*

### **2.6.43 Follow-Up Collision Investigations**

*See separate file 2.6.39 Crash Investigation*

- 2.6.44**      **Collision Reconstruction**  
*See separate file 2.6.39 Crash Investigation*
- 2.6.45**      **Collisions Involving Domesticated Animals**  
*See separate file 2.6.39 Crash Investigation*
- 2.6.46**      **DEPARTMENTAL COLLISIONS**  
*See separate file 2.6.46 Departmental Crash Investigation*

## **2.6.28 ALCOHOL / DRUG RELATED TRAFFIC OFFENSES**

### **2.6.28.1 Alcohol Enforcement Countermeasures**

- A. The agency's enforcement emphasis on alcohol related traffic offenses is designed to: detect and apprehend impaired or drugged drivers and reduce collisions.
- B. The alcohol enforcement countermeasures program is a component of routine traffic enforcement, and the agency's selective enforcement program; we can use:
  - 1. Selective assignment of personnel at times when, and to the locations where, analyses have shown a significant number of violations and/or collisions involving impaired drivers;
  - 2. Selective surveillance of roadways on which there have been an unusual incidence of drinking and driving collisions to ascertain characteristic violation profiles of impaired drivers;
  - 3. Selective roadway checks for deterrence purposes; and
  - 4. Selective enforcement of impaired-driving laws through concentration on existing laws and the expeditious processing of violators.

### **2.6.28.2 Alcohol Restriction Types**

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

### **2.6.28.3 Alcohol-Restricted License**

- A. If a suspect appears not to be intoxicated or impaired but has the odor of an alcoholic beverage on their breath:
  - 1. A chemical test for alcohol must be requested.
  - 2. Form DR-15 Advice of Rights, must be completed.
- B. If the driver refuses to take a test or takes a test resulting in a blood-alcohol-content (BAC) of .08 or more, the license will be confiscated.
- C. A driver may be charged with an alcohol restriction violation if the BAC test results for:
  - 1. A court-ordered restriction is .01 or higher.
  - 2. An age-based restriction is .02 or higher.
- D. In situations where the driver is charged with a violation of the Annotated Code of Maryland, Transportation Article, Section 21-902, and there is a test result of .02 or higher, an alcohol restriction violation will also be charged as required by Section 16-113(b).
- E. If DUI charges are added due to the test results, field sobriety tests must be administered and documented. [UPD Form 35 Field Sobriety Report](#)

### **2.6.28.4 Additional Required Forms**

- A. Form DR-15A, Officer's Certification and Order of Suspension, is completed when the test is refused or results in a BAC are .08 or higher.
- B. Form 33, Result of Test for Alcohol Concentration MSP, is completed whenever the chemical test is taken.
- C. Form DR-103, Violation of Alcohol Restriction, is issued for all alcohol restriction violations where the BAC test result for:
  - 1. A court-ordered restriction is from .01 to .07.
  - 2. An age-based restriction is from .02 to .07.
- D. [Form 35 Field Sobriety Report](#), Alcohol Influence Report, and [UPD Form 22 Arrest](#)

**Report**, must be completed for all arrests. In the remarks section of Form 35B, include the name of the medical personnel drawing the blood, if applicable.

- E. Form DC/CR4, Statement of Probable Cause, is completed for all violations, except when the BAC test result for:
  - 1. A court-ordered restriction is .00.
  - 2. An aged-based restriction is less than .02.
- F. Maryland Uniform Complaint and Citation will be issued for all alcohol restriction violations, except when the BAC test result for:
  - 1. A court-ordered restriction is .00.
  - 2. An aged-based restriction is less than .02.

### **2.6.28.5 Initial Contact with Violators**

- A. After stopping a vehicle, the officer establishes a reasonable suspicion that the driver is under the influence of alcohol.
- B. The officer may request that the driver perform a standardized field sobriety test.
- C. The officer may request that an officer from the Baltimore County Police Department administer a Portable Breath Test (PBT) for the driver to determine the alcohol level of the person's breath.
- D. Officers giving a PBT will complete the form: MSP 102, Advisement of Rights for Preliminary Breath Test. The officer administering the PBT will write three originals copies of the MSP 102:
  - 1. One form will be given to the arresting officer;
  - 2. Another form will be given to suspect; and
  - 3. They retain one form for the PBT supervisor.
- E. PBT results will be used only to guide determinations of whether suspects should be arrested for alcohol offenses. PBTs do not replace establishing probable cause for arrests.
- F. Results of PBT tests will be given to drivers when:
  - 1. They are released without arrest; or
  - 2. They are arrested, but only after submission or refusal of evidentiary breath or blood tests to determine alcohol concentration.
- G. Officers who administer the PBT must fill out MSP 104, Preliminary Breath Test Log, as soon as practical after administering PBTs.
- H. Results of PBTs may not be introduced in court as evidence or to support probable cause but may be introduced by the defense.

### **2.6.28.6 Driving While Intoxicated Arrest Procedures**

- A. Officers will complete DR-15s and DR-15As as prescribed in TR 16-205.1.
  - 1. Officers read aloud the DR-15 "Advice of Rights" forms to all persons arrested for violating the provisions of TR 21-902.
  - 2. Officers complete the DR-15A "Police Officer's Certification and Order of Suspension" only if alcohol or drug tests were refused or test results indicate 0.08% or more alcohol concentration.
  - 3. Copies of DR-15s and DR-15As are distributed according to the printed instructions.
    - a. Confiscated driver's licenses are attached to completed DR-15A and mailed to the MVA. Completed DR-15A serve as property receipts for MVA.
    - b. MVA copies of DR-15, DR-15A, MSP Form 33 (when applicable) and any confiscated driver's licenses will be mailed to MVA within 72 hours after the issuance of DR-15 and DR-15A.

- B. DR-15A are sequentially numbered and require full inventory accountability.
  - 1. The Quarter Master supplies DR-15A in the patrol squad supply cabinet.
  - 2. Supervisory personnel issue DR-15A books to officers and complete the DR-15A registry.
  - 3. Officers receiving DR-15A books are responsible for completing the receipt cards and submitting them to the Records Unit.
  - 4. Records Unit personnel are responsible for ensuring DR-15A issuance information is entered into the ARMS and subsequently provided to MVA.
  - 5. Officers issuing DR-15A forms to violators are responsible for entering required information into the ARMS.
  - 6. Voided forms will be submitted to the Records Unit for inventory, accountability, and data entry purposes.
  
- C. If defendants agree to submit to chemical tests for alcohol, arresting officers have two hours from the time of arrests to have tests administered. Tests conducted after two hours may be accepted, but are not considered *per se* evidence. If defendants refuse to submit to chemical tests for alcohol, arresting officers must complete DR-15A, Officer's Certification and Order of Suspension, and mail MVA copies within 72 hours.
  
- D. When defendants initially refuse to take tests, and later withdraw their initial refusal and consent to take tests, in accordance with TR 16-205.1, the tests will be given.
  
- E. Officers will keep defendants under observation at all times and will not allow them to eat, drink, or smoke from time of arrest until after chemical tests are completed.

#### **2.6.28.7 Disposition of Defendants' Vehicles**

- A. Officers making arrests driving under the influence or while impaired related traffic offenses may tow and impound defendants' vehicles.
  
- B. Vehicles will not be towed:
  - 1. If they are lawfully parked and are not needed for evidence or seizure;
  - 2. If third parties are present and arrestees request those third parties take possession of vehicles so long as the third parties are legally capable of removing vehicles; or
  - 3. If arrestees give officers permission to move their vehicles short distances to legal parking spots.

#### **2.6.28.8 Miranda Warnings/Questioning**

- A. Advising suspects of their Miranda Rights is not necessary until situations become custodial and information beyond identification requirements is requested.
  
- B. Following completion of DR-15 procedures, arresting officers will read defendants their Miranda Rights and request information concerning:
  - 1. Where defendants were prior to arrest;
  - 2. What defendants had to drink prior to arrest;
  - 3. How much defendants had to drink prior to arrest; and
  - 4. How long defendants had been drinking prior to arrest.

#### **2.6.28.9 Right to Counsel**

- A. Defendants are entitled to request and communicate with attorneys prior to taking chemical tests. Attorneys may contact defendants at test facilities in order to speak to them or administer separate breath tests using attorneys' personally owned test equipment.
- B. Defendants will be advised that refusal to submit to chemical tests due to inability to contact attorneys or have them present within necessary time limits will constitute refusals to submit to chemical tests.
- C. All attorney-client contacts, prior to breath tests or chemical test refusals, will be conducted in the presence of arresting officers. Attorney-client privileges are not breached by requiring and maintaining visual observation of defendants and their attorneys.
- D. Attorneys are subject to pat-downs prior to having contact with defendants. Containers, briefcases, etc., carried by attorneys will be checked for weapons or tools of escape before being allowed in the presence of defendants.
- E. Attorneys will be permitted to administer breath tests only when they will not substantially interfere with timely and effective administration of chemical testing procedures. Secondary testing by attorneys will be allowed only after initial testing by police personnel.

#### **2.6.28.10 Prescription Medication**

- A. If defendants require prescription medications, officers will allow defendants to administer themselves medication as directed by the prescription.
- B. Officers will inform defendants wishing to take prescription medications that, if prescription related time delays result in the expiration of the two hour limit for chemical testing, the actions will constitute a refusal to submit to chemical testing.
- C. Twenty minutes of observation time must elapse following the taking of prescription medication by defendants prior to chemical testing. If the two hour limit for chemical testing expires, defendants will be processed as refusing to submit to testing.
- D. Arresting officers will document in their DWI reports the times, types of medications, and amounts taken.

#### **2.6.28.11 Test of Breath for Alcohol**

- A. Tests will be administered at the closest police facility possible. Communications will maintain a list of nearby agencies with breath test equipment.
- B. Breath test instruments are certified and procedures are in accordance with policies of the State Toxicologist.
- C. Arresting officers must remain with defendants during the twenty minute observation period prior to testing.
- D. When breath test results are 0.00% BrAC, or when arrestees' observed levels of impairment are not consistent with breath test results, arresting officers will attempt to have arrestees evaluated by DREs. If DREs are unavailable or arrestees do not agree to be evaluated by

DREs, arresting officers and on-duty patrol squad supervisors will determine whether arrestees are to be transported to health care facilities for emergency protective services consistent with ET 13-709.

- E. When breath test results are greater than or equal to 0.30% BrAC, arresting officers and on-duty patrol squad supervisors will determine whether arrestees are to be transported to health care facilities for emergency protective services consistent with ET 13-709.

#### **2.6.28.12 Blood Tests**

- A. Blood tests will only be used if:
  - 1. Defendants are unconscious or otherwise incapable of refusing breath testing;
  - 2. Injuries to defendants require taking them to medical facilities;
  - 3. Defendants cannot physically take a breath test (stoma, mouth wired shut, etc.);
  - 4. Breath test equipment is not available; or
  - 5. Fatalities occur and breath tests cannot be administered.
- B. These hospitals are authorized to administer blood tests:
  - 1. St Agnes Hospital
  - 2. University of Maryland Hospital
- C. Blood samples will be collected only by qualified medical personnel.
- D. Blood test kits are stored in the Ready Room supply cabinet. When there are only two kits available for issue, the supervisor will request additional kits.
- E. Only current, authorized blood collection kits will be used.
  - 1. Authorized blood collection kits are the Becton-Dickinson Blood Specimen Collection Kit and Lynn Peavey Company Blood Specimen Kit.
  - 2. Officers will check expiration dates on blood sample kits to ensure that expired kits will not be used. The oldest kit (by expiration date) will be used first. Expired kits will be forwarded to the Logistics Unit to be replaced.
  - 3. Officers are responsible for following the procedures for proper use and submission of the blood specimen kits. Instruction sheets are kept with blood test kits in the patrol squad supervisors' supply cabinet.
  - 4. Completed blood test kits are transported by the Evidence Manager to: CTAU, MSP Headquarters, Pikesville, MD 21208.

#### **2.6.28.13 Alcohol Restriction Violation/Charges**

- A. All persons under the age of 21 have alcohol restrictions imposed on them. However, the restriction code will not appear on the driver's license or computer printout.
- B. Charges: applicable components of TR 16-113 and TR 21-902.
- C. If defendants refuse chemical testing, arresting officers will charge defendants with alcohol restriction violations as well as TR 21-902 and complete DR-15As, Officers Certification and Order of Suspension.
- D. Officers charging holders of regular driver's licenses with violating alcohol restrictions must complete MVA Certification of Police Officer - Violation of Alcohol Restriction (DR-103) if test

results are above 0.02%, but below 0.08%.

1. Original white copies will be mailed to MVA by Records Unit personnel utilizing attached preaddressed, prepaid envelopes.
2. Canary copies will be given to defendants.
3. Pink copies will be forwarded with other case related documents to the Records Unit.

E. Officers charging holders of commercial driver's licenses with violating alcohol restrictions under TR 16-813 must complete MVA Certification of Police Officer - Test Result above a 0.04% and below 0.08% (DR-102).

1. Original white copies and MSP-33 Certification will be mailed by the Records Unit to MVA.
2. Canary copies will be given to defendants.
3. Pink copies will be forwarded with other case related documents to the Records Unit.

#### **2.6.28.14 Processing Drug Suspects**

A. Defendants suspected of driving while under the influence of drugs are processed in the same manner as defendants driving under the influence of alcohol.

B. If defendants submit to chemical testing, the tests can be used to determine the extent of alcohol influence.

C. A low test result, together with officers' observations, may support the probability of CDS or other drug use.

D. CDS found on defendants or in defendants' vehicles may be corroborative evidence in determining charging.

E. Drug recognition experts (DREs) should be contacted to conduct related tests for CDS impairment.

#### **2.6.28.15 Documentation**

A. The reports and/or documents that will be completed as applicable in all alcohol and CDS related driving arrests are:

1. UPD Form 35: Field Sobriety/Alcohol Influence Report
2. DR-15: Advice of Rights
3. DR-15A: Officer's Certification and Order of Suspension
4. DR-103: Violation of Alcohol Restriction
5. UPD Form 22: Arrest Report
6. DC/CR4: Statement of Probable Cause
7. MSP 102: Advisement of Rights for Preliminary Breath (Baltimore County)
8. MSP 104: Preliminary Breath Test Log (Baltimore County retains)
9. Spanish DR-15: For written and audio warnings in Spanish
10. MSP 33: Blood draw results

B. When received from MSP, a copy of MSP 33 (Blood Draw Results) will be mailed by arresting officers to the Baltimore County State's Attorney's Office DWI coordinator.

#### **2.6.28.16 Unconscious Persons**

A. When motor vehicle operators are unconscious or otherwise incapable of refusing to undergo chemical testing and probable cause exists to make arrests, investigating officers will obtain prompt medical attention for the individuals and arrange transportation to the nearest medical

facility.

- B. Officers will have to bring alcohol blood test kits to the medical facility or have one brought to the facility.
- C. If chemical testing for alcohol will not jeopardize the individual's health or well-being, officers will request qualified medical personnel withdraw blood for a chemical test for alcohol. Consent forms will be completed and the word "unconscious" written where defendants' signatures would normally be placed.
- D. If individuals regain consciousness or otherwise become capable of refusing the test prior to the withdrawal of blood, investigating officers will proceed with the DR-15, Advice of Rights.

#### **2.6.28.17 Fatal Collisions**

- A. Fatal collisions are investigated by accident re-constructionists from either the Baltimore County Police Department or the Maryland State Police.
- B. TR 16-205.1(c) provides legal criteria for mandatory chemical testing of persons involved in collisions that result in death of, or life-threatening injuries to others.
- C. Officers are not required to complete DR-15s for drivers involved in fatal collisions.
- D. If breath testing is appropriate, officers will follow procedures previously set forth in this directive. Persons refusing breath testing will be transported to a hospital for blood testing.
- E. If blood testing occurs, officers will witness withdrawal of blood and follow procedures for blood testing.
- F. When operators of motor vehicles die as a result of injuries sustained in automobile collisions, investigating officers will request the Deputy Medical Examiner to respond to the scene.
  - 1. With permission of the Medical Examiner, designated funeral directors will take custody of bodies and transport them to the morgue.
  - 2. The Deputy Medical Examiner will take blood samples and report the blood analysis to investigating officers.

#### **2.6.28.18 Release Authorization**

Pursuant to TR 26-202(c), arrestees charged with alcohol or drug related traffic offenses will be taken without unnecessary delay before District Court Commissioners for pretrial release determination unless arresting officers, in their discretion, release arrestees upon their written promise to appear for trial.

## **2.6.31 Assistance to Motorists**

- A. Officers will be alert for motorists who appear to need assistance. Particular attention must be given to motorists during hours of darkness when potential hazards are higher.
  - 1. Officers will stop and offer reasonable assistance to motorists. If involved in calls of higher priority, they will report situations to communications to assign of units.
  - 2. When stalled vehicles are creating traffic hazards, officers will stop and provide traffic control until hazards are alleviated.
  - 3. Officers will offer reasonable assistance to ensure the well-being of motorists and passengers who need assistance.
    - a. Assistance may be in the form of requesting road service, assisting with minor repairs, changing tires, obtaining fuel, finding alternative transportation arrangements, attempting to make notifications, providing local transports, or the ability to wait a reasonable time in the Headquarters lobby, use of the lobby telephone and telephone books, and access to restroom facilities.
    - b. Reasonable efforts will be made by Communications employees to assist motorists brought to Headquarters.
- B. Motorists will not be left in situations that expose them to undue risks.
  - 1. Officers will consider traffic hazards, vehicle locations, time of day, weather conditions, and priority of calls for service in determining appropriate responses to motorists needs.
  - 2. Based on the assessment of motorists' needs and the risks presented, officers may place devices such as flares, traffic cones, etc., to warn oncoming traffic and clear scenes.
    - a. Officers will make periodic checks to ensure that risks to motorists have not increased.
    - b. If officers cannot make periodic checks, they will notify communications to request assignment of other officers to make checks.
- C. Officers will provide information and directions upon request. Officers should become familiar with the streets and services in the local surrounding community.
- D. Officers will notify communications when assistance is being rendered to motorists.
- E. Jump starting services are offered using agency vehicles or the portable kits. Other university organizations may supply jump starting services to the community.
- F. Pushing Other Vehicles
  - 1. General Guidelines
    - a. A department vehicle will not be used to push or pull a disabled vehicle unless it reasonably appears to be a threat to public safety.
  - 2. Vehicle types
    - a. Pushing vehicles
      - i. Department vehicles equipped with push bumpers may be used to push certain vehicles off a roadway and onto a shoulder or median.
      - ii. Vehicles not equipped with push bumpers shall not attempt to push vehicles, except in emergency circumstances, but shall be placed to protect the vehicle until a wrecker or a properly equipped patrol vehicle arrives.
    - b. Pushed vehicles

- i. A standard passenger car.
    - ii. Pickup trucks, vans or recreational vehicles not exceeding a 3/4-ton capacity.
3. Procedure
  - a. Obtain consent and instruct the operator before pushing
  - b. Make the operator aware that he or she will not have use of power brakes or power steering unless the vehicle engine is running.
  - c. Instruct the operator to release the brakes, including the parking brake, and to turn on the ignition to the "on" position to unlock the steering wheel and automatic transmission lever.
  - d. Instruct the driver where it is you intend him to steer to and stop and that he or she will not apply vehicle brakes until you "back off" his or her vehicle just before arrival at the final location.
  - e. Instruct the operator to be ready to use the parking brake or hand brake if the brake pedal has no stopping effect when depressed.
  - f. Pushing the vehicle
    - i. Inspect the vehicle whenever possible to ensure that it can be moved safely.
    - ii. Preposition the pushing vehicle closely behind the other vehicle, aligning the bumpers squarely so that the push bars lightly contact the vehicle's bumper and, if it can be done safely, get out to check the corresponding bumper heights and alignment of both vehicles.
    - iii. Begin pushing slowly from a full stop so that air bags are not deployed, and no damage is caused by going over or under the other vehicle's bumper.
    - iv. Do not exceed 10 MPH using emergency lighting, including 4-way flashers. Use discretion on the use of turn signals if pushing from the middle highway lanes as it may not be clear to overtaking traffic which direction you intend to take.
    - v. Vehicles should be pushed the shortest distance required to get to a safe location off the roadway.
    - vi. Allow a long enough route for gradual angling across traffic lanes and a slow speed buildup, if that is required, so that overtaking traffic can slow down or safely stop to avoid collision.
    - vii. Before the other vehicle should begin braking to a stop, slow down and allow some distance between the two vehicles to avoid unintended collision.
    - viii. If it is practical and safe to do so, visually inspect the disabled vehicle for damage along with its owner both before and after pushing the vehicle.
  - g. Other restrictions to pushing a vehicle
    - i. Push bumpers are not designed to be used during high-speed pursuits to ram or push a vehicle off the road.
    - ii. Do not use any department vehicle to push start another vehicle, with or without push bumpers.
    - iii. If a vehicle is involved in an accident and any occupant complains of injuries, the vehicle should not be pushed.
  - h. Reporting damage
    - i. Initiate an accident report (ACRS)
    - ii. A supervisor shall be called to investigate the traffic accident.
  - i. Record information as a CAD Event
    - i. On the original event note in the comments section that the vehicle was pushed from the highway and when either vehicle was damaged, or injuries resulted from this assist

**2.6.32**      **Road Services**

- A. Motorists encountering mechanical or other difficulties necessitating assistance or towing may rely upon the agency to request needed services on a 24-hour basis.
- B. Officers and communications personnel may facilitate notifications to motorists' preferred road or towing services.
- C. Motorists with no preference for road or towing services will be offered the opportunity to request, at the motorists' expense, commercial towing services contracted by the agency to provide towing and impounding services.

## **2.6.38 PARKING ENFORCEMENT**

### **2.6.38.1 Transportation Services Role**

Transportation Services has the primary responsibility for the enforcement of university parking regulations.

### **2.6.38.2 Agency Role**

A. The agency conducts limited parking enforcement activities only within the agency's primary jurisdiction.

1. University parking regulations cannot be enforced outside our primary jurisdiction.
2. Enforcement of university parking regulations is a component of the agency's traffic enforcement program.
3. Special emphasis will be directed to areas where infractions may pose safety hazards or impede traffic flow.

B. Officers may issue parking citations for:

1. Vehicles parked in fire lanes or interfering with access to fire hydrants or the passage of emergency vehicles;
2. Vehicles illegally parked in handicapped spaces or access areas; or
3. Vehicles parked or standing:
  - a. Impeding movement of traffic;
  - b. Blocking driveways or entrances;
  - c. Interfering with traffic during snow emergencies;
  - d. Blocking dumpsters marked "No Parking Area" or similar wording;
  - e. Blocking legally parked vehicles;
  - f. Unattended on any road or parking lot in a manner constituting a threat to public safety; or
  - g. In spaces prohibited by direction or instruction of agency employees.

C. Transportation Services may call officers of this agency to assist in towing vehicles for excess parking.

### **2.6.38.3 Accountability of Parking Violation Books**

- Transportation Services issues **Parking Violation Notice (PVN)** books to the agency for use by officers.
- Officers are responsible for accounting for all PVNs that are issued.
- The Logistics Unit distributes PVN books and retrieves obsolete PVNs.
- Officers will sign out PVN books from the patrol squad supervisors' supply cabinet utilizing the PVN sign out record.

### **2.6.38.4 Issuing PVNs**

A. Officers will issue PVNs only for those violations listed in **2.6.38.2B**, unless ordered to do otherwise by supervisor.

B. Officers will complete PVNs in accordance with Transportation Services instructions.

### **2.6.38.5 Voiding Parking Violation Notices**

Officers wishing to void PVNs, because of errors or drivers returning to vehicles prior to PVNs being placed on violators' vehicles will write "VOID" in large letters across the PVN, obtain approving signatures or initials of a supervisor, and place all copies of voided PVNs in the Records mailbox by the end of the issuing officers' tours of duty.

### **2.6.38.6 Compliance with Parking Regulations**

- Agency vehicles will be parked in accordance with parking regulations.
- Employees will park their personal vehicles in accordance with parking regulations.
- Employees are responsible for PVNs received on personal or agency vehicles. However, this does not affect employees' rights to appeal PVNs through established channels.
- On an as-needed basis, the chief will distribute notices containing clarifying information on parking of personal and agency vehicles.

### **2.6.38.7 Parking Coordinator**

The chief will appoint a parking coordinator for the purposes of:

- Requesting parking permits; and
- Requesting administrative appeals of PVNs.

### **2.6.38.8 Appeals**

Employees who receive PVNs may appeal them by:

- Submitting appeals directly to Transportation Services;
- Requesting District Court trials;
- Submitting appeals through the Student Parking Appeals Office (SPA0) if they are registered as university students; or
- Requesting administrative appeals through the chain of command to the Office of the Chief.

### **2.6.38.9 Administrative Appeals**

- A. Employees seeking administrative appeals will forward PVNs with written explanations, through the chain of command to the parking coordinator. All requested information on PVNs must be completed. PVNs issued to employees must have been received while engaged in employment related activities to be eligible for an administrative appeal.
- B. Visitors to the agency may submit PVNs directly to the parking coordinator.
- C. PVNs issued to employees' personal vehicles will not be accepted for administrative appeals if issued for:
1. Expired parking meters;
  2. Parked in handicapped spaces;
  3. Parked in fire lanes; or
  4. Failure to display permits.
- D. PVNs issued to state licensed vehicles will not be accepted for administrative appeals if issued for handicapped parking violations.



### **2.6.39**            **COLLISION INVESTIGATION**

- A. Except as specifically provided elsewhere in this directive, agency officers will respond to collision scenes involving:
  - 1. Deaths, injuries, or possible injuries;
  - 2. Hit and run;
  - 3. Impairment of operators due to alcohol and/or drugs;
  - 4. Damage to public vehicles or property;
  - 5. Hazardous materials;
  - 6. Altercations between principals;
  - 7. Major traffic congestion;
  - 8. Damage to vehicles to the extent towing is required;
  - 9. Damage to vehicles or other property.
  
- B. Sufficient officers will be dispatched to render necessary aid, investigate collisions, record short-lived evidence, and restore normal traffic flows. Responses may be modified on factors that include, but are not limited to the:
  - 1. Collision severity;
  - 2. Amount of traffic flow disruptions;
  - 3. Availability of officers; and
  - 4. Related directives.
  
- C. On-duty patrol squad commanders may temporarily order the suspension of agency responses, investigations, and reporting requirements of minor property damage collisions and minor, property damage hit and run collisions due to:
  - 1. Adverse weather conditions that contribute to an unusually high number of collisions; and
  - 2. Emergency or exigent circumstances that require deployment of all available patrol squad personnel.

### **2.6.40**            **Establishing Investigative Responsibilities**

- A. Agency officers are responsible for collision reporting and investigation requirements within the agency's area of primary jurisdiction.
  - 1. The first officer arriving at the scene of a collision will normally be responsible for the investigation and report.
  - 2. Supervisory officers may alter the investigation and reporting responsibilities, as well as request collision re-constructionists or other technical assistance.
  
- B. Officers may investigate and report upon collisions occurring on public thoroughfares within the agency's area of concurrent jurisdiction consistent with **1.2.4 Concurrent Jurisdiction**. Primary collision investigation and reporting responsibilities within areas of [concurrent jurisdiction](#) rest with the Baltimore County Police Department.

### **2.6.41**            **Collision Investigation & Report Requirements**

- A. Agency officers will investigate traffic collisions and complete ACRS reports for collisions within the primary jurisdiction of the agency involving:
  - 1. Deaths, injuries, or possibility of injuries;
  - 2. Hit and run collisions where substantial investigative leads exist;
  - 3. Use of alcohol and/or drugs by vehicle operators;

4. Damage to public vehicles or property;
  5. Hazardous materials;
  6. Vehicle damages such that towing is required;
  7. Buses; or
  8. The charging of one or more persons with violations of the Transportation Articles and placing them at fault.
- B. If conditions listed in **A** do not exist, investigations and reports are **not** required for:
1. Property damage collisions which do not result in disabling vehicle damages;
  2. Hit and run collisions lacking substantial investigative leads;
  3. Other late reported property damage collisions;
  4. Non-governmental, non-vehicular property damage collisions, e.g., fences, poles, landscape; or
  5. Charging persons with non-fault related violations of the Transportation Articles.
- C. Collision reports will be completed consistent with the Instruction and Reference Manual of ACRS of the Maryland State Police, Central Records Division.
- D. When officers respond to collisions that do not require investigation and reporting, they will supply communications with information that includes, but is not limited to:
1. Collision locations;
  2. Vehicle information (State, Tag, Yr., Color, Make, Model); and,
  3. Reason for collisions not requiring reports and investigations.
- E. Officers should provide copies of **UPD Form 33** "Collision Exchange of Information" form to parties involved in collisions wherein no investigations or reports are conducted so as to facilitate the exchange of information between same.

#### **2.6.42      Collision Scene Duties**

- A. Responding officer's collision scene responsibilities include:
1. Preventing collisions from worsening;
  2. Checking for injuries, administering emergency medical care, and basic life support commensurate with training levels and equipment availability;
  3. Requesting assistance from EMS personnel;
  4. Recognizing fire, safety, HAZMAT, utility, and other hazards;
  5. Protecting, securing, and processing scenes.
  6. Requesting additional logistical, technical, or organizational support;
  7. Safeguarding property belonging to victims unable to care for same,
  8. Collecting information from involved drivers and witnesses,;
  9. Supplying communications with necessary and prudent information;
  10. Interviewing principles and witnesses;
  11. Checking wanted status of persons and vehicles;
  12. Determining if alcohol and/or drugs were involved;
  13. Examining damages to vehicles and property and making any necessary notifications;
  14. Clearing and reopening roadways and driving lanes as soon as possible;
  15. Extinguish flares and removing them to roadsides;
  16. Determining collision causes;
  17. Taking enforcement action;
  18. Providing principals with CCNs;

## **2.6.43 Follow-Up Collision Investigations**

- A. Collecting off-scene, collision investigation related data is normally the responsibility of primary investigating officers. These off-scene related activities may include:
  - 1. Obtaining medical records, physicians reports, blood tests, laboratory reports, etc.;
  - 2. Obtaining witness or victim statements;
  - 3. Preparing collision diagrams or reconstruction reports; and
  - 4. Preparing written reports in support of criminal or traffic charges resulting from the collisions.
- B. Agency officers or members of other agencies have specialized technical training which may be of assistance in the investigation of collisions. Services of these officers may be requested on a 24 hour basis with supervisory approval. These services include:
  - 1. Collision reconstruction;
  - 2. Commercial and passenger vehicle equipment inspection;
  - 3. Interpretation of physical evidence such as tire marks, vehicle damage, road surface damage, etc.;
  - 4. Preparation of scaled collision drawings;
  - 5. Specialized photography of collision scenes; and
  - 6. Assistance in report and trial preparation for complex collision cases.
- C. In some cases it may be necessary to submit physical evidence from a collision to the [Maryland State Police Crime Lab](#) for scientific analysis. Evidence will be collected, preserved, and submitted according to MSP rules.
- D. The Operations Commander is responsible for coordinating necessary follow-up assistance when necessary technical assistance is not available within this agency.

## **2.6.44 Collision Reconstruction**

- A. Collision re-constructionists will be requested to respond to collisions involving:
  - 1. Fatalities;
  - 2. Serious injury collisions involving governmental vehicles, including agency vehicles;
  - 3. Critical injury bus collisions;
  - 4. Serious injury crashes that appear intentional or collisions where mechanical defect or roadway design may have been proximal causes.
- B. The on-duty patrol squad supervisor requests collision re-constructionists to respond.
- C. Collision re-constructionists may be requested to assist when there is a need for limited participation without complete reconstructions, e.g., speed calculations, determination of point of impact, etc.

### **2.6.44.1 *Organ Donor Victims***

- A. Driver's license information of persons killed in collisions should immediately be checked to determine if the victims are organ donors.
- B. Investigating officers should ensure organ procurement teams associated

with transplant programs are notified by communications personnel

**2.6.45 Collisions Involving Domesticated Animals**

- A. When collisions involve domesticated animals, investigating officers will:
  - 1. Attempt to determine the owners' identities and subsequently contact them;
  - 2. Provide owners with the names, addresses, phone numbers, vehicle registration information, and insurance information of vehicle owners or drivers; and
  - 3. Provide drivers of striking vehicles with names, addresses, and phone of animal owners.
  
- B. If animal owners cannot be determined or located, investigating officers will notify communications who will contact Baltimore County Animal Control.

## 2.6.46 DEPARTMENTAL COLLISIONS [UMBC Policy & Procedures](#)

### 2.6.46.1 *Involved Employee's Responsibilities*

- A. When full-time or part-time employees of the agency are involved in collisions while operating motor vehicles that are owned, leased, or under control of the agency, the operators will immediately take action to notify:
1. Supervisory or administrative ranked personnel to ensure that the collisions are investigated; and
  2. Police agencies of primary jurisdiction when collisions occur outside the jurisdiction of the University Police to ensure collision reports are completed.
- B. With the exception of hit and run collisions, involved employees will **not** move vehicles from points of impact without approval unless there are threats to the safety of persons or property.
- C. In hit and run collisions, involved officers, after notifying communications, may leave scenes to attempt to identify or apprehend striking vehicles or operators, provided that such departures can be made safely.
- D. Involved drivers must, as applicable:
1. Provide indexing information dealing with dates, times, locations, witnesses, other drivers, etc. of collisions;
  2. Complete [UPD form 33](#) "What to do in case of an Auto Accident form".
  3. Comply with Workers' Compensation reporting requirements, and
  4. Complete a report.
- E. Officers may be compelled under provisions of LEOBR to give full accountings of collision facts and circumstances.
1. Officers may elect to freely and voluntarily give narrative accountings of the collision; or
  2. Officers may invoke and be granted the provisions and rights conveyed under LEOBR.
- F. Baltimore County vehicles involved in accidents on campus: under the [Memorandum of Agreement](#), the Baltimore County Police Department will investigate these accidents.

### 2.6.46.2 *Investigating Officers' Responsibilities*

- A. All departmental collisions occurring within the agency's jurisdiction will be investigated by on-duty officers. It is preferred that on-duty patrol squad supervisors serve as investigating officers. However, all officers who have completed their initial probationary periods may serve as initial investigating officers.
- B. Duties and responsibilities of investigating officers include:
1. Performing collision scene duties;
  2. Completing ACRS reports, if not prepared by re-constructionists;
  3. Completing forms required by the Office of Environmental Safety & Health (ESH). This form must also be reviewed by a supervisor and returned to ESH within 24 hours of the accident.
  4. Ensuring Workers' Compensation reporting requirements are met; See: **1.14.1 On-Duty Injury Reporting**
  5. Making notifications and sending Command Incident Summary;
  6. Completing thorough Report of Investigation for review by Command Staff.

### **2.6.46.3 Departmental Collisions Occurring outside the Agency's Jurisdiction**

- Involved officers are responsible for notifying the appropriate police agency for a report.
- The Support Services Commander ensures that the required forms are submitted and that a complete investigation is completed.
- When practical, supervisors will respond to departmental collisions occurring out of jurisdiction that involve fatalities or serious personal injuries. The purpose of the response is to coordinate this agency's fact finding into the collisions and to arrange for collision report copies to be forwarded to this agency.

### **2.6.46.4 Records Unit Responsibilities**

- A. Records Unit personnel are responsible for ensuring departmental collision related documents are disseminated or distributed to appropriate units, organization, and persons.
- B. Original ACRS reports will be submitted in accordance with ACRS requirements.
  1. One copy will be submitted to Operations Maintenance.
  2. One copy will be submitted to investigating officers for inclusion in ROIs.
  3. One copy will be retained in Records Unit files.
- C. Original "What to do in case of an Auto Accident" will be submitted to the Department of Environmental Safety.
  1. One copy of each form will be submitted to Operations Maintenance.
  2. One copy of each form will be submitted to investigating officers for inclusion in ROIs.
  3. One copy of each will be retained in Records Unit files.

### **2.6.46.5 Collision Coordinator**

The Support Services Commander or designee serves in an ancillary capacity as the agency's collision coordinator. The duties include:

1. Working with investigating officers to ensure departmental collision investigations are conducted thoroughly, accurately, completely, on a timely basis;
2. Making recommendations as to whether collisions were chargeable v. non-chargeable.
3. Submitting completed Report of Investigation to the Chief for final action.

### **2.6.46.6 Alcoholic Beverage/CDS Related Collisions**

Departmental collisions in which involved employees are suspected to be in violation of TR 21-902 will be handled consistent with **1.4 Discipline & Internal Affairs**.

### **2.6.46.7 Vision and Hearing Testing**

- Employees found to have caused preventable departmental collisions may be ordered, at no cost to involved employees, to submit to eye tests, hearing tests, or other appropriate tests.
- Testing will be coordinated by the Office of the Chief.
- Testing may be conducted following each preventable collision.

### **2.6.46.8 Remedial Driver Training**

Employees may be assigned to remedial or other relevant driver training programs when such training is determined to be in the best interests of the employee or agency.

**2.6.46.9      *Appearance at Hearings***

Employees directed to appear before courts or administrative proceedings relating to departmental collisions will promptly notify the Office of the Chief of those notices.

## 2.7.0 CRIME PREVENTION ACTIVITIES

2.7.1 The Deputy Chief of Police handles the duties and responsibilities for crime prevention activities:

- A. **Facilitator:** Managing, facilitating and coordinating crime prevention and community involvement activities throughout the agency; and
- B. **Make the Major aware:** All agency employees who become aware of crime prevention or police-community relations issues are responsible for forwarding the information through the chain of command.
- C. **Fact based:** Crime prevention programs are developed in response to crime analysis and our planning and research functions.
- D. All crime prevention programs must be:
  - a. **Crime-Targeted** programs by crime types and geographic area on the basis of analysis of available data;
  - b. **Fear-Targeted** programs to address community perceptions of crime; and
  - c. **Evaluated** for effectiveness at least once every three years.

### 2.7.2 Community Involvement Programs

- A. All agency employees are responsible for participating in the agency's crime prevention and community involvement efforts that are consistent with their job classification and assignment.
- B. The Deputy Chief of Police is responsible for ensuring community involvement programs are developed and conducted to:
  - a. **Encourage employees** to become involved and to work cooperatively with community members, groups, and organizations;
  - b. **Encourage the community:** groups and organizations can call upon this agency for crime prevention presentations; and
  - c. **Invite involvement:** community members and groups to become involved in agency activities and police their own community.

C. The agency's community involvement functions includes:

<b><i>Liaison</i></b>	Establish liaison with existing community organizations or help establish community groups where they are needed;
<b><i>Policies</i></b>	Develop community involvement policies for the agency;
<b><i>Publicize</i></b>	Publicize agency objectives, community problems, and successes;
<b><i>Share info</i></b>	Convey relevant information received from community members and organizations; (generate "buzz")
<b><i>Improve</i></b>	Improve agency practices bearing on police community interaction;
<b><i>Improve training effectiveness</i></b>	Identify training needs through interviews with citizens / representatives, consultations with those involved in internal investigations, and conferences with supervisors;
<b><i>Solve problems</i></b>	Develop problem oriented or community policing strategies.

**2.7.3 Community Survey**

- A. The Deputy Chief of Police is responsible for ensuring a survey of citizen attitudes and opinions is conducted and submitted to the chief at least every three years with respect to:
1. Overall agency performance;
  2. Overall competence of agency employees;
  3. Officers' attitudes and behavior toward citizens;
  4. Community concerns over safety and security within the agency's primary jurisdiction; and
  5. Citizen's recommendations and suggestions for improvements.
- B. The information provided by the survey will be utilized by the agency in its strategic management program to prioritize the utilization of limited personnel, equipment, and resources in ways that will favorably affect future public welfare.

**2.7.4 ESCORT SERVICES**

The police department maintains an escort service that operates 24 hours a day. The service is offered by walking and riding escorts that provide point-to-point service. Please contact ext. 55555 from offices, residential rooms or other campus facilities. You may also contact the University Police via campus emergency telephones to request an escort any time of the day.

### **2.7.5 CRIME ALERT BULLETIN (*Timely warnings*)**

Crime Alert Bulletins are used when the police department needs to make the campus community aware of a situation or threat where:

- We need the campus community to avoid an area where an emergency is occurring
- We need people in a stated area to evacuate a building and leave the area,
- We need people to “shelter in place” at their facility.

Whenever a violent or a major property crime occurs on campus; and the police department believes that the safety of the campus community is at-risk, a Crime Alert will be issued. The alert process will be sent in these ways:

- 1) All- campus electronic mail;
- 2) Posting on the [UMBC Police Department web page](#).
- 3) Physical postings of bulletins in designated campus residential areas by residential life personnel may be an option depending upon the circumstance.

Campus Crime Alerts are distributed as soon as possible subject to the availability of accurate information during an emergency.

### **2.7.6 Ride Along Program**

The Ride Along Program provides students and the community the opportunity to accompany an officer during their tour of duty in a police vehicle to gain a better understanding of police operations and enhance transparency.

#### **I. Eligibility**

- a. UMBC Students or community members eighteen years of age or older.

#### **II. Limitations of Participation**

- a. Participation in this program is restricted to two (2) Ride Alongs per year without prior authorization from the Operations Commander.
- b. Ride Alongs are limited to two (2) hours in duration.

#### **III. Administrative Procedures**

- a. Ride Along applications are available at [police.umbc.edu/ride-along/](http://police.umbc.edu/ride-along/) and must be completed at least two weeks in advance. After reviewing the form, the Operations Commander will approve or deny the request.
- b. After review and approval, the Community Liaison/Resource Sergeant will contact the applicant to verify the date and time of the Ride Along.
- c. The Community Liaison/Resource Sergeant will notify the appropriate Officer-in-Charge of the Ride Along date and time of appearance.
- d. The Ride Along host officers will be notified by the Officer-in-Charge when the

individual reports to the station.

- e. The Community Liaison/Resource Sergeant will retain copies of the application and signed waiver for one year from the date of the Ride Along.

#### **IV. Briefing the Ride Along Participant**

- a. Prior to patrol, the host officer will conduct a brief orientation for the guest covering;

Review of the Guidelines for the Ride Along Program and the Ride Along Waiver, emphasizing

- (1) The mandatory use of seatbelts
  - (2) Participants can terminate the Ride Along at any time
  - (3) Participants may be dropped off at a safe location by the host officers when there is a serious incident that could present a danger
  - (4) Participants are prohibited from entering a residence without the expressed consent of the resident
- b. The participant must sign the Ride Along Waiver Form 52 after the briefing, and the host officer will submit it to the Officer-in-Charge.
  - c. The Officer-in-Charge will submit the completed Ride Along Waiver to the Community Liaison/Resource Sergeant.

#### **V. Operational Procedures**

- a. Host officers must take responsible measures to ensure the safety of the participant.
- b. Host officers shall always remain professional and treat the participant with respect during the Ride Along while answering questions.
- c. The host officers will ensure that the participant is appropriately attired.
- d. The host officer may terminate the Ride Along for improper conduct of a participant.
- e. At the conclusion of the Ride Along, a short debriefing session will be held by the officer to ensure that the participant's questions have been answered.

#### **VI. Reporting**

- a. A CAD card will be created by host officers to document the Ride Along.

## **2.8.1 ADULT ARREST PROCEDURES**

All citizens have basic rights set forth in common law, statutory law, and the State and Federal Constitutions. Members of the UMBC Police Department shall exercise the power of arrest in compliance with the laws of the United States and the State of Maryland.

Directives contained in this unit specify procedures agency personnel will utilize when processing persons arrested or taken into custody. Directives are subject to change through legislation and case law. Officers are responsible for following the correct law, after receiving notice and training in the event the following directives have been amended or superseded.

### **I. Prompt Presentment**

- A. Maryland Court Rule 4-212(e) and (f) requires that a person under arrest be taken before a judicial officer without unnecessary delay, and in no event later than 24 hours after arrest. The courts have ruled that unnecessary delay is defined as withholding a defendant's opportunity for an initial appearance before a judicial officer after normal processing and after sufficient information has been obtained for charging.
- B. Agency employees will not impede a defendant's opportunity to make bail.

### **II. Arrests with a Warrant<sup>1</sup>**

- A. An arrest warrant is a charging document issued by a District Court commissioner or judge, directing the arrest (taking into custody) of a person on criminal or traffic violations.
  - 1. Only sworn members are authorized to serve warrants.
  - 2. Prior to making an arrest under the authority of a warrant, officers shall verify that the information on the warrant is correct and confirm that the warrant is active.
- B. Investigating Officer Responsibilities
  - 1. Officers shall submit the completed the Statement of Probable Cause and Application for Statement of Charges to the District Attorney.
  - 2. The Statement and Application will be submitted to the District Attorney.
- C. Warrant Service
  - 1. Officers shall confirm that a warrant is active prior to service.
  - 2. An arrest warrant may be served at any time. If the warrant is for minor charges, the supervisor has the authority to dictate that service will take place during reasonable hours, i.e., between the hours of 0700 and 2300 hours.
  - 3. Officers shall not wait to serve a warrant if the following criteria exist:
    - a. The defendant is considered an escape risk;
    - b. The defendant is wanted on other charges;
    - c. The defendant is in imminent danger of causing harm to themselves or others;
    - d. The defendant is a suspect in other case(s);
    - e. The defendant, unless immediately apprehended, may tamper with, dispose of, or destroy evidence; or
    - f. The defendant, unless immediately apprehended, may cause injury to the person or damage to the property of one or more other persons.

---

<sup>1</sup> CALEA 1.2.5

4. Prior to the execution of a warrant, officers should develop a plan of action to ensure the safety of the officers, the safety of innocent bystanders, and the safety of the person to be taken into custody. Officers will use only the force necessary to take the person into custody and to accomplish lawful objectives.
  5. Warrants shall accompany the arrestee to the Court Commissioner's Office.
- D. Warrant Service from Outside Agencies
1. Outstanding warrants from outside agencies must be verified and printed copies must be obtained prior to arrest and transport to the District Court Commissioner's Office or the Baltimore County Detention Center.
  2. Officers must provide the District Court Commissioner's Office or the Baltimore County Detention Center a teletype confirming the open warrant.
  3. Officers must ensure the agency holding the original warrant provides a copy of the warrant to the Baltimore County Detention Center.
  4. For extraditable warrants held by agencies outside of Maryland, officers must contact the agency to coordinate warrant confirmation. The Maryland State Police Fugitive Unit will be notified for confirmed extraditable warrants.
  5. Agency officers shall assist officers from other agencies who present warrants or charging documents for persons within the jurisdiction of this agency.

## II. Warrantless Arrests<sup>2</sup>

- A. Maryland law permits sworn police officers to make warrantless arrests for criminal violations under the following circumstances:
1. A person commits or attempts to commit a felony or misdemeanor in the presence or within the view of the police officer.
  2. A police officer who has probable cause to believe that a felony or misdemeanor is being committed in the presence or within the view of the police officer may arrest without a warrant any person whom the police officer reasonably believes to have committed the crime.
  3. A police officer has probable cause to believe that a felony has been committed or attempted and the person has committed or attempted to commit the felony whether or not in the presence or within the view of the police officer.
- B. A police officer without a warrant may arrest a person if the police officer has probable cause to believe:
1. that the person has committed a crime listed in subsection (C) of this section; and
  2. that unless the person is arrested immediately, the person:
    - a. may not be apprehended;
    - b. may cause physical injury or property damage to another; or
    - c. may tamper with, dispose of, or destroy evidence.
- C. The crimes referred to in subsection (B)(1) (MD Crim Pro Code §2-203) of this section are:
1. manslaughter by vehicle or vessel under § 2-209 of the Criminal Law Article;
  2. malicious burning under § 6-104 or § 6-105 of the Criminal Law Article or an attempt to commit the crime;
  3. malicious mischief under § 6-301 of the Criminal Law Article or an attempt to commit the crime;

---

<sup>2</sup> CALEA 1.2.5

4. a theft crime where the value of the property or services stolen is less than \$1,000 under § 7–104 or § 7–105 of the Criminal Law Article or an attempt to commit the crime;
  5. the crime of giving or causing to be given a false alarm of fire under § 9–604 of the Criminal Law Article;
  6. indecent exposure under § 11–107 of the Criminal Law Article;
  7. a crime that relates to controlled dangerous substances under Title 5 of the Criminal Law Article or an attempt to commit the crime;
  8. the wearing, carrying, or transporting of a handgun under § 4–203 or § 4–204 of the Criminal Law Article;
  9. carrying or wearing a concealed weapon under § 4–101 of the Criminal Law Article;
  10. prostitution and related crimes under Title 11, Subtitle 3 of the Criminal Law Article; and
  11. violation of a condition of pretrial or posttrial release under § 5–213.1 of this article.
- D. A police officer without a warrant may arrest a person if:
1. The police officer has probable cause to believe that:
    - a. The person battered the person’s spouse or another person with whom the person resides;
    - b. There is evidence of physical injury; and
    - c. Unless the person is arrested immediately, the person:
      - i. May not be apprehended;
      - ii. May cause physical injury or property damage to another; or
      - iii. May tamper with, dispose of, or destroy evidence; and
    - d. A report to the police was made within 48 hours of the alleged incident.
  2. If the police officer has probable cause to believe that mutual battery occurred and arrest is necessary under subsection (a) of this section, the police officer shall consider whether one of the persons acted in self-defense when determining whether to arrest the person whom the police officer believes to be the primary aggressor.
- E. A police officer 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 a protective order as described in § 4–508.1(c) or § 4–509(b) of the Family Law Article.
- F. A police officer without a warrant may arrest a person if:
1. The police officer has probable cause to believe the person has engaged in stalking under § 3-802 of the Criminal Law Article;
  2. there is credible evidence other than the statements of the alleged stalking victim to support the probable cause under item (1) of this section; and
  3. the police officer has reason to believe that the alleged stalking victim or another person is in danger of imminent bodily harm or death.

### III. Restraint Device Procedures

- A. Arrestees shall be handcuffed prior to any search and transport.
- B. Juveniles taken into custody for *status offenses* will not be handcuffed or otherwise restrained.
- C. Handcuffs shall be applied with the hands behind the back, palms outward, and double locked.
- D. Authorized additional and enhanced restraints include multiple sets of handcuffs linked together to lengthen cuffing span, leg irons, and Flexi-Cuffs, or other similar issued or authorized non-metallic, temporary restraining device.

- E. The use of unauthorized restraint devices is prohibited.
- F. Officers may utilize authorized additional or enhanced agency restraints only as necessary for detainees who are:
  - 1. Violent or combative;
  - 2. Self-destructive or suicidal;
  - 3. Escape risks;
  - 4. Under the influence of alcohol or other drugs; or
  - 5. Medically or physically limited or disabled and other restraints cannot be used.
- G. Appropriate restraining devices shall be utilized when transporting severely mentally ill persons.
  - 1. Officers will use their best judgment to determine the most appropriate methods of restraint for mentally disturbed persons.
  - 2. Officers should consider the use of ankle cuffs based on officers' assessments of the behavior of mentally disturbed persons.
  - 3. Officers will request assistance from Baltimore County Fire Department EMS personnel to restrain and transport extremely aggressive or combative mentally disturbed persons.
  - 4. Circumstances surrounding transport of mentally disturbed persons will be contained in agency reports of such incidents.
- H. Flexi-Cuffs may be utilized when conducting multiple arrests.
- I. Handcuffs and other restraint devices will not be utilized if such use would exacerbate injuries, illnesses, or disabilities.
  - 1. Officers may exercise discretion in handcuffing or restraining persons who are injured, ill, or disabled based on:
    - a. States of mind and degrees of cooperation;
    - b. Nature and extent of injuries, illnesses, or disabilities;
    - c. Potential for inflicting injury to selves or others;
    - d. Capacity to physically resist; or
    - e. Escape potential
- J. Extremely violent detainees shall be handled and secured in the safest and most expeditious manner possible that is not a violation of directives.
- K. Arrestees shall not be handcuffed or restrained to parts of a transport vehicle, such as door frames, posts, or steering wheels.
- L. Under no circumstances shall any officer engage in the hog-tying of an arrestee, defined as placing an arrestee face down on the ground with the arms handcuffed behind the back, the feet hobbled, and a strap hooked from the hobbled feet to the handcuff chain.
- M. Officers shall not kneel or sit on an arrestee's neck or back while handcuffing. Any time the arrestee spends on their stomach must be minimized. Detainees shall be removed from their stomach as soon as possible. Officers must be aware of the potential risks and monitor arrestees for signs of breathing, respiratory distress, etc.
- N. Facts and circumstances leading to increased or enhanced use of restraints shall be documented in incident report.

#### **IV. Release without Charge**

- A. A person who has been arrested without a warrant will be released from arrest without having charges placed against them if:
  - 1. The situation, reason(s) for the arrest, and the reason(s) for release without charging are fully explained to the arrestee, and if a juvenile, the arrestee's parent or guardian; and

2. Arrangements are made for transportation of the arrestee back to the scene of the arrest, or at the request of the arrestee, to another reasonable location.
- B. Officers will terminate the arrest processing sequence upon determination charges will not be filed.
1. Any arrest documentation completed will be voided and sent to Records following report review and supervisory approval.
  2. Incident reports will contain a description of the probable cause upon which the arrest was based, the fact that the arrestee was arrested, and an explanation of the reason(s) for the decision to release the arrestee without charges. Officers/Supervisors will ensure the incident report narrative specifically states that the subject was, "released without criminal charges being placed.

## **2.8.2 SEARCHES AND SEIZURE**

### **I. Policy**

The UMBC Police Department shall conduct all searches of persons and property in good faith compliance with existing law and document each search in a written report. Seizures of property and items from individuals shall be done only to collect and preserve evidence and remove contraband.<sup>1</sup>

### **II. Definitions**

- A. **Affidavit:** A statement under oath that details information about the event and the officer's training and experience, intended to establish probable cause to believe the item(s) sought are in the possession of an individual or are being held at a specific location.
- B. **Application:** The official request to the court for a search and seizure warrant that is attached to the affidavit.
- C. **Body Cavity Search:** A search that involves physical inspection and intrusion into an individual's body cavities, such as the rectum or vagina, to determine the presence of contraband.
- D. **Evanescent or Fleeting Evidence:** Evidence that will disappear or fade in a short period of time if not collected and preserved immediately.
- E. **Gender Identity:** The personal sense of one's own gender. Gender identity can correlate with a person's assigned sex at birth or can differ from it.
- F. **Probable Cause:** Probable cause exists when the facts and circumstances within the knowledge of the officer, based on education, experience, training and information known to an officer at the time of an incident, or has reasonable trustworthy information, would warrant a reasonable and prudent officer to believe that a suspect has committed or is committing an offense, or that evidence relating to a crime can be found in a particular location.
- G. **Search Warrant:** An order issued by the court authorizing and directing an officer to search a specified person, premises, vehicle, dwelling, etc. for items related to the commission of a crime.
- H. **Strip Search:** A search of an arrestee requiring the removal or rearrangement of some or all clothing to permit the visual inspection of the genitals, buttocks, anus, breasts, or undergarments of the individual.

### **III. Search Warrant Issued**

- A. Officers conducting a search and seizure of a place where any party has a reasonable expectation of privacy governed by the Fourth Amended, such as of a person in a home, must have a search and seizure warrant or meet the criteria for one of the exceptions to the warrant requirement.
- B. This section does not prohibit nor necessarily require a member from obtaining a search warrant if an exception to the warrant requirement exists. Searches and seizures conducted pursuant to a warrant are preferable.

---

<sup>1</sup> CALEA 1.2.4

#### IV. Search of Arrestee

- A. Any person who has been arrested pursuant to an arrest warrant, a warrantless arrest under the Maryland Criminal Procedure Article, or a warrantless arrest made under the provisions of the Transportation Article shall be searched incident to arrest under the following parameters:
  1. Once a suspect is placed under arrest, they are to be appropriately handcuffed and searched incident to arrest.
  2. Officers shall conduct a full search of the person regardless of the reason for arrest or whether a person is arrested with or without a warrant. However, strip searches and body cavity searches are not permitted except under the circumstances outlined in Sections V and VI of this order.
  3. Absent exigent circumstances, when conducting a search incident to arrest, members will:
    - a. honor the arrestee's preference about the gender identity of the member conducting the search; and
    - b. in the absence of a stated preference, the gender identity of the arrestee being searched shall be consistent with the gender identity of the member conducting a search.
  4. The gender identity of the arrestee being searched shall be determined by asking the arrestee their gender identity.
- B. At the time of the search incident to arrest, the officer searching the suspect is responsible for seizing:
  1. Property unlawfully possessed;
  2. Property carried lawfully but that is dangerous to personal safety or could aid in escape; and
  3. Property that may be used as evidence.
  4. Other property that may be held for safekeeping or seized shall be inventoried and placed in the property room.
- C. Officers shall search arrestees prior to transport to or from the District Court Commissioner's Office.
  1. The officer searching the suspect is responsible for seizing all property. Once all the property has been collected, it will be documented on the Property Form.
  2. Any property that may be released to the arrestee will be done so at the time of his release.
- D. The following items seized during a search incident to transport will not be released to the suspect and will be inventoried and placed into the evidence room:
  1. Property unlawfully possessed;
  2. Property lawfully possessed but that is dangerous to personal safety or could aid in escape; and
  3. Property that is evidence of a crime.
  4. Any property that may be released to the arrestee will be done so at the time of release.
- E. Officers shall search any prisoner they receive from another officer.

## V. Strip Searches<sup>2</sup>

- A. Strip searches are searches of a person requiring the removal or rearrangement of some or all clothing to permit the visual inspection of the person's groin/genital area, buttocks, female breasts, or undergarments covering these areas.
- B. The following does not constitute a strip search:
  - 1. Removal or rearranging clothing reasonably required to render medical treatment;
  - 2. Removal of articles of outer clothing such as coats, ties, belts, or shoelaces; and/or
  - 3. Other exigent circumstances (i.e. checking a suspected suicide bomber).
- C. Strip searches, including visual inspections of body cavities not involving physical probing into body cavities, will only be conducted if:
  - 1. Absent exigent circumstances, there is articulable, reasonable suspicion to believe the person is concealing a weapon, contraband, or evidence of a crime; *and*
  - 2. The Operations Commander, Deputy Chief, or Chief of Police must approve the strip search.
    - a. The officer requesting the search must clearly define the basis of the suspicion to the Operations Commander, Deputy Chief, or Chief of Police.
- D. Individuals arrested for traffic violations and other minor offenses of a nonviolent nature shall not be subject to strip searches unless the arresting officer has articulable, reasonable suspicion to believe that the individual is concealing contraband or weapons. Reasonable suspicion may be based upon, but is not limited to:
  - 1. The nature of the offense charged.
  - 2. The arrestee's appearance and demeanor.
  - 3. The circumstances surrounding the arrest.
  - 4. The arrestee's criminal record, particularly past crimes of violence and narcotics offenses.
  - 5. The discovery of evidence of a major offense in plain view or in the course of a search incident to the arrest.
  - 6. Detection of suspicious objects beneath the suspect's clothing during a field search incident to arrest.
- E. Conducting Strip Searches
  - 1. Strip searches must be conducted in a setting that ensures the privacy of the person searched, away from public view, under sanitary conditions, and in a professional, dignified manner.
  - 2. All members involved in a strip search shall take reasonable steps to minimize the potential embarrassment or discomfort to the party being searched.
  - 3. Persons being searched will not be unclothed longer than necessary to conduct the search.
  - 4. Strip searches will not be recorded or monitored by video surveillance.
- F. When authorized, strip searches shall be conducted by the fewest number of personnel necessary with at least one witness, in privacy, and by members who have been specifically trained in how to conduct a Strip Search. Absent exigent circumstances, when conducting a strip search of a person, members will 1) honor the person's preference about the gender identity of the member conducting the search; and 2) in the absence of

---

<sup>2</sup> CALEA 1.2.8

a stated preference, the gender identity of the person being searched shall be consistent with the gender identity of the member conducting a search. The gender identity of the person being searched should be determined by asking the person being searched their gender identity.

- G. Officers will document the following in an incident report:
  - 1. Date and location of the search;
  - 2. Reason for the search, including articulable, reasonable suspicion and necessity of search;
  - 3. Any contraband or weapons recovered;
  - 4. Identity of the officers conducting and witnessing the search;
  - 5. Detailed description of the nature and the extent of the search; and
  - 6. Supervisor's name that authorized the search.
- H. This same process shall be followed in the event the person being strip searched is a juvenile. The supervisor authorizing the strip search must be present for the strip search unless the search is required for the immediate safety of the juvenile or officer, i.e. to remove a weapon.
- I. Written consent or a search warrant is required to conduct a strip search on a person who is not under arrest.

## VI. Body Cavity Search<sup>3</sup>

- A. Body cavity searches are any visual search or internal physical inspection of a person's body cavities (vagina, anus or genital region) or internal organs (stomach).
- B. Body Cavity Searches are extremely invasive in nature, and as such must require the high legal standard of probable cause to search in order to justify a body cavity search. A body cavity search can only be conducted if the member has probable cause to believe that a person has attempted to hide weapons or contraband pertinent to the investigation in a body cavity. The type of search requires a search and seizure warrant.
- C. Probable Cause to Search should be founded on specific and objective facts or observations about how a person behaves, what the person is seen or heard doing, and the circumstances or situation in regard to the person that is either witnessed or known by the member. Accordingly, probable cause to search must be based on facts or observations about a particular person's actions or the particular circumstances that a member encounters. The physical characteristics of a person are never, by themselves, sufficient. Instead, those characteristics must be combined with other factors, including a specific, non-general description matching the suspect or the observed behaviors of the person. A mere hunch or suspicion is not enough.
- D. Though the visual inspection or minor manual manipulation of a person's ear, nose or mouth are technically considered searches of a body cavity, these searches are exempt from the supervisory approval, warrant and reporting requirements for body cavity searches.
- E. Officers are required to obtain supervisory approval prior to initiating a search warrant application for a body cavity search.
- F. Conducting Body Cavity Search
  - 1. Body Cavity Searches shall be performed with due recognition of privacy and hygienic concerns. For safety and security reasons, the search shall be conducted by a licensed medical professional under sanitary conditions at an authorized medical facility in a room designated for this purpose. UMBC members shall *not*

---

<sup>3</sup> CALEA 1.2.8

- conduct the search.
  - 2. The arrestee shall be under constant visual surveillance by a member until the body cavity search is conducted.
  - 3. A UMBC Police member must be present during the search by a licensed medical professional and will be responsible for preparing the necessary documentation. The gender identity of the present member should either 1) be the gender identity preferred by the person being searched; or 2) in the absence of a stated preference, the gender identity of the person being searched shall be consistent with the gender identity of the member present during the search. The gender identity of the person being searched should be determined by asking the person being searched their gender identity.
- G. Officers will document the following in an incident report:
- 1. Date, time, duration, and location of the search;
  - 2. Identity of the licensed medical professional conducting the search;
  - 3. Identity of the person searched;
  - 4. Identity of the supervisor who approved the search warrant application;
  - 5. Identity of the member(s) witnessing the search;
  - 6. Reference to the search warrant;
  - 7. List of item(s) seized as a result of the search; and
  - 8. Whether the subject made any complaints of injury.
- H. This same process shall be followed in the event the person being searched is a juvenile. The supervisor authorizing the body cavity search must be present for the search unless the search is required for the immediate safety of the juvenile or officer, i.e. to remove a weapon.

## VII. Searches of Automobiles

- A. Warrantless searches of vehicles are permitted under the following circumstances:<sup>4</sup>
- 1. **Carroll Doctrine Search:** A search may be conducted if the officer has probable cause to believe the vehicle or compartment contains evidence of a crime or contraband and the vehicle is readily mobile. The search is limited only to compartments of or within the vehicle where the evidence can reasonably be located.
  - 2. **Consent Search:** A search of the vehicle maybe conducted if the actual or apparent owner/operator or person in control of the vehicle voluntarily consents to the search. The scope of the search is limited to the areas for which consent is given, and consent can be revoked at any time.
  - 3. **Protective Sweep or Frisk:** A sweep or frisk of the passenger compartment of a vehicle or a location within the lunge, research, or grasp of any occupant, may be conducted if the officer has reasonable suspicion that the occupant may gain immediate control of a weapon.
  - 4. **Search Incident to Arrest:** The searching of the passenger compartment of a vehicle within the lunge, reach, or grasp of an occupant after an occupant is arrested is permitted when the officer has reason to believe the vehicle contains evidence of the crime for which they were arrested.
  - 5. **Inventory Search:** A search that shall be conducted to secure and protect the property of the owner when a vehicle has been lawfully impounded. The search must be limited to those areas of the vehicle where valuables or other property of

---

<sup>4</sup> CALEA 1.2.4

- the owner may reasonably be located. Property must be submitted into Evidence.
6. **Exigent or Emergency Search:** A search that may be conducted when emergency circumstances exist, and the search is necessary to preserve and protect life and prevent serious injury. The scope of the search is limited to only what is necessary to properly respond to the emergency.
  7. Where the initial search discloses probable cause to believe that other portions of the vehicle may contain fruits, instrumentalities, or evidence of a crime or contraband, any additional portions of the vehicle may be searched that could reasonably contain the items being sought
- B. Containers
1. An officer may conduct a warrantless search of any container, locked or unlocked, if the officer has probable cause to believe it contains evidence of a crime or contraband.
  2. An officer may conduct a warrantless search of any container, locked or unlocked, that the officer has reasonable suspicion to believe contains a weapon and is immediately accessible to an occupant.
- C. If the search of the vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, officers shall take reasonable steps to secure the vehicle and property.
- D. If a vehicle is determined to be abandoned, examination of the interior of the vehicle shall be conducted consistent with this policy.
- E. Supervisors will ensure vehicle searches are completed consistent with policy and law and documented in a police report.

## VIII. Electronic Devices

- A. Officers are reminded citizens have the right to record any activity, including police activity, that occurs in public spaces. Refer to *1.3.38 Citizen Recording of Police Activity*.
- B. If the person in possession of the electronic device is under arrest, the phone shall be seized pursuant to search incident to arrest, secure the device, and apply for a search warrant for the search/analysis of the device. If the electronic device is located within a vehicle at the time of arrest, follow the guidelines in section VII of this policy.
- C. The seizure of electronic devices in non-custodial situations is preferably done via a search warrant if the device is not relinquished voluntarily.
- D. If an officer has probable cause to believe that an individual other than a person under arrest possesses a recording or image that depicts criminal activity other than child pornography or the sexual exploitation, sexual assault, or sex trafficking of a child, the officer should first request that the individual voluntarily share the video or images by emailing the file to the officer, downloading a copy of the file and turning it over to the officer, or voluntarily turning the device over to the officer so that the file can be downloaded and saved by a qualified technician.
1. If the individual agrees to email the video and/or image to the officer, the officer should encourage the witness to send the email in the officer's presence and should confirm receipt of the email and video and/or image attachment.
  2. In the event a device is voluntarily turned over to the officer, the necessary passwords must be obtained for accessing the device and programs and/or applications on the device, and the officer shall be responsible for arranging the expedient processing of the device and its return to the owner. This shall include obtaining the owner's consent via UMBC PD Form 13 Waiver – Consent to Search.
- E. If the person refuses to relinquish the device and the seriousness of the crime warrants

seizing the device, the officer shall secure the scene and ask the person to relinquish the device to maintain the integrity of the evidence while a search warrant is obtained. If refused, the officer may seize the device.

The warrantless involuntary seizure of an electronic device from an individual shall only be conducted if the officer has probable cause to believe that the individual possesses an electronic recording device that contains images or an audio and/or video recording of a crime where the perceived evidence would be directly related to the investigation or prosecution of the criminal offense and the officer is able to articulate the basis supporting an objectively reasonable belief that the evidence will be destroyed, or that the device contains images or recordings of child pornography or the sexual exploitation, sexual assault, or sex trafficking of a child.

1. The officer shall seize the device and obtain a search warrant to access information stored on the device in the event there is no consent or exigent circumstances.
  2. In the event a device is involuntarily seized by the officer, the officer will make every effort to obtain the necessary passwords and passcodes for accessing the device and programs and/or applications on the device, and the officer shall be responsible for arranging the expedient processing of the device and the return of the device to the owner.
- F. Members obtaining data from a witness' electronic device should limit the search for data to applications that may have information relevant to the crime or incident being investigated.
- G. To preserve all data, members shall:
1. Keep the device in its current power mode, i.e. on or off. If it is on, place it in "airplane mode" if possible.
  2. Place the device in a moisture seal bag and close it with tape.
  3. Submit the device to Evidence for proper processing and storage.
  4. In the event an iPhone has been involuntarily seized and a passcode cannot be obtained, all efforts should be made to immediately place the device into airplane mode or into a signal blocking container or bag and attached to a power source. Due to the volatility of data on an iPhone, every effort should be made to have the device examined before it is turned off.

## **IX. Eavesdropping, Wiretapping, and Electronic Surveillance**

### [UPD Form 109 Consent to Use Electronic Eavesdropping](#)

- A. Officers may knowingly overhear conversations when lawfully present on a premise and where no eavesdropping equipment is used.
- B. Officers may converse with others who do not know that they are police officers and otherwise recall, make written notes, and repeat conversations as otherwise allowed by the law.
- C. An officer may listen to but not record a telephone conversation between two parties where one of the parties consents to the officer listening.
- D. One-party consent to record the conversation may be given in cases as authorized under Section 10-406 of the Maryland Courts and Judicial Proceedings Article.
- E. All officers are required to coordinate wiretaps, electronic eavesdropping, phone record seizures, cell ping orders, and real time cell site information through the State's Attorney's Office.
- F. The Chief of Police or supervising law enforcement officer as defined by Section 10-413 of the Courts and Judicial Proceedings Article may order any telephone company

providing service involved in a hostage or barricaded subject to interrupt, reroute, divert, or otherwise control telephone communications service.

1. If the telephone company declines this order because of threat of physical injury to its employees or is unable to respond within a reasonable time, the supervising law enforcement officer may order a hostage and barricade communications specialist.

## **X. Hot Pursuit**

- A. An officer who is in hot pursuit of a suspect may be authorized to intrude into a constitutionally protected area to search for the suspect if:
  1. The officer has probable cause to believe that the suspect has recently committed a felony; and
  2. The officer has reasonable belief the suspect may be located within the area to be searched.

## **XI. Consent Searches**

- A. Officers may search under the consent search exception if the consent is voluntary under the totality of the circumstances.
- B. The scope of a consent search is limited to a specific area or items by the consenting party, and consent can be withdrawn at any time.
- C. Consent or refusal to search can only be exercised by a person who has a standing to consent. A visitor cannot consent, refuse, or interfere with a search of any living area.
- D. Persons with joint access and control of property that an officer wishes to search can authorize a warrantless search and seizure of the property. A joint owner who is present can veto the consent of areas that are of common use and enjoyment to both parties.
- E. Officers shall complete [UPD Form 13 UMBC Consent Search Form](#).
- F. The refusal of a consent search does not preclude an officer from visually scanning the location for weapons or contraband.
- G. If a consent search is refused and the decision is made to apply for a search warrant, the area will be secured to prevent destruction of evidence until the warrant is issued. Approval to apply for a search warrant will be at the discretion of the shift supervisor after evaluating the circumstances of the incident.

## **XII. Plain View Seizures**

- A. Under the plain view doctrine, if an officer is legally present at a location, then any contraband and/or evidence that is clearly visible to that officer may be seized.
- B. This rule is subject to the following requirements:
  1. The officer must lawfully be in the place or position from which the evidence was first seen.
  2. The officer must have probable cause to believe that the items observed are contraband or evidence of a crime.
  3. The incriminating character of the evidence must be immediately apparent. If further investigation is necessary before the incriminating nature of the object becomes apparent, the plain view doctrine does not apply, and a warrant must be obtained before the seizure of any property can occur.

### **XIII. Emergency Exception Searches**

- A. Officers may make entry into a residence to check on the welfare of the people inside. This search is limited to areas where a person could be, i.e., officers cannot open drawers or cabinets, etc.
- B. Officers entering a residence under this exception must have an objectively reasonable basis for believing that they need to:
  - 1. Render emergency assistance to an occupant; or
  - 2. Protect an occupant from imminent injury.
- C. These searches will only be done with supervisory approval.

### **XIV. Executing Search and Seizure Warrants**

Reference: [UPD Form 118 Search Warrant Investigative Checklist Guide](#)

- A. The primary responsibility for serving search and seizure warrants on occupied structures shall rest with the officer who applied for a warrant.
- B. Documents
  - 1. All affidavits for search and seizure warrants shall be reviewed by a supervisor and a commissioned officer for sufficient probable cause prior to being presented to a judge. The names and ID numbers of each supervisor will be documented in the police report of the incident.
  - 2. Any search or seizure executed under authority of a search warrant shall be made within 15 days from the date of issuance. A search warrant not executed within fifteen (15) days must be returned to the issuing judge as promptly as possible.
  - 3. An executed search warrant, to include [UPD Form 117 Search Warrant Return](#), shall be returned to the issuing judge, or in their absence, another judge in the same circuit in which the search warrant was issued, as promptly as possible, but no later than ten (10) days after the execution of the warrant. The return shall be accompanied by a copy [UPD Form 106 Search Warrant Inventory](#).
  - 4. A written report will be completed by the executing officer and any other officer involved in direct police action during the search, i.e. seizing evidence, taking or witnessing statements, searching and arresting suspects, etc.
- C. In cases involving CDS, supervisors shall contact the Baltimore County Vice and Narcotics Section prior to service of the warrant to ensure that no conflicts or disruptions occur to on-going cases.
- D. The time for the execution of a search and seizure warrant shall be decided by the supervisor after consultation with the officer obtaining the warrant.
  - 1. Consideration shall be given to officer safety, safety of the occupants, destruction or loss of evidence, and the seriousness of the crime.
  - 2. When deciding the best time to execute a search warrant, the following factors will be considered to maximize safety and ensure the success of the operation:
    - a. Information gained during investigation and pre-operation surveillance.
    - b. Historical experience with the success of search warrant executions based on the nature of alleged activities and patterns of behavior of those involved.
  - 3. If a primary objective of the search warrant is optimal entry and scene control, it is more desirable to execute the warrant after in-and-out traffic has subsided.
  - 4. If a primary objective of the search warrant is to maximize the number of criminal arrests, then execution of the search warrant during high volume activity is

essential.

5. Supervisors will give due consideration to the potential for community concerns arising from night or early morning entries, the presence of innocent family members in the residence, the history of members in the residence, and the drug involvement of the targeted individuals.
- E. In conjunction with the service of a warrant, the supervisor will ensure that notifications are made as soon as practical to the Operations Commander.
  - F. A drive-by of the target premises should be conducted by the operation supervisor or his designee prior to the briefing with the operation personnel.
  - G. Members of the media or ride-a-longs may not accompany officers during the execution of a search and seizure warrant.
  - H. Type of Entry
    1. **Knock and Announce:** This type of entry should be utilized unless conditions for a no-knock entry exist.
    2. **No-Knock:** An application for a search warrant may contain a request that the search warrant authorize the executing law enforcement officer to enter the building, apartment, premises, place, or thing to be searched without giving notice of the officer's authority or purpose.
      - a. When there is reasonable suspicion to believe that, without the authorization the following may exist:
        - i. The property subject to seizure may be destroyed, disposed of, or secreted.
        - ii. The life or safety of the executing officer or another person may be endangered.
      - b. Specific and articulated facts should be considered in obtaining a no-knock warrant.
        - i. The criminal history and propensity for violence of the suspects and occupants in the location to be searched.
        - ii. The knowledge of weapons on the premises, particularly guns.
        - iii. The likelihood the evidence being sought can and/or will be destroyed.
        - iv. Knowledge of barricaded entranceways.
        - v. Known associations with armed and dangerous criminals.
      - c. A no-knock entry can be made at the discretion of the supervisor based on good cause if there are exigent circumstances on scene at the time of the execution of the search warrant. The justification for this type of entry will be documented in a police report by the supervisor who orders the no-knock entry.
  - I. Method of Entry
    1. **Non-Forced:** Involves a search warrant in which there is minimal fear that evidence may be destroyed and no significant threat to officer safety. These entries will be made by knocking on the door, identifying the search team as police officers, and being allowed entry by the occupant of the premises. A reasonable amount of time should be given to the occupant to answer the door prior to making any forced entry unless an exigent circumstance presents itself.
    2. **Forced:** Involves a search warrant, which establishes a belief that contraband described in the Affidavit is subject to destruction unless immediate entry is made. Forced entry is used in most cases involving immediate entry. This type of warrant may include "No Knock" entries. This type of entry must be justified and be included in the Search and Seizure Affidavit. Forced entry may be used:

- a. After officers have knocked and announced their presence and entry is denied by the occupant; or
- b. After officers have knocked and announced their presence and a reasonable amount of time has elapsed without a response.

## **XV. Service of Search and Seizure Warrant**

- A. A supervisor shall be present and shall coordinate the warrant service. It is the responsibility of the officer who obtained the search warrant to ensure the presence of a supervisor. If the search warrant is executed in another jurisdiction, a supervisor of the jurisdiction will be present.
- B. Effort should be made to have a uniformed officer present to assist in all operations. Officers of the operation party shall wear their protective vest and visibly display items that readily identify them as police officers, i.e., badges or jackets with the word "POLICE" on them.
- C. The warrant, excluding the application, shall be read to the property representative unless doing so would present a danger to the officers, the suspect, or the public.
- D. The supervisor present at the service of the warrant shall ensure that photographs are taken of all areas to be searched before and after the execution of the warrant. Photographs shall become part of the case file managed by the Records Section. Video may also be made.
- E. Securing Premises
  1. All occupants will be gathered and kept into on controlled area once entry has been made.
  2. The securing of occupants at the initial stage of executing a warrant is vital to the safety of officers and suspects. At the same time police officers must remain sensitive to the reasonableness of the treatment afforded persons found inside. General factors to consider before handcuffing include;
    - a. Background information, officer and suspect safety, and the potential for the destruction of evidence.
    - b. The number of personnel available to provide security to those detained.
  3. Occupants found in a residence may be detained in the following situations:
    - a. There is probable cause to make an arrest based upon the search. After it has been determined there is no probable cause to make an arrest, occupants may be released.
    - b. If the search warrant is for evidence only it could be useful for all occupants to remain on the scene. If an occupant requests to leave and there is no probable cause to effect an arrest, the officer may permit the release of the occupant
  4. All occupants will be identified and a wanted check completed on each individual. The case investigator shall ensure that the names of all occupants found in the residence are included in his report.
  5. If an officer is able to articulate a reasonable belief that a person in the residence has a weapon, the officer may conduct a pat-down frisk of the person's outer clothing for officer safety.
  6. A search of persons found on the premises may be conducted under the following circumstances:
    - a. Incident to arrest;
    - b. The search warrant authorizes the search of the person;
    - c. Consent search.

F. Seizing Property and/or Evidence

1. The operation supervisor shall assign one officer as the seizing officer. This officer will be responsible for the actual of all evidence.
  - a. As a practical matter, the seizing officer will often assign other members to assist in locating evidence.
  - b. Coordination of the search will be the direct responsibility of the seizing officer.
  - c. Under no circumstances will anyone enter the search area without the approval of the seizing officer.
  - d. A written record will be kept of each person entering the search area.
2. An officer taking property under a search and seizure warrant shall inventory the property seized on a Return and leave a copy of the inventory ([UPD Form 106 Search Warrant Inventory Form](#)), search warrant, application and supporting affidavit with the person from whom the property was taken at the time of service.
  - a. If no one is present, these forms will be left in a conspicuous place at the premises for the owners.
  - b. This does not apply in cases of sealed affidavits, in which only a copy of the search warrant will be left.
3. If articles are disturbed during the search, the supervisor will ensure that all articles are returned to their original position if possible, under the circumstances.
4. Property is not to be unnecessarily damaged or soiled. When property is damaged or seriously soiled, a written report of the circumstances will be forwarded by the supervisor at the scene to the Deputy Chief of Police.

## **2.8.3 ARRESTEE TRANSPORTATION PROCEDURES**

### **I. Transportation Procedures**

- A. At the beginning of each shift and prior to and after each arrestee transport, officers shall conduct a thorough examination of any vehicle to which they are assigned.<sup>1</sup>
1. The examination prior to transport should confirm that the vehicle's rear door handles and windows have been modified so that an arrestee may not exist the vehicle without the assistance of an officer.
  2. Special attention shall be given to areas accessible to an arrestee where weapons or evidence could be hidden.
  3. All contraband and any item that could be evidence shall be submitted to Evidence.
- B. Arrestee Searches<sup>2</sup>
1. Before being placed in a UMBC PD vehicle, all arrestees shall be searched for contraband and weapons.
  2. Searches of arrestees shall be conducted following the guidelines in *2.8.2 Search and Seizure*.
- C. Handcuffs<sup>3</sup>
1. Arrestees being transported in UMBC PD vehicles shall be handcuffed unless exigent circumstances exist.
  2. Handcuffs shall be applied with the hands behind the back, palms outward, and double locked.
    - a. If circumstances prevent handcuffing behind the back, i.e., physical infirmities or size of the arrestee, officers shall use the best resources available to adequately restrain the arrestee. Officers should consult with a supervisor if they are unsure of the best method of restraining an arrestee.
    - b. Flexicuffs are authorized for use as arrestee restraints when necessary.
  3. Arrestees shall not be handcuffed or restrained to parts of a transport vehicle, such as door frames, posts, or steering wheels.
  4. Under no circumstances shall any officer engage in the hog-tying of an arrestee, defined as placing an arrestee face down on the ground with the arms handcuffed behind the back, the feet hobbled, and a strap hooked from the hobbled feet to the handcuff chain.
  5. Officers shall not kneel or sit on a arrestee's neck or back while handcuffing.
    - a. Any time the arrestee spends on their stomach must be minimized. Detainees shall be repositioned from lying on their stomach as soon as possible.
    - b. Officers must be aware of the potential risks and monitor arrestees for signs of breathing, respiratory distress, etc.
  6. If a high-risk arrestee (e.g. obese, intoxicated, unruly, escape risk) is being transported or receiving treatment from the Baltimore County Fire Department (BCoFD), an officer shall inform the BCoFD supervisor or medic if no supervisor is on the scene of those factors which make the arrestee a high risk.

---

<sup>1</sup> CALEA 70.1.2

<sup>2</sup> CALEA 70.1.1

<sup>3</sup> CALEA 70.2.1

#### D. Arrestee Transports in Departmental Vehicles

1. Any time an arrestee is being transported by a UMBC PD officer, the officer shall advise Communications of their unit number, location, destination, and beginning and ending mileage. Transporting officers out of radio system range will report destination and mileage information by calling Communications on a recorded line.
2. Officers interrupting arrestee transports for any reason will notify Communications of their mileage, location, and reason for the interruption.
3. Arrestees shall be removed from arrest scenes without unnecessary delay and transported directly to appropriate police, detention, or medical care facilities.
4. Adult and juvenile arrestees may not be transported together.
5. Arrestees of the opposite sex may not be transported together unless exigent circumstances exist.
6. Arrestees will not be transported together if their ability to communicate together could lead to further collusion.
7. All arrestees being transported in Departmental vehicles shall be seat belted when seat belts are available. Arrestees shall not be handcuffed or otherwise attached to any part of the vehicle during transport other than by seat belts.
8. Arrestees will not be left unattended in any Departmental vehicle unless there are exigent circumstances.
9. Officers may transport arrestees to District Court Commissioners beyond the boundaries of the agency's jurisdiction and have the same power to maintain custody of arrestees as if they were within the agency's jurisdiction.
10. Arrestee transports require adequate personnel.
  - a. One officer shall not transport more than one arrestee in a patrol car unless a supervisor grants approval. The arrestee shall be placed in either the right rear or right front seat with the seat belt fastened.
  - b. At no time shall two officers transport more than two arrestees in a patrol car.
    - i. The arrestees shall be placed in the right rear and right front seat, with the second officer in the left rear seat behind the driver.
    - ii. If a screened vehicle is used, both arrestees shall be placed in the rear seats.
11. Arrestees who are seriously ill or seriously injured when taken into custody, or who become so during transport, shall be taken to a hospital for treatment.
  - a. Should the nature of an illness or injury require the use of an ambulance for arrestee transport, an officer shall escort the arrestee to the hospital and remain with the arrestee until they are returned to a detention facility or released from police custody.
    - i. Officers accompanying arrestees to a medical facility in an ambulance shall ride in the rear compartment of the ambulance with the arrestee.
    - ii. The transporting officer is responsible for the security of the arrestee at all times.

#### E. Documentation

1. The agency's primary detainee transport responsibility is to transport detainees to the Catonsville District Court Commissioner's Office. If committed to the Baltimore County Detention Center; arresting officers will provide DOC personnel with:
  - a. Charging documents indicating detainees' names and descriptors;
  - b. Medical treatment release records, if applicable; and
  - c. Inventoried personal effects of detainees.
  - d. [UPD Form 24 Incarceration Log](#)
2. UMBC PD personnel will complete any paperwork as requested or provided by the receiving facility. The documentation shall accompany the detainee throughout the transportation process and must include any known escape or suicidal potential or unusual security risk, etc.
3. Officers shall obtain signatures of receiving personnel or documentation detailing the arrestee transaction.

#### F. Arrestees and Security

1. Transporting officers are responsible for the security of arrestees, maintaining visual contact with arrestees, and promptly transporting the arrestee without diversion or delay.
2. Transporting officers shall observe the arrestees as often as practical during the transport.
3. Officers transporting arrestees to other facilities will comply with operational directives of those facilities as they relate to arrestee and firearm security.
4. Officers transporting arrestees to other facilities will notify the agency of any unusual risks.
5. Upon arrival with an arrestee at a receiving facility, officers shall appropriately secure all firearms in locked boxes provided prior to entering secured areas with arrestee.
6. Officers will remove restraining devices when directed to do so by receiving facility personnel or when arrestees are properly controlled and secure.

#### G. Escape

1. Transporting officers will immediately notify Communications if an arrestee escapes from UMBC PD custody.<sup>4</sup> Notifications shall include the arrestee's:
  - a. Location;
  - b. Name and physical description;
  - c. Direction of travel and means of transportation;
  - d. Any knowledge of possible weapons being used;
  - e. Whether the arrestee is a danger to self, officers, or the community;
  - f. Charge(s) for which they were held.
2. Officers shall make every practical attempt to apprehend the arrestee by cooperating with responding personnel and other units.<sup>5</sup>
3. Local apprehending jurisdictions have priority in arrest and charging of offenses against escaped detainees.
4. Agency officers will take custody of recaptured detainees if local apprehending jurisdictions decline to process recaptured detainees.
5. Detainees escaping within agency jurisdiction and subsequently recaptured will be charged with escape in addition to the initial charges leading to their arrest.
6. Officers will document details surrounding escape in police report.<sup>6</sup>

---

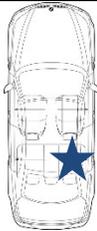
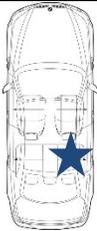
<sup>4</sup> CALEA 70.1.7a

<sup>5</sup> CALEA 70.1.7c

<sup>6</sup> CALEA 70.1.7b

7. Administrative investigations into escape circumstances will occur.<sup>7</sup>

**II. Staffing and Seating Positions<sup>8</sup>**

<b>One Officer Transport – Cage Car</b>		<b>Two Officer Transport – Cage Car</b>	
	Arrestee is handcuffed and placed in the rear seat behind the front passenger seat and seat belted in.		Arrestee is handcuffed and placed in the rear seat behind the front passenger seat and seat belted in.  <b><i>The second officer sits up front.</i></b>
<b>One Officer Transport – Non-Cage Car</b>		<b>Two Officer Transport – Non-Cage Car</b>	
	Arrestee is handcuffed and placed in the front passenger seat and seat-belted in.		Arrestee is handcuffed and placed in the front passenger seat and seat-belted in.  <b><i>The second officer rides behind the arrestee.</i></b>

**2.8.3.1 Additional Assistance**

Reference: [Special Order 2015 - 03: At Risk Arrestee Agreement](#)

**A. Definitions**

At-Risk Person: A subject who is violent, uncooperative, or poses an escape risk.

**B. Procedures**

UMBC officers may house violent, at-risk arrestees or arrestees too intoxicated to take to the Court Commissioner at the Precinct 1 Wilkens District Baltimore County Police Department station.

1. Baltimore County Police policies and procedures will be in effect when the officer and arrestee are in the Wilkens police facility.
2. UMBC PD will provide an officer to stand by and monitor the arrestee and will handle hospital details or Emergency Petition processes that may result. BCoPD may assist with transport if necessary.
3. UMBC PD is responsible for the bail hearing of the subject.
4. All police reports, charging documents, and/or other documentation relating to the incident shall be completed by UMBC PD and be provided to the on-duty precinct supervisor.
5. Arrestee searches and processing will be conducted as dictated by the Baltimore County Police policies.

<sup>7</sup> CALEA 70.1.7c

<sup>8</sup> CALEA 70.4.2

### **2.8.3.2 Warrants and Interviews**

Officers may transport detainees from detention facilities in order to interview them and/or serve outstanding charging documents held by this agency.

#### **A. Conducting Interviews or Interrogations**

1. If the interview/ interrogation will occur at the Baltimore County Detention Center, the Shift Commander can authorize the interview and the space where the interview will occur.
2. If the interview will occur at another police facility, then a "Writ" must first be obtained authorizing the removal of the inmate. The Baltimore County State's Attorney's Office will handle this request and obtain the court authorization.

#### **B. Serving Warrants**

1. Officers needing to transport detainees from detention facilities must first notify the facility of Detainees' name, race, sex, date of birth and other personal descriptors that will assist in locating the person to be transported, and the reason for the transports
2. Transporting officers should ensure they have the correct person when picking up a detainee for transport at detention facilities. This can be accomplished by:
  - i. Officers' personal knowledge of detainees; and/or
  - ii. Requesting verification by detention facility personnel of detainees' identities. Identification will be accomplished by comparing booking records or other verification of detainees' identities based on booking directives and procedures of agencies holding detainees.

#### **C. Transporting officers will provide the detention facility with a copy of any outstanding warrants to be served during transports of detainees.**

## **2.8.4 SICK OR INJURED DETAINEES**

- A. Officers will ensure, to the best of their capabilities, that detainees receive necessary medical attention prior to arrest processing.
  - 1. The Baltimore County Fire Department (BCoFD) will be called immediately to render assistance if detainees under control of this agency require emergency medical treatment. These situations include, but are not limited to, when detainees:
    - a. Complain of illness or injury;
    - b. Exhibit bizarre behavior;
    - c. Have obvious injuries; or
    - d. Have ingested or secreted into their bodies any non-food or non-prescribed substances.
  - 2. Officers will render aid to the extent of their emergency medical training and certification until relieved by BCoFD personnel.
- B. Detainees requiring medical treatment will be transported to appropriate medical facilities.
  - 1. Choice of medical facilities will be determined by EMS protocols if transportation is being provided by EMS units.
  - 2. Choice of medical facilities will be determined with agency supervisory approval if transport is being provided by agency units.
- C. Officers will either follow EMS units or accompany detainees in EMS units based on:
  - 1. Detainee temperament;
  - 2. Detainee mobility;
  - 3. Detainee propensity for escape; or
  - 4. Desires of EMS personnel.
- D. Officers will obtain copies of detainees' discharge summaries whenever emergency department medical records are prepared for detainees.
- E. Arresting officers are required to photograph detainees who are injured or allege injuries when clearly observable injuries are present. Photographs should be taken following cleaning and/or treatment of those areas that are injured/ alleged injured.
- F. Officers must document detainee's verbal injury complaints and include their own observations of injuries in their report.
- G. While the DOC medical staff can handle certain non-life threatening medical conditions of committed detainees, some medical problems are beyond their scope of care. For these reasons, some prisoners need to be taken to a hospital for medical evaluation, treatment, and release.

### ***2.8.4.1 Detainee Security at Medical Facilities***

- A. Officers transporting detainees to medical facilities should ensure facility security personnel are notified and aware of the situation and should seek assistance from those personnel as reasonable and prudent.
- B. Officers will comply with security procedures established by medical facilities that are not in conflict with agency directives.
- C. Officers will contact agency supervisors when medical facility security procedures conflict with agency directives.
- D. Officers maintaining custody of detainees at medical facilities are responsible for their security until custody is formally transferred to other authorities.
- E. If detainees are admitted to hospitals, arresting officers will contact supervisory personnel and determine whether to:
  - 1. Release detainees from custody and apply for warrants;

2. Request District Court Commissioners respond to conduct arraignments; or
  3. Remain with detainees until they are released from medical care.
- F. In order to request Commissioners to conduct arraignments in hospitals:
1. Defendants must be admitted to hospitals and not be temporarily on the premises for treatment in emergency facilities;
  2. Defendants must be conscious, speak English and be able to understand all aspects of initial appearance proceedings;
  3. Arresting officers must have completed all arrest related paperwork;
  4. There must be some valid reasons why arresting officers cannot file for Statements of Charges or charge by way of citations; and
  5. The agency must be willing to provide transportation for Commissioners both to and from hospitals.
- G. DOC will be contacted to arrange for transfer of custody when commitments are issued for hospitalized detainees.

#### **2.8.4.2 Dispensing Medication to Detainees**

- A. Agency employees will not dispense medications to, or allow self-medication by detainees unless they are non-prescription, legal medications or legal prescription medications that can be verified by a pharmacy, or the detainee's certified health care practitioner.
- B. Detainees needing medications not in their possession at the time of their arrest will be afforded opportunities to place calls in order to have the medications delivered.
- C. Medications will be dispensed only in accordance with labeling or health care practitioner's instructions.
- D. Details concerning the dispensing of medications to detainees will be contained in arrest related reports.

## **2.8.5 Suicide Screening Requirements**

### [UPD Form 22B Arrest Screening Form](#)

- A. Officers will be alert for potential signs of suicidal behavior, which includes:
  - 1. Evidence of prior suicide attempts.
  - 2. Talk of suicide and ideation, including jokes.
  - 3. Alcohol or drug intoxication.
  - 4. Unrealistic attitude or a lack of a sense of the future.
  - 5. Excessive shame or guilt.
  - 6. Severe mood changes.
  - 7. Known mental illnesses.
  - 8. Behavior of a provoking manner.
- B. Officers may verify previous suicide attempts or emergency commitments by contacting Baltimore County Police.
- C. Document observations on [UPD Form 22B Arrest Screening Form](#).
- D. Officers will immediately notify the Shift Commander of potential suicidal behavior.
- E. Upon notification of potential suicidal behavior, the Shift Commander will:
  - 1. Interview and observe the detainee to determine or verify their condition and determine if an emergency evaluation is necessary.
  - 2. Arrange to house the detainee at a Baltimore County Police precinct or the Baltimore County Detention Center.
  - 3. Initiate an emergency evaluation when appropriate.
- F. Handling Suspected Suicidal Detainees
  - 1. If returned after an emergency evaluation, UMBC PD will take responsibility for the detainee, treatment, and transportation.
  - 2. If a detainee is housed as a Baltimore County Police facility, UMBC PD is responsible for guarding the detainee.

## **2.8.6 Processing Arrestees**

- A. The routine processing of agency detainees will be conducted in the Processing Room. Officers are responsible for maintaining security and custody of arrestees until custody is formally transferred to Baltimore County Detention Center personnel.
- B. The agency's Processing Room may only be used to facilitate questioning, testing, or limited processing of detainees.
- C. The Conference Room may be used to hold and interview subjects, however, there must be constant monitoring of prisoners. This is ***NOT*** a secure room, and caution must be taken to ensure the safety of the officer and arrestees.
- D. Officers are not compelled to file charges against everyone who is arrested by this agency (**1.1.11 Discretion** and **1.1.12 Alternatives to Arrest**). Officers will not file charges against persons when investigations or other situations lead to the diminishment of probable cause to the point that it no longer exists.
- E. All full-custody adult arrests resulting in charges being filed against persons must be completely processed except for arrests on other agency warrants.
- F. Arresting officers are responsible for entering alcohol or CDS related driving offenses into the ARMS.
- G. Arresting officers are responsible for ensuring all arrest related documents, forms, reports, etc., are completed, approved, and submitted to appropriate personnel or units prior to ending their tours of duty wherein arrests were made unless they receive specific authorization from supervisory or administrative ranked personnel.
- H. Documentation necessary for detainee presentation before judicial officers must be completed to ensure compliance with Maryland Rule 4-212.
- I. Whenever a foreign national is arrested or detained in the United States, the foreign national must be advised of the right of consular notification and access.

## 2.8.7 **Adult Arrest Documentation**

- A. UMBC obtains a Warrant or Criminal Summons (Send to O.J. to serve)
  - 1. **Report:** CR-Status = War/Sum Served BOA (**By Other Agency**)
  - 2. **No** Arrest number is assigned
  
- B. **Warrant or Criminal Summons Served (UMBC originated)**
  - 1. **Report:** CR-Status = Cleared by Arrest
  - 2. Arrest number obtained and Arrest Report completed
  
- C. **Warrant or Summons Served for Other Jurisdiction (O.J.)**
  - 1. If the Warrant Service entails all of the following:
    - a. Conducted the "Act of Arrest"
    - b. Performed the Arrest Processing (fingerprints and photographs)
    - c. Presentation of the person to a Court Commissioner
    - d. Certified Execution of the Warrant on the Original or Fax Copy of the Warrant
      - i. **Report:** CR -Warrant Service FOA (**For Other Agency**) - Status = Cleared by Arrest
      - ii. Arrest number obtained and Arrest Report completed
  - 2. All Other Warrant Service Incidents (when the person is held and turned over to the other agency for their execution of the warrant)
    - a. **Report:** IR Incident -Warrant Service FOA -Status = Closed
    - b. **No** Arrest number is obtained
  
- D. **Traffic Arrest -Taken into Custody (taken before a Court Commissioner)**
  - 1. **Report:** CR -Status = Cleared by Arrest
  - 2. Arrest Number is obtained and an Arrest Report completed
  - 3. Probable cause statement completed
  
- E. **Traffic Arrest – MUST APPEAR Not Taken into Custody (No Commissioner)**
  - 1. **Report:** CR -Status = Cleared by Exception
  - 2. **No** Arrest number obtained
  - 3. Probable cause statement completed and attached to 1st copy of citation.
  
- F. **Civil Citations -(Alcohol violations over 18 and under 21 years old)**
  - 1. **Report:** IR -Status = Civil Citation Issued
  - 2. Arrest number is obtained and an Arrest Report completed
  - 3. Probable cause statement completed
  
- G. **Criminal Citations**
  - 1. **Report:** CR -Status = Cleared by Arrest
  - 2. Arrest number is obtained and an Arrest Report completed
  - 3. Probable cause statement completed.
  
- H. Incarceration Log
  - 1. When anyone is held at our station: an [Incarceration Log](#) (Form 24) will be completed and attached to the original police report.

- I. Officers arresting persons, but subsequently not charging them, will cease the arrest processing sequence at that point where decisions are made not to file charges.
  1. All arrest related documentation completed up to the point where the arrest processing sequence is terminated will be submitted to the Records Unit prominently marked VOID following report review and approval of supervisory or administrative ranked approval. Records Unit personnel are responsible for ensuring such documentation is destroyed.
  2. Reports of incidents wherein persons are arrested and released without charges being filed will contain facts and circumstances describing the incidents, how initial probable cause was established, and, if applicable, circumstances leading to diminishment of probable cause.
  
- J. When listing arrestee's address, use their permanent address, NOT their campus address, **unless** they are an International student. The Court will send the summons to appear in court to the address our officers list on the Statement of Charges. If the student is removed from campus housing, then they do not receive the court date notice, leading them to "Fail to Appear for Trial," and subsequently they are charged on a warrant for FTA. This requires more work for our members transporting these subjects.

#### **2.8.7.1 Arrest Numbers**

- A. Arrest numbers are auto-generated in the ARMS.
- B. Arresting officers must ensure that arrest numbers are obtained for all:
  1. Criminal arrests;
  2. Citations in lieu of custodial arrests;
  3. Criminal summonses as they are served;
  4. Services of warrants issued to agency personnel; and
  5. Juvenile arrests.

#### **2.8.7.2 Detainee Property & Screening Record**

- A. All detainees will be searched.
  
- B. Arresting officers will ensure that Detainee **Property** and **Screening Report** are completed for all detainees brought into the agency's Processing Room in order to record:
  1. Arrest information;
  2. Property held pending its return at time of release;
  3. Visual observance (constant); and
  4. Apparent physical condition of detainees, including but not limited to:
    - a. Current health;
    - b. Medications currently being taken;
    - c. Behavior, including state of consciousness and mental status; and
    - d. Body deformities, trauma markings, bruises, lesions, ease of movement, etc.;
  5. Any meals provided during the detention.
  
- C. The detainees' property is the responsibility of custodial officer until released.
  
- D. Property retained by the agency as evidence or contraband will be recorded separately on Evidence/ Property form 16.

- E. Property will be inventoried in view of detainees from whom the property is being taken unless they are violent, unconscious, or otherwise incapable of witnessing the inventory process.
  - 1. Detainees will be requested to sign Detainee Property and Screening Records witnessing the accurate listing of property inventoried.
  - 2. Arresting or processing officers will have other officers' witness and sign detainee property inventories when detainees are unwilling or incapable of signing Detainee Property and Screening Records.
  - 3. Property pending its return at time of release will be placed in property storage lockers until detainee disposition.
  
- F. Property not retained as evidence or contraband will be returned to detainees upon release from agency custody.
  - 1. Arresting or processing officers will have another officer sign Detainee Property and Screening Records witnessing detainee property inventories when detainees are unwilling or incapable of signing for release of their property.
  - 2. When detainees are remanded to the custody of DOC, officials accepting custody will sign in **Official Accepting Custody** section.
    - a. Detainees' property will be turned over to officials accepting custody.
    - b. Copies of Detainee Property and Screening Records will be provided to officials accepting custody of detainees.
  - 3. Release of detainees' property to private citizens is prohibited unless detainees give their written consent to do so.
  - 4. Alleged discrepancies in personal property inventories claimed by detainees must be brought to the attention of supervisory personnel prior to detainees being released. Alleged discrepancies will be documented in an incident report and investigated.

### **2.8.7.3 Adult Fingerprinting / Photographing**

- A. The UMBC Police Department uses the Cross Match LIVESCAN system, in conjunction with the State of Maryland.
  
- B. Instructions for the use of the system are found at [this link](#).
  
- C. Video instructions are available at this [link](#).
  
- D. Prior to the release of a defendant, officers must ensure that they have identified a subject.
  
- E. Every defendant who is arrested will be fingerprinted and photographed through LiveScan. It is the officer's duty to explain and document when this does not occur.

### **2.8.7.4 Obtaining Criminal History Information**

Officers will run information and criminal history checks using agency resources consistent with MILES and NCIC directives. Officers will analyze the record to determine if:

- A. The defendant has prior failure to appear charges (includes MVA record),
- B. Past charges indicates that the defendant poses a danger to the community,
- C. The defendant is under the supervision of Parole and Probation.

**2.8.7.5 Refusal or Inability To Cooperate In Processing**

- A. If a prisoner refuses to be processed, he/she will be taken for a bail hearing and the commissioner will be informed of the refusal, along with the fact that the subject might be wanted or could possibly be using false identification.
- B. If the court commissioner refuses to conduct a bail hearing until the prisoner is identified, document that fact, and transport the prisoner to the Baltimore County Detention Center until the next sitting of the Court.
- C. Contact the Administrative Judge to request the matter be put on the docket and request that a court order be imposed for the prisoner to submit to fingerprinting, processing, etc.
- D. The University Counsel may be contacted, if necessary, for further instructions, and consultation with the Office of the Attorney General.

**2.8.7.6 FBI Special Processing Center**

- A. LIVESCAN allows us to send electronic fingerprints and photos to the Maryland State Police and the FBI. The FBI staffs the Special Processing Center on a 24 hour basis in order to assist law enforcement agencies making urgent identification of unknown subjects, arrestees, or decedents.
- B. In order to use services of the Special Processing Center, officers will:
  1. Obtain a full set of fingerprints, printed nail to nail and including the digit line;
  2. Obtain approval of agency supervisory or administrative personnel; and
  3. Call the FBI utilizing the phone number contained in CAD and RMS and provide them with all available subject information including:
    - a. Name;
    - b. Date of birth;
    - c. Social Security Number;
    - d. Race, sex, eyes, hair, height, weight;
    - e. Scars, marks, tattoos; and
    - f. FBI Number.
- C. The fingerprints will be submitted to the FBI either in person or by FAX.
  1. Officers may hand carry prints to the FBI Hoover Building, submit them directly to the Special Processing Center, and wait on-site for results.
  2. Officers may FAX prints to the Special Processing Center using the phone number contained in CAD and ARMS. Prints submitted via FAX must be copied and enlarged to as close as twice their original size as possible before being faxed. FBI staff will call with the results.

**2.8.7.7 Detainees' Ages Undetermined**

- A. Arresting officers will process arrestees as adults if their ages cannot be established, unless officers can reasonably assume by observations that detainees are juveniles.
- B. Arresting officers will submit continuation reports and notify the Clerk of the Court as necessary when detainees charged as adults are later discovered to be juveniles.

### **2.8.8 Presenting Defendants Before Judicial Officers**

- A. Maryland Court Rule 4-212 requires that defendants be presented before District Court Commissioners without unnecessary delay and in no event later than 24 hours after arrest. Officers will avoid unnecessary delays when preparing defendant's cases for presentation before District Court Commissioners.
- B. Responsibilities of District Court Commissioners include:
  - 1. Receiving applications and determining whether probable cause exists for the issuance of charging documents;
  - 2. Advising arrested persons of their constitutional rights;
  - 3. Setting bond or committing persons to jail in default of bond; and
  - 4. Releasing arrested persons on personal recognizance if circumstances warrant.
- C. Defendants' opportunities to make bail will not be impeded by agency employees.

**2.8.9 JUVENILE ARREST & DOCUMENTATION**

Refer to 5.0 Guide for Completing Criminal, Juvenile and Civil Citations  
Refer to 2.9.0 Juvenile Arrest & Detention

## 2.8.10 Management & Administration of the Processing Room

### 2.8.10.1 Processing Room- Basic Rules

The Processing Room is a minimally secure place to process non-violent arrestees. It is **NOT** a holding cell and lacks security. Therefore, there must be constant monitoring of arrestees during the processing stage of the arrest. Violent subjects will be transported to a Baltimore County Police facility to assist with a holding cell.

- A. **Short-term detention/ processing only:** The agency's Processing Room is only to be used to facilitate investigations or the questioning or testing of detainees.
- B. **Extreme Length of stay:** Adult detainees may be held in the facility up to 23 hours, but only with permission from a command-level officer.
- C. **No weapons in Processing Room:** Agency employees will ensure that non-agency employees follow applicable weapons, security, and facility directives.
- D. **Safety is everyone's responsibility:** Employees observing incidents or situations that threaten the safety of the facility or any person therein, or discovering deficiencies during facility use, checks, or searches will:
  - 1. Notify supervisory personnel;
  - 2. Take corrective actions or make appropriate notifications as necessary;
  - 3. Complete appropriate reports.
- E. **Health/ Safety:** The Processing Room has:
  - 1. Safety, sanitation, and security systems and precautions in place and properly maintained;
  - 2. Procedures established and **posted** for gaining access to medical and health care services;
  - 3. Adequate lighting and air circulation systems; and
  - 4. Toilet facilities and drinking water available to detainees.
- F. **Monitoring:** On-duty patrol personnel are responsible for the day-to-day facility operations. These responsibilities include ensuring:
  - 1. Activities in the facility are monitored;
  - 2. Safety, security, and sanitation precautions are properly utilized; and
  - 3. Detainees are given access to toilet facilities, and drinking water.
- G. **Command Notification:** Administrative, maintenance, or operational problems within the facility will be forwarded in writing to the Operations Commander.
- H. **Training:** Agency personnel with responsibilities for detainees. There is initial training on facility operations, fire suppression and equipment provided for use by the agency and retraining every four years.
- I. **Inspections/ Review:** A documented administrative review of the Processing Room will be conducted by the Support Services Commander at least annually.

### 2.8.10.2 Access by Non-Essential Personnel

- A. The facility is a limited access area.
- B. Those permitted in the facility when detainees are present are:
  - 1. Detainees;
  - 2. Attorneys; and
  - 3. Employees actively assisting with detainee activities.
  - 4. **Generally**, other visitors will **NOT** be allowed in the facility. There are times when officer may believe that a parent or friend may serve to calm the detainee, and may be helpful. Discretion may be used, with supervisory consent, to allow

visitors, as long as they are helpful to the processing of the detainee. If the visitor causes any trouble, they will be ordered to leave the facility.

5. Visitors who are **NOT** attorneys will not be allowed to provide legal assistance to a detainee.
- C. Only essential personnel will enter the facility during emergencies.
- D. When there are no detainees in the facility, it may only be accessed by:
  1. Persons conducting authorized inspections;
  2. Persons participating in authorized building tours;
  3. Persons utilizing agency fingerprinting services;
  4. Employees obtaining forms or supplies; or
  5. Janitorial, repair, or maintenance personnel.

#### **2.8.10.3 Weapons in Processing Room**

- A. Officers entering the facility will first secure their firearms in the firearms locker.
- B. When detainees are in the facility:
  1. Firearms will not be allowed in the facility;
  2. Other agency issued weapons may be carried for self-defense;
  3. Evidentiary weapons will be secured in evidence lockers.

#### **2.8.10.4 CCTV Security System**

UMBC Police Facility CCTV monitoring and recording will be constant. The system will not be turned off, tampered with, or otherwise compromised.

As audio and video electronic surveillance is installed, it will be controlled as to not unnecessarily invade the detainee's personal privacy (i.e.: in the bathroom).

#### **2.8.10.5 Emergency Panic Alarm**

Communications personnel will quickly evaluate situations and coordinate appropriate response when the alarm is sounded for other than equipment tests.

#### **2.8.10.6 Detainee Security**

- A. Detainees will be visually monitored during the entire time that they are in custody. This requires that two officers are with a detainee. One will process, while the other does paperwork. When there is more than one prisoner, we can transport to the Wilkens District or ask for the assistance of Baltimore County Police.
- B. Detainees will routinely be restrained at all times when in agency custody. However, detainees may be allowed out of restraints when they are:
  1. Being searched or processed;
  2. Using toilet facilities;
  3. Being administered breath tests for alcohol.
- C. Detainees may be handcuffed to restraining rails in the detention cell,
  1. Detainees will **NOT** be left unattended in agency facilities unless they are secured to the processing bench in the Processing Room
  2. When there are articulable reasons to do so based upon the detainee's escape potential or probability of causing harm to self or others.
  3. When the officer cannot devote their full attention to the arrestee.
- D. Officers may utilize additional or enhanced restraints authorized by the agency on detainees only as necessary:
  1. For the protection of self or others;

2. For mobility, medical, or other reasons that preclude other required restraint uses; or
  3. On detainees who are violent, self-destructive, suicidal, escape risks, or under the obvious influence of alcohol or other drugs.
- E. Authorized additional or enhanced restraints involve:
1. Handcuffing both arms to the upper restraint bar;
  2. Utilizing leg irons;
  3. Utilizing leg irons with the chain passed under the lower restraint bar; or
  4. Utilizing flex-cuffs or other similar nonmetallic restraints.
- F. Detainees will be escorted by officers when outside the facility.
1. Officers may exercise discretion in deciding whether to handcuff or otherwise restrain detainees while escorting them outside the facility based on:
    - a. Circumstances of arrests;
    - b. Nature of offenses; or
    - c. Conduct or physical condition of detainees.
  2. Officers with any doubts relating to detainees' conduct will restrain them as necessary and appropriate when escorting them outside the Processing Room.
  3. Unrestrained detainees or detainees handcuffed to the front will not be permitted in areas occupied by armed officers.

#### **2.8.10.7 Placement of Detainees**

- A. The Processing area may be occupied by no more than two detainees at a time.
- B. The Processing Room will not be occupied by more than one age/sex demographic of detainee at a time.
  1. Sight and sound separation must be maintained at all times between male/female and adult/ juvenile detainees.
  2. It is recommended that juveniles being charged as adults not be securely held with adult offenders.
- C. Juvenile status offenders and juvenile non-offenders, such as children in need of supervision, cannot be placed in any locked room or handcuffed to stationary objects.

#### **2.8.10.8 Special Detainee Segregation & Notification**

- A. Detainees who are violent, self-destructive, or suicidal will be placed in the detention cell by themselves.
- B. Employees will ensure detainees who are self-destructive or suicidal receive emergency psychiatric evaluations prior to their appearance before District Court Commissioners.
- C. Officers relinquishing custody of detainees to other officials will notify those officials if detainees are believed to be drug addicts, self-destructive, or suicidal.

#### **2.8.10.9 Supervision of Detainees**

- A. Detainees in the facility are continuously monitored by video equipment that is located in the Communications Center.
- B. Sworn police officers are responsible for ensuring visual observations of unattended detainees are conducted constantly, without interruption via video surveillance.
- C. Sworn police officers are responsible for ensuring face-to-face visual observation of secured detainees occurs at least every thirty minutes if a detainee is left unattended.
- D. Sworn police officers may supervise detainees of the opposite sex so long as contact periods are monitored and recorded by the CCTV system.

1. Searches will be made only by members of the same sex.
  2. Supervising officers will respect the sexual privacy of detainees utilizing toilet facilities or attending to other personal hygiene needs.
- E. Civilian employees will not supervise detainees. A minimum of one sworn police officer must be in the main police station headquarters during the time that any prisoner is in the Processing Room.

**2.8.10.10 Attorney-Detainee Contacts**

- A. Detainees will be allowed to meet with their attorneys in agency facilities consistent with constitutional, processing, and detainee security requirements.
- B. Attorneys having direct contact with detainees will have their person and property searched prior to detainee contact.
- C. Attorneys and their detainee clients will be provided privacy inside the Processing Room in order to confer.
  1. The audio monitoring and recording functions will be disabled.
  2. The video monitoring and recording functions will remain active.
  3. Detainees will be searched following direct contacts with attorneys.
- D. Information relating to attorney-detainee contacts, including personal information of attorneys, times, and duration of contacts will be recorded in agency reports of the arrest.

**2.8.10.11 Telephone Use**

- A. Detainees will be afforded reasonable use of telephones. Phone use must not compromise ongoing investigations or unduly interfere with agency activities.
- B. Calls will be made only from the phone in the facility.
- C. Information relating to phone calls, including phone numbers and persons called will be recorded in agency reports of the arrest.

**2.8.10.12 Meals**

Detainees held beyond four hours will be provided a meal. The officer buying the meal will use either a campus dining source or fast food. The cost of the meal and tax will be re-compensated through the petty cash fund. The meal cost and amount will be reasonable and will include a non-alcoholic drink.

### **2.8.11 Inspections of the Processing Room**

- A. On-duty Patrol Supervisors are responsible for a daily visual inspection of the Processing Room are conducted, checking:
1. Heat / smoke / fire detector, sprinkler, and fire extinguisher
  2. Sanitary conditions, notifying Facilities Management (FM) when necessary for cleaning;
  3. Doors, locks, and other mechanical conditions are in working condition, notifying Facilities Management when necessary for maintenance;
  4. Security conditions that include searching for weapons and contraband;
  5. First aid, replenishing supplies as necessary;
  6. CCTV system;
  7. Weapon lockers and keys; and
  8. AED.
- B. On duty Patrol Shift Supervisors are responsible for ensuring that officers conduct PROCESSING ROOM security checks of the facility immediately:
1. Before and after every time it is used to hold detainees
  2. After authorized building tours by civilian personnel; and
  3. After work conducted by repair or maintenance personnel.
- C. Facility inspections will include all areas of the PROCESSING ROOM, including the processing area, interview room where weapons, contraband, or other articles that may present potential security threats could be secreted.
1. Locations to be closely examined include, but are not limited to:
    - a. In and around trash cans;
    - b. Under the processing room bench;
    - c. In and around the toilet and sink;
    - d. In shelving and form storage areas; and,
  2. Articles that are to be removed by inspecting employees as potential security threats include, but are not limited to pens, pencils, other office supplies, and tools.
- D. Results of inspections, observed deficiencies, and any corrective actions will be documented on a [UPD Form 3 Departmental memorandum](#).
- E. Administrative personnel are responsible for determining if uncorrectable deficiencies are of sufficient magnitude that health or safety conditions are unacceptably compromised in the PROCESSING ROOM and therefore ordering the facility closed until deficiencies are corrected.
1. Uncorrectable problems and deficiencies, discovery of weapons or contraband, or facility closures will be reported via a [Departmental Memo](#).
  2. The Operations commander will be notified when the facility is closed or weapons or contraband are found.
- F. The Support Services Commander will:
1. Arrange for Facilities Management to conduct a semi-annual test of the fire and smoke alarms for the Processing Room.
  2. Other fire-fighting equipment; i.e.: fire extinguishers will be tested by a certified inspector and documented.
  3. The results will be reported to the Chief of Police in an annual report on the status of safety equipment.

#### **2.8.11.1 Fire Prevention & Emergency Plan**

- A. The facility is equipped with automatic heat, smoke, and fire detection and suppression systems.

- B. Detainees are not permitted to possess any flammable materials, excepting essential clothing, while in the facility.
- C. Detainees will be evacuated by officers via posted emergency evacuation routes to areas of safety in the event of fires or other environmental emergencies.
  - 1. Communications personnel will notify Baltimore County Fire and UMBC Environmental Safety.
  - 2. Agency personnel will, as practical, attempt to extinguish fires using fire extinguishers and/or sprinkler system.
  - 3. Detainees needing first aid or transportation to medical facilities will be transported by EMS personnel.
- D. The evacuation route from the facility is out the facility via the front door and into lot E across from Police Headquarters.

## 2.9.0 JUVENILE ARREST & DOCUMENTATION

### Definitions:

**Secure Detention** – §31.304(b) a detention facility designed to physically restrict the movements and activities of persons in custody, such as locked rooms. It does not include facilities where physical restriction of movement or activity is provided solely through facility staff.

**Secure custody** when a juvenile offender is physically detained or confined in a locked room or area; i.e.: being physically secured to a cuffing rail or other stationary object.

**Status Offender** –§31.304(h): A juvenile offender who has been charged a crime, which would not be a crime if committed by an adult. (i.e.: smoking)

**Six-Hour Hold Exception:** The Office of Juvenile Justice and Delinquency Prevention (OJJDP) regulations allow for a 6-hour “grace period” that permits the secure detention in an adult jail or lockup of those juveniles accused of committing offenses that would be criminal if committed by an adult. The 6 hours can be used for the purpose of processing or release or transfer to a juvenile facility. Sight and sound separation must be maintained while juveniles are in a secure custody status.

**Sight and Sound Separation** 42 U.S.C. §5633: (a)(12) –

- **Sight contact** is when a juvenile has clear visual contact with an incarcerated adult within close proximity.
- **Sound contact** is when a juvenile can have direct oral communication with an incarcerated adult.

### **Basic Policies for Juveniles:**

As an adult institution of higher learning, there are few in our primary jurisdiction. Therefore, as an agency we do **not** conduct anti-delinquency programs.

Juveniles are entitled to all of the protections of the United States Constitution. With the exception of status charges; every law enforcement action that applies to adults applies to juveniles.

1	<b>Authority</b>	<a href="#">CJ 3-89</a> and <a href="#">3-8A-15</a> contain controlling language that describes when officers may take juveniles into custody.
2	<b>Interview</b>	Officers taking juveniles into custody will interview the subjects to determine if juveniles have been harmed or are in danger of being harmed. Juvenile runaways are often escaping abuse, and law enforcement needs to determine if we are returning the child to a dangerous environment. Necessary medical treatment will be provided.
3	<b>Process</b>	Completed juvenile arrest related documentation will be forwarded to the Records Unit. This documentation should include fingerprints and photographs.
4	<b>Required form</b>	Officers taking juveniles into custody will complete the State of Maryland Juvenile Holding log for any juvenile offender held regardless of their classification.
5	<b>Separation</b>	<b>Juveniles are kept in sight and sound seclusion from adults.</b>

**2.9.1 Juvenile Custody Dispositions**

A. **Discretion:** Officers will use the ***least coercive*** among reasonable enforcement alternatives when dealing with juvenile offenders. Officers are not compelled to file charges against all juveniles who are taken into custody by this agency. Juveniles may be referred to another agency or service for potential diversion alternatives.

1	<b>Discretion</b>	<b>1.1.11 Discretion and 5.0 Criminal, Juvenile and Civil Citations</b>
2	<b>Release without Charge</b>	Officers may, as the severity of incidents dictate, release juveniles to a parent, legal guardian, or other responsible adult with no further formal actions taken.
3	<b>Status Charges</b>	Juveniles may be taken into custody without formal charges being placed for "Status Offenses."
	<b>Probable Cause must exist</b>	Officers will not file charges against juveniles when, even though probable cause existed at the time of arrests, when investigations or other situations lead to the diminishment of probable cause.
5	<b>DJJ Role</b>	Referring juveniles to appropriate courts by arrest, etc.

**Parental Notification Required:** Whenever a juvenile is arrested for **any** offense, the parents or legal guardians will be contacted.

- B. **Criminal Charges:** the same amount of probable cause must exist for a juvenile arrest as would apply for an adult arrest.
- C. **Community Arbitration Program:** This is available through the [Maryland Department of Juvenile Services](#).
- D. **Juvenile Citation Form:** the investigating officer will fill out a Juvenile Citation Form, if applicable, and the department's juvenile referral and custody report. Information for the citation is self-explanatory, however, for clarity of two areas the following procedure shall be adhered to:
- **Offense section:** Enter the main title of the offense: Theft, Assault, etc. Subtitles such as theft of bicycle, etc. are not required as this information is in the officer's offense report.
  - **Sign in acknowledgement:** The juvenile and his/her parent must sign the citation form, and receive a copy of the form. This releases the juvenile to the custody of his/her parents. If they refuse to sign, put "refused to sign" on the citation.
  - **Complainant:** The investigating officer furnishes the complainant with a copy of the juvenile citation, instructing them that their appearance is not mandatory, however, if they do appear their testimony would assist the program arbitrator in reaching his / her decision.
  - **Document Facts:** The investigating officer documents pertinent information in the narrative of the offense report, and includes citation number, and date and time of hearing, etc. The officer does not have to attend the hearing unless he is the complainant or victim. Therefore, the offense report is the only official account of the incident. Without the full incident particulars; the arbitrator cannot render proper and efficient corrective measures.
  - **Report flow:** Upon completing the offense report, the report and the remaining three (3) copies of the juvenile citation are given to the shift supervisor for routine report logging. The officer has at this point, officially concludes the case. If the officer desires, he may attend the arbitration hearing, or if concerned with the outcome only, program personnel will be furnishing the UMBC Police with a weekly report on the decisions of the previous week's hearing.
  - **Community arbitration** personnel request the station copy of all reports pertaining to the previous day's juvenile offenses where a citation was issued. These forms are hand carried by the program official to the program center where a copy is made and used by the arbitrator during the hearings.

## 2.9.2 Juveniles Charged as Adults

- A. Juveniles will be charged as adults when they are accused of crimes enumerated in CJ 3-8A-03(d) or when instructed to do so upon consultation with personnel from the Baltimore County State's Attorney's Office.
- B. Juveniles charged as adults will be processed consistent with **2.8 Arrest & Processing**.
- C. Juvenile cases waived to adult courts must be charged immediately by arresting officers and taken before Commissioners.
  - 1. No more than 24 hours must pass without charges being made.
  - 2. Arresting officers must appear at all waiver hearings.

## 2.9.3 Arrest Numbers

- A. Arrest numbers must be obtained when juveniles are arrested on either Criminal charges; or Juvenile status offenses.
- B. Arrest numbers may be obtained through the Arrest Book in the Booking Room. The numbers are sequentially assigned, and officers simply take the next sheet assigned.

### **C. Complete the Juvenile Holding Logbook.**

## 2.9.4 Juvenile Charging Documents

- A. Copies of agency crime reports serve as statements of probable cause for juvenile arrests and as reporting documents to the Juvenile Section of the Baltimore County State's Attorney's Office and Department of Juvenile Justice.
- B. Charging officers will ensure reports contain:
  - 1. Enough information to establish probable cause for all offenses for which charges are requested;
  - 2. Complete names, addresses, and telephone numbers of persons accepting custody of juveniles;
  - 3. Complete names, addresses, and telephone numbers of all witnesses to be summonsed;
  - 4. Schools being attended by juvenile arrestees;
  - 5. Listings of applicable charges and statute citations; and
- C. **Form 22C Juvenile Arrest & Custody Report.**

## 2.9.5 Juvenile Traffic Charges

- A. Copies of agency crime reports will be used to process:
1. Non-jail-able traffic offenses involving juveniles under the age of 16;
  2. Jail-able traffic offenses enumerated in the [Transportation Article 27-101](#); and
  3. Juveniles accused of both jail-able and non-jail-able traffic offenses stemming from the same incident.
  4. The [Courts & Judicial Proceeding Article 3-8A-23](#) lists that juveniles may be assessed points and sanctions arising from certain traffic citations.
- B. Juveniles 16 years of age or older may be issued Maryland Uniform Complaint and Citations for **non-jailable** motor vehicle offenses.

## 2.9.6 Juvenile Fingerprinting

- A. Adult fingerprint processing directives will be followed for juveniles charged as adults or when juveniles are arrested for:
1. Felonies;
  2. Breaking and entering;
  3. Unauthorized use of motor vehicle or vehicle theft;
  4. Sex crimes;
  5. Handgun or concealed weapons offenses; or
  6. CDS offenses, excepting simple possession of marijuana or hashish.
  7. Any other offense when authorized by a supervisor/ commander.
- B. Juveniles in custody charged with criminal offenses listed above or as an adult must be fingerprinted on LiveScan or FBI and CJIS fingerprint cards if LiveScan is unavailable.

## 2.9.7 Release of Juveniles to Responsible Parties

- A. Arresting officers will attempt to notify the parents, guardians, or adults responsible for juveniles, as soon as practical, of the fact that the juveniles have been taken into custody.
- B. Juveniles may be released to parents, guardians, or responsible adults when juvenile charges are requested on crime reports. Officers may release juveniles at Police Headquarters or at the juveniles' residences.
- C. Detaining officers who release juveniles without charges will ensure that the Baltimore County Sheriff's Office has been contacted in order to check for outstanding writs.
1. Detaining officers of juveniles with outstanding writs will contact DJJ personnel for instructions where the juveniles are to be taken.
  2. Detaining officers will request Baltimore County Sheriff's Office fax copies of writs to the agency.

- D. Persons accepting custody of charged juveniles must sign the [Form 22C Juvenile Arrest & Custody Report](#) and receive photocopies.
1. The identity of parents, guardians, or persons responsible for juveniles must be confirmed.
  2. Permission for adults other than parents or guardians to accept juvenile custody must be confirmed.
  3. The original [Form 22C Juvenile Arrest & Custody Report](#) will be submitted to the Records Unit.
- E. Arresting officers will contact the Department of Juvenile Services for instructions and recommendations if parents, guardians, or other responsible parties refuse to sign the [Form 22C Juvenile Arrest & Custody Report](#).
- F. [Form 22C Juvenile Arrest & Custody Report](#) will not be completed in non-custodial situations.

### 2.9.8 Detention of Juveniles

- A. Juveniles will be taken to juvenile detention facilities or shelter care facilities without delay, subject to the instructions of DJS personnel, unless they are released to parents, guardians, responsible adults, are in need of emergency medical treatment, or are contacted in non-custodial situations.
- B. Juveniles are candidates for detention when:
1. They have outstanding writs;
  2. They are charged with violent offenses or multiple auto thefts;
  3. They are runaways from out of state with an outstanding writ of attachment;
  4. They present by history a serious risk of absconding;
  5. Parents, guardians, or responsible adults cannot be contacted or they refuse to accept custody of juveniles.
- C. Copies of related agency reports will be delivered with juveniles to detention facilities.
- D. Prior to 1530 hours on days when court is in session, officers will contact the DJJ, and deliver juveniles for detention to the DJJ. Officers will ensure DJJ personnel are contacted to confirm transport destinations. If any concerns arise regarding the child's mental or physical condition, the officer will take the child to a hospital first for medical clearance.
- E. After 1530 hours, on weekends, and on holidays, officers will contact DJJ to request detention. Intake officers are to respond to locations where subject juveniles are being held, complete necessary DJJ paperwork, and instruct officers where the juveniles are to be taken. If any concerns arise regarding the child's mental or physical condition, the officer will take the child to a hospital first for medical clearance.
- F. If DJS declines to authorize detention or shelter care, and if a parent refuses to take

custody of the juvenile, it will be necessary to contact the Department of Social Services for assistance.

### 2.9.9 Juvenile Screening Requirements

Arresting officers will screen juvenile felony cases, or when juveniles are accused in multiple misdemeanor incidents, with the Baltimore County State's Attorney's Office. Screening is not necessary for single misdemeanor cases. Copies of case related documents must be forwarded by Records Unit personnel to the Victim Witness Coordinator for the Juvenile Section within 72 hours of arrests.

### 2.9.10 Status Charges & Non-Offenses

#### NO FINGER-PRINTING OF STATUS OFFENDERS

A. Juveniles may be taken into custody for violations applying specifically to children.

Examples of such status charges and non-offenses include:

1. Child in need of supervision (CINS);
2. Child in need of assistance (CINA);
3. Runaway;
4. Truancy;
5. Curfew violation;
6. Underage possession and/or consumption of tobacco products (note: the Baltimore County State's Attorneys' Office will not prosecute these offenses); and
7. Underage alcohol offenses.
8. Juveniles taken into custody **only** for status offenses will not be handcuffed or otherwise restrained
9. **Status Offenses:** Juvenile status offenders and non-offenders will be transported separately from juvenile delinquent offenders and adult detainees

B. Officers may release juveniles to parents, guardians, or other responsible adults in cases involving status charges or non-offenses. Officers may release juveniles at Police Headquarters or at juveniles' residences.

C. Arresting officers releasing juveniles will ensure that the Baltimore County Sheriff's Office has been contacted in order to check for outstanding writs.

1. Detaining officers of juveniles with outstanding writs will contact DJJ personnel for instructions where the juveniles are to be taken.
2. Detaining officers will request the Baltimore County Sheriff's Office fax copies of writs to the agency.

D. Reporting officers will ensure reports contain:

1. Enough information to establish probable cause for all offenses;
2. Complete names, addresses, and telephone numbers of persons accepting custody of juveniles;
3. Complete names, addresses, and telephone numbers of all witnesses;
4. Listings of applicable charges and statute citations.

- E. Detaining officers will contact DJJ for instructions and recommendations if parents, guardians, or other responsible parties refuse to accept custody of juveniles for:
  - 1. Child in need of supervision (CINS);
  - 2. Runaway;
  - 3. Truancy; and
  - 4. Curfew violation;
  - 5. Underage possession and/or consumption of tobacco products; and
  - 6. Underage alcohol offenses.
- F. Detaining officers will contact Department of Social Services for instructions and recommendations for Children in need of assistance (CINA).
- G. Accused and adjudicated Status offenders and non-offenders may not be placed in secure custody/detention in an adult jail or lockup facility for any period of time.
- H. Accused or adjudicated delinquent offenders can be held securely for up to six hours prior to an initial court appearance, for up to six hours after an initial court appearance or for up to six hours for processing, identification, investigation, awaiting pick up by a parent or guardian, or transfer to a juvenile facility in an adult jail or lockup facility.

#### **2.9.11 Restitution in Juvenile Cases**

- A. Officers will include applicable restitution information in agency crime reports.
- B. Restitution is handled by the DJS or the courts.
- C. Inquiries by victims into restitution processes will be referred to the DJS, or the Juvenile Division of the Baltimore County State's Attorney's Office.

#### **2.9.12 School Notifications for Juvenile Arrests**

- A. Consistent with [ED 7-303](#), agency employees are responsible for ensuring public school superintendents, or their designees, are notified whenever children enrolled in Maryland school systems and school programs are arrested for:
  - 1. Offenses enumerated in [CJ 3-8A \(e\)](#); or
  - 2. Violations of Handgun in use of crime - [CR 4-202](#).
- B. Agency officers arresting and subsequently charging juveniles with crimes coming under the requirements of ED 7-303 will:
  - 1. Attempt to obtain from arrested individuals the names of any applicable Maryland public schools or public school programs they are attending;
  - 2. Attempt to verify school attendance information through parents or guardians; and
  - 3. Include school attendance information in report narratives.
- C. Juveniles attending private schools and adults attending public schools are not covered by the requirements of ED 7-303.

- D. Every business day, Records Unit personnel are responsible for:
1. Reviewing ARMS entries to determine if juveniles were arrested and charged with crimes coming under the requirements of ED 7-303;
  2. Obtaining school attendance information from related reports;
  3. Sending FAX memorandums containing required information to appropriate school superintendent's offices; and retaining original FAX memorandums in related case record files.

### 2.9.13 Processing Room

- A. Delinquent juvenile offenders may only be held for up to **6 hours** for processing purposes (i.e. awaiting pickup from parents or guardians, transfer to a DJS facility, questioning/ interviewing, or for identification purposes).
- B. **Short-term detention/ processing only:** The agency's Processing Room is only to be used to facilitate investigations or the questioning or testing of detainees.
- C. **No weapons in arrest area:** Agency employees will ensure that non-agency employees follow applicable weapons, security, and facility directives.

### 2.9.14 Interviews & Interrogation of Juveniles:

Juveniles have the same rights regarding statements and confessions as adults.

1. **Juveniles have 5<sup>th</sup> Amendment Rights:** Juveniles can waive or retain their Miranda rights. Officers must be able to articulate that juveniles waiving their Miranda rights did so knowingly, intelligently, and voluntarily.
2. **Don't give legal advice:** There are no requirements for officers to affirmatively suggest to juveniles that they need or should have legal representation during interrogation.
3. **Explain legal process:** Officers interrogating juveniles will explain to them the juvenile justice system and the agency's directives relating to juvenile interrogations.
4. **Extension needs approval:** The interrogation may be extended for exigent circumstances and with supervisory approval based on offense severity and the willingness of juveniles under interrogation to continue talking with interrogating officers, if necessary, for an additional hour.
5. **Talk to Parents:** Interrogating officers may confer with parents or guardians to discuss interrogation processes. These conferences may be held before, during, or after interrogations as considered appropriate by interrogating officers.

**6. Factors to consider:**

Answer these questions for Interrogations	
	The ages of juveniles, and;
	Intelligence and educational background;
	Mental capacity, including whether the defendant was nervous;
	Physical condition of the defendant;
	Prior experience in the criminal justice system;
	Whether the defendant is suffering from any pain or injury at the time that the statement is taken;
	The duration of the interrogation: <b>Time restriction: Juvenile interrogations will be limited to six hours in length;</b>
	The time of day (normal sleep time, etc.). Is the defendant tired and wanting to sleep?;
	Were Miranda warnings read? Did the defendant appear to understand the warnings? ;
	Was the interrogation room of sufficient size?
	Was the defendant cuffed? Was the defendant threatened?;
	Was the defendant allowed food? Bathroom breaks?
	Were there any promises of leniency?
	Did the juvenile understand the interrogation process?
	Were the parents notified?
	Did the juvenile ask for a parent to be present?
	Did officers prevent a concerned adult from speaking with the juvenile?
	Is the juvenile familiar with English? Is English the first language for the juvenile? (Are they from another country?)
	Was the interrogation conducted by no more than two officers?

## 2.10 Victim Witness Services

**General statement of Policy:** Every member of the UMBC Police Department is responsible for providing compassionate care and assistance to crime victims. We recognize that in a person's time of crisis they often need help in locating information and resources that are available through the local and state government.

The exceptional services required in this policy often refer to major crime cases, where the agency's Criminal Investigation Unit is responsible for providing those services. Therefore, providing the victim-witness services falls upon the Operations Commander. The Support Operations Commander reports on the overall program.

### 2.10.1 The Rights of Victims and Witnesses

#### 2.10.1.1 Limited English Proficiency Policy

Cultural/language differences may exist. Police personnel are encouraged to use interpreters and translator services, if needed. The procedures are set forth in Operations Manual Section 2.4.

#### 2.10.1.2 Training & Familiarization Requirements

All police personnel shall receive periodic in-service training on the nature and impact of victimization and current laws.

#### 2.10.1.3 Limited Use of Telephone Reports

The UMBC Police Department does not have a Telephone Reporting System (TRS). There are occasions when a citizen has left UMBC and subsequently becomes aware they were a victim of a crime. This may be a theft from automobile, some other property crime or a motor vehicle accident (usually hit and run). Rather than have the person return to UMBC to report the crime, the incident may be reported over the telephone.

1. Telephone reporting will only be permitted for property crimes or motor vehicle accidents where there is no injury and only when the complainant/victim does not desire a patrol officer to respond.
2. The victim will be advised that there is no police investigation. The complaint is recorded solely for insurance purposes.
3. Officers will be aware that telephone reports can easily serve as a platform for false reports. Officers should re-contact complainants to ensure that the phone number provided is a valid number.

## 2.10.2 **General Procedures** **Criminal Procedure, Article 11-1002, Annotated Code of Maryland**

Guidelines for the Treatment of & Assistance to Crime Victims & Witnesses. The following is a summary of the 17 guidelines which prescribes the ways in which victims and witnesses of crime will be treated and helped. These guidelines are part of Maryland's Criminal Code & Constitution.

In accordance with these guidelines, every crime victim or witness should:

- Be treated with dignity, respect, courtesy, and sensitivity;
- [Receive emergency help as needed](#);
- [Be advised of law enforcement services available to protect victims & witnesses from harm](#);
- At trial be provided a waiting area apart from the accused;
- Be informed of any [available financial assistance](#) of [social services](#);
- Receive [help](#) with [expenses](#) occurring as a result of the crime;
- Be assisted with prompt property return;
- Be informed of [restitution procedures and information](#);
- Receive speedy handling of the case in which they are involved.
- [Maryland Crime Victim's Support Center](#);

The Baltimore County State's Attorney's Office's [Victim Witness Assistance Unit](#) addresses these services:

- [Understanding What happens in court](#);
- [Information regarding the status of their case](#);
- [To be present at all court proceedings](#), including trial and sentencing;
- Prior notice of any postponements;
- To keep their address and phone number out of court records;
- To request court ordered HIV testing of the defendant, if appropriate;
- To make a statement to the court in writing & in person, concerning the impact of the crime;
- Notice of any post-conviction hearings;
- Notice of parole hearings, release, or escape if the defendant is incarcerated.

### 2.10.3 UMBC Police Department additional Procedures

These are the victim / witness services to be provided by officers during the initial / preliminary investigation phase:

1. **Provide resource information:** provide the victim / witness with [Victim Resources](#) information. This includes access to information regarding counseling, follow-up medical attention, compensation programs, emergency financial assistance and victim advocacy
2. **Security:** Assure the victim that they will be free from harm arising out of prosecution and law enforcement efforts; if necessary, advise of law enforcement protection available;
3. **How do they contact us?:** Victims need the case number and contact information (telephone number, e-mail addresses) so that they can re-contact our agency and receive necessary information and service from the agency. Victims need to know how to provide additional (follow-up) information, and who is to receive the information. Victims want to participate in the investigative process, and our agency must strive to assist them in cooperating in a helpful manner
4. **We re-contact them in serious crimes:** if the crime is severe and requires an above-average victim / witness response, officers will re-contact victims/ witnesses periodically to determine whether their needs are being met.
5. **Give victims a roadmap:** Victims want follow-up information, and need to be apprised of the status of the case and the subsequent steps that will occur. They need to know where the case is going and what they will be asked to do, as long as the information does not endanger the prosecution of the case.
6. **Convenience of the victim:** Interviews, line-ups and other required appearances should be held at the convenience of the victim, whenever possible. We should provide transportation for the victim when needed for police or court processes.
7. **Employer Intercession Services:** Victims receive assistance from the Baltimore County State Attorney's Office or other available resources; i.e.: The Office of Attorney General [Victim Services](#).
8. **Return of property:** our agency should promptly return property taken as evidence to victims and witnesses as soon as reasonable. This does not include contraband, weapons and disputed property. Property held as evidence should be discussed with the Office of the State's Attorney if the evidence held unduly impacts the victim.
9. **Notifications:** Officers will make next-of-kin notifications of deceased, seriously injured or seriously ill persons. This applies to crime victims, accident or people on UMBC properties who are seriously ill or injured.
10. **Victim Advocate:** if a serious crime occurs, the Baltimore County State's Attorney's Office can be asked to assign a specific victim advocate to the victim / witness should the victim / witness feel the need for such a service.
11. **Comfort Dog:** The Community Resource Sergeant will provide the Comfort Dog upon request of the victim or officers handling the case. Reference **2.14 Comfort Dog**.

#### **2.10.4 Administering Victim/Witness Assistance**

- The Support Services Commander has the ultimate responsibility and authority for administering and coordinating the department's role in victim/witness assistance;
- However, immediate supervision of the program will be carried out by each Squad Sergeant and coordinated by the Support Services Commander.
- Duties and responsibilities of the **victim / witness coordinator** include:
  1. Ensures the agency conducts an on-going survey and analysis of victim / witness assistance needs and available services within the agency's primary jurisdiction;
  2. Ensures the confidentiality of victims and their role in case development to the extent consistent with applicable laws and directives;
  3. Develops and proposes victim / witness assistance objectives in along with the development of the agency's overall goals and objectives;
  4. Maintains liaison with other agencies and organizations that provide services addressing the rights and needs of victims and witnesses;
  5. Ensures the agency acquires and distributes victim / witness assistance materials.
  6. Ensures that agency employees have access to current victim / witness assistance information;
  7. Facilitates services between victims / witnesses, arresting officers, and the OSA Victim / Witness Unit during post-arrest proceedings; and
  8. Coordinates with PIO personnel who conduct the agency's community relations presentations about victim / witness referral services.
  9. Completes the agency's on-going victim / witness assistance survey and analysis; intended to provide the agency with information that includes:
    - Whether requested and/or required victim / witness services are being provided;
    - Whether the needs of victims and witnesses are being met; and
    - What additional victim / witness assistance services need to be developed within available agency resources without duplication.
  10. A documented review of victim/witness assistance needs and available services within the agency's service area is completed every three years.

### 2.10.5 Police Practices to Assist Victims & Witnesses:

1. Take photographs of scenes to alleviate the need for additional testimony at trial time. Photographs also serve to enhance victim / witness memory of events and details.
2. **Record interviews:** to assist witness' memories and credibility.
3. **Notification of Case Status:** The investigating officer will notify the victim when the department closes (clears) the case by any of these means. This includes letting the victim know when a suspect is arrested, and the victim's rights after the suspect is charged.
4. **Victim Non-Participation:** If the victim requests that the scope of the investigation be limited or that an investigation be temporarily or permanently suspended, the officer will thoroughly document the request in the report and follow up with the victim. The officer will not present the victim any forms purporting to relieve the department of an obligation to the victim, preclude or define the scope of an investigation by the department, prevent or limit prosecution, or limit the private right of action of the victim.
5. **Case of non-prosecution:** Explain to the victim that a lack of prosecution or legal insufficiency does not reflect on his or her credibility.
6. **Unfounded case:** Only when it proven that the offense did not occur.
7. **Exceptional clearance:** in some cases, the victim will be expected to obtain charges against a suspect. Officers will explain why this is necessary, as well as the procedures for obtaining charges at the District Court Commissioner's Office.
8. When possible; officers will keep the victim informed of the results of hospital or lab tests. Victims of certain offenses have the right to request that charged individuals be tested for HIV Consistent with [CP 11-112](#).
9. Notify the victim if the defendant makes bond or has a bond reduction hearing scheduled.
10. Provide Victims and Witnesses a [Crime Victims & Witnesses Rights brochure](#): ([Spanish](#)) Every criminal investigation report will have noted that a brochure was provided to the crime victims and witnesses. For additional information, or for [information on the Juvenile process](#) (when the defendant is charged as a juvenile).

Shielding in Police Reports: the victim applies for Shielding through the District Court Clerk's Office. [Domestic Violence](#): [Records](#):  
[Circuit / District Court form to complete to Request Shielding](#)  
[How to Apply for Peace & Protective Order](#)

## 2.10.6 Threats against Victims or witnesses

1. Agency employees will provide assistance to victims/ witnesses who have been threatened or who articulate specific, credible reasons for fearing intimidation or further victimization. [CR 9-305](#) prohibits intimidating or corrupting jurors, witnesses, etc. and the obstruction of justice.
2. Assistance will be provided based on criteria that include:
  - a. Nature of the cases;
  - b. Availability of resources; and
  - c. Locations of victims / witnesses.
3. Officers becoming aware of victims / witnesses will:
  - Ensure on-duty patrol squad supervisors are notified;
  - Ensure the Criminal Investigation Unit is notified;
  - Make reasonable and prudent attempts to promptly notify and/or alert the victims / witnesses of the danger;
  - Respond to the locations of victims / witnesses if within the agency's jurisdiction to provide immediate protection;
  - If victims / witnesses are in other jurisdictions, notifying the police agencies of primary jurisdiction of the danger;
  - Notifying the Baltimore County State's Attorney's Office; and
  - Notifying the US Marshall's service if the victims / witnesses are in the Federal Witness Protection Plan.

## 2.10.7 Other Resources:

International Association of Chiefs of Police  
[Response to Victims Handbook](#)  
[Enhancing Law Enforcement Response to Victims Resource Toolkit](#)  
[Training Supplemental](#)

### 2.11.1 **RENDERING SERVICE IN MEDICAL EMERGENCIES**

**Policy:** UMBC Police Officers are trained and certified as First Responders. Members are expected to render first aid to the full extent of their training and abilities.

**Notifications:** Members will notify Communications regarding assistance that they need (ambulance, Fire and Rescue, etc.) This includes requesting police supervisory personnel, medical examiner, and state or county roads crews and utility crews.

Members will always encourage injured persons to seek professional medical treatment, and will never discourage injured and sick persons from using hospitals, physicians or psychological treatment.

### 2.11.2 **BIOHAZARD PERSONAL PROTECTION**

#### **GENERAL POLICY:**

**We are all at risk:** Communicable diseases present a risk for first responders to a medical emergency. Officers must remember the first-aid training that they have been given, and use biohazard equipment that they possess; which can be as simple as latex gloves, lateral face mask, using anti-bacterial soap and alcohol-based skin cleaning liquids.

- **Our Duty:** Members will be sensitive to a person's condition and treat that person fairly, humanely, and with the same respect with which others are treated.

#### **Medical info is confidential:**

- Information or records regarding a patient or employee with a communicable disease are confidential. Access to information is limited to those with a legal need to know. Disclosure of such information can only be made with the expressed written consent of the person having the disease.

## 2.11.3 EXPOSURE TO BIO-HAZARDOUS MATERIAL PROCEDURES

### 2.11.3.1 EXPOSURE DEFINED:

Occurs when a person's blood or body fluids transfers to a member's bloodstream by:

1. Needle sticks or cuts caused by blood covered objects.
2. Human bites that break the skin.
3. Contact with the source patient's blood, or bodily fluids containing blood through broken skin.
4. Blood or body fluids containing blood entering a person's mucus membrane (eyes, nose, and mouth).

### 2.11.3.2 PRECAUTIONS

- Use caution when entering areas where body fluids are present.
- Open cuts and sores on a member should be protected with bandages.
- Bandages should be changed if they become wet or soiled.
- Immediately wash hands with soap and water. If soap and water are not available, alcohol or alcohol-based sanitizers may be used.
- Be careful when handling sharp objects; such as syringes or knives.
- Disposable gloves will be worn anytime body fluids are handled, or when handling either wet or dry items which were soiled.
- When removing disposable gloves:
  1. Roll gloves inside out from the wrist to the fingertips.
  2. Dispose of gloves in a biohazard container if contaminated with blood. All other gloves may be disposed of in a regular trash container.
  3. Immediately wash hands with soapy water.

### 2.11.3.3 INJURED MEMBERS

1. **Time is important:** Act within two (2) hours following the injury.
2. **Wash with soap and hot water**, then swab the wound area with alcohol.
3. **Seek immediate attention** at the Concentra Medical Center located in Arbutus, 1419 Knecht Avenue, Baltimore, MD 21217, (410) 247-9595. This is the agency's designated medical facility for examination and treatment of blood borne pathogen exposure. **If serious injury was sustained, respond to the nearest hospital for treatment.**
4. Request medical evaluation of the risk of HIV/AIDS or other infections caused by blood borne pathogens.
5. Request HIV/AIDS prophylaxis treatment of infection by blood borne pathogens after consultation with treating physician.
6. Notify the appropriate supervisor.
7. Disinfect the exposed area with alcohol or an antimicrobial product.
8. Avoid using these products near mouth or eyes. Flush these areas with large amounts of water.
9. All work-related injuries must be reported to the Office of Environmental Safety and Health. Forms are available on [umbc.safety](http://umbc.safety) and must be submitted to the Office of Environmental Safety and Health within 24 hours.
10. [UMBC procedures](#) can be helpful source.
11. The injured employee must complete an [Employee's Report of Injury Form](#) .
12. The supervisor must complete a [Supervisor's Accident Investigation Form](#) .
13. Witnesses should complete an [Accident Witness Statement Form](#).

#### **2.11.4 DISINFECTION PROCESS**

1. Remove gross contamination (blood, vomit, etc.) from clothing at the scene using paper towels, tissues, etc.
2. Contact a supervisor immediately.
3. Return to the station as soon as possible, when supervisors have made arrangements for relief at the scene.
4. Remove contaminated clothing.
5. Wash the skin contacted by the body fluid with soap and water while wearing disposable latex gloves.
6. Dry skin and apply a paper towel soaked in 70% isopropyl alcohol to the affected area for two minutes.
7. Rewash the area with soap and water and dry. Do not rub skin so hard that it becomes chafed.

**NOTE:** Any items (e.g., towels, tissues, bandages, etc.) contaminated by blood will be disposed of in the biohazard container. A large heavy-weight plastic bio-hazard bag may be used, and sealed. This will be disposed of at the Office of Environmental Safety and Health.

#### **2.11.5 POST-DISINFECTION RESPONSE**

- After verifying that an exposure has occurred, the supervisor will ask the source person if he/she will voluntarily submit to a blood test for Hepatitis-B and the AIDS virus. The blood test will be administered by the designated treatment facility. If the test is:
  1. Consensual, the source has to read and sign the Baltimore County Fire Department's Informed Consent and Agreement to HIV Testing/Source Evaluation and Testing Form.
  2. Non-consensual or refused, the supervisor will contact the Support Services Commander for further instructions. If after hours, the supervisor will contact the Safety Officer at Environmental Safety and Health, who in turn will contact the supervisor and provide further instruction.
- Members will be directed to receive medical care from the Office of Environmental Safety and Health, the University Health Center, an Emergency Room that they may be sent, and their own personal physician.

##### **2.11.5.1 MEMBER'S SUPERVISOR**

- Verifies that an exposure has occurred.
- Ensures that the exposed member has followed post-exposure disinfecting procedures.
- Contact the Office of Environmental Safety and Health.
- Ensures that the member receives proper medical care as soon as possible.
- Obtains two red top tubes of blood from the Fire Department representative and ensures both tubes are properly marked with the unique identification number.
- Obtains the completed Source Evaluation and Testing Form and original signed consent form from the Fire Department representative.

### **2.11.5.2 UMBC University Counsel**

- Provides guidance in obtaining Court Ordered Testing.  
**NOTE:** This process can take up to several days to execute. The exposed member must prepare a written affirmation explaining the circumstances of the exposure, the efforts to obtain an informed consent, and the source person's refusal to have his/her blood tested voluntarily.
- Contacts the State's Attorney's Office to arrange a court ordered blood draw from the source patient.

### **2.11.6 NEEDLE STICK INJURY**

#### **Purpose:**

1. Careful handling can minimize potential exposure; and
2. Proper packaging will keep you and others safe; and
3. Establish procedures after an accidental needle-stick occurs in the line of duty.
4. Call the Needle-Stick Hotline 410-328-2337 and enter STIK (7845)

1. Officers will use agency--approved puncture resistant containers for evidence/property collection and transporting purposes.
2. Members and supervisors will ensure that they have sufficient supply of approved puncture resistant containers and antiseptic towels in their agency vehicles before beginning their duty-tour.
3. Concentra, the agency designated medical facility, will provide all necessary post exposure testing and treatment, including individual and family counseling for the affected member.

### **2.11.7 EVIDENCE HANDLING**

- (1) **Use disposable gloves** when handling blood /body fluids materials.
- (2) **Package in puncture-resistant containers.** To prevent needle stick injuries, needles should **not** be capped, bent, broken, removed from syringe or otherwise manipulated by hand.
- (3) **Warn others:** Packages containing contaminated items or items suspected of being contaminated shall be clearly labeled. The warning "BIO HAZARD" shall be prominently written on the outside of the packaging material in such a fashion that anyone coming in contact with the item will be aware of the risk.

### 2.11.8 **DECONTAMINATION AND CLEAN-UP PROCEDURES**

1. **Hand washing** is your best protection against infectious disease. Wash hands thoroughly with hot soapy water.
2. **Launder** uniforms or other soiled clothing with blood or other bodily fluids using the following procedures:
  - Washable fabrics should be laundered in a “Pine Sol” or bleach solution if the fabric is compatible with bleach.
  - Body fluid stains in fabrics requiring dry cleaning should be diluted in cold water and placed in a plastic bag prior to cleaning.
3. **Disinfect** Resuscitator masks and evidence collection equipment contaminated with blood or other bodily fluids after each use.
4. **Clean** Detention areas and vehicles contaminated by blood or other bodily fluids immediately following the person’s release and prior to confining another arrestee in the same area or contaminated vehicle.
5. **Decontamination** shall be accomplished via the following procedures:
  - a. Use disposable surgical gloves during any decontamination procedure.
  - b. Small Items or Equipment:
    - Wash the item with soap and hot water and then rinse them thoroughly.
    - Soak item in a solution of water and household bleach for 10-15 minutes. Use a concentration of 1-1.5 cups for each gallon of water. Rinse with water and air dry.
    - Resuscitation masks should be resealed in a plastic bag and returned to the patrol vehicle’s first-aid kit.
  - c. Large areas: To decontaminate large areas (e.g., holding cells, vehicles), disinfect with bleach and water solution and then clean with soap and detergent.
6. **Disposal** of Contaminated Items
  - a. Disposable surgical gloves, clothing and other contaminated items must be disposed of properly to minimize the risk of infection.
  - b. Contaminated items shall be packaged in two plastic bags (double bagging), sealed with tape (no staples) and then labeled with the “bio hazard” warning.
  - c. Items contaminated with blood or other body fluids shall then be deposited in specially marked containers available at the police facility.
  - d. Contaminated materials will be collected periodically, and taken to UMBC Health Services for disposal.

### **2.11.9 Automatic External Defibrillator (AED)**

- A. The agency participates in the university's AED program as managed by Environmental Health and Safety (EHS).
- B. The Operations Commander will assign employees to serve in an ancillary capacity as the agency's primary and back-up AED site coordinators. Site coordinators must meet the training and certification requirements specified by EHS.
- C. AED site coordinator's duties and responsibilities include:
  - 1. Being the agency's liaison to EHS for the AED program;
  - 2. Ensure compliance with the current special order on AED inspections;
  - 3. Ensuring current copies of Inspection records are kept in an AED inspection binder in the Squad room;
  - 4. Submitting completed inspection records to EHS; and
  - 5. Maintaining original inspection records consistent with the Agency's records retention and destruction schedule;
  - 6. Ensuring timely completion of reports and notifications to EHS for any instrument Malfunctions; and
  - 7. Ensuring an instrument's rescue data card is delivered to, and replaced by, EHS after each use.
- D. The agency's training coordinator will work with the AED site coordinators and EHS Personnel to ensure agency personnel receive initial and recertification AED training.
- E. Patrol supervisors will ensure:
  - 1. Inventory accountability of AEDS and ready-kits (RKS);
  - 2. AED certified officers conduct and document inspections consistent with the current special order on AED inspections;
  - 3. All AED/ RKS are assigned and issued to AED certified-officers each patrol shift;
  - 4. Employees keep AEDS/RKS inside passenger compartments of agency vehicles and not in the trunks of sedans or cargo areas of SUVs;
  - 5. EHS is notified directly and site coordinators by email when deficiencies are reported that cannot be promptly corrected; and
  - 6. Required reports and incident summaries are written and notifications are made to EHS any time officers attach electrodes to patients, regardless if defibrillations were or were not attempted.

- F. Employees issued an AED/ RKS will:
1. Conduct visual and documented inspections consistent with the current special order on AED inspections;
  2. Promptly report deficiencies to their supervisors, directly to EHS as necessary, and by emails to AED site coordinators;
  3. Keep AEDs/ RKS in passenger compartments of their assigned vehicles and not in the trunks of sedans or cargo areas of SUVs;
  4. Use instruments consistent with their training and certification;
  5. Notify EHS, write agency reports, and write MIEMSS (Maryland Institute for Emergency Medical Services Systems) reports any time they attach electrodes to patients, regardless if defibrillations were or were not attempted. (MIEMSS reports Must be submitted to EHS within 24 hours);
  6. Notify EHS any time they take AEDs to medical emergency scenes or upon arrival, open electrode packages, but do **not take any further AED related activities**. (Agency reports will not be written.); and
  7. Respond to AED tamper alarms and, in addition to taking any other required actions, notify EHS if alarms resulted from malfunctions, tampering with instruments, or actual instrument use.

### **2.11.10 – USE OF NALOXONE**

In an effort to prevent opioid overdose deaths, the UMBC Police Department shall have members trained to carry and administer Naloxone to an individual experiencing or believed to be experiencing an opioid overdose, whether intentional or through accidental exposure. Naloxone has no effect in people who are not taking opioids.

#### **I. Definitions**

- a. Naloxone: An opioid antagonist (reversal) medication used to counter the effects of an opioid overdose. Narcan is a brand of Naloxone used by the UMBC Police Department.
- b. Opioid: Medications that relieve pain such as Vicodin, Oxycodone, Percocet, morphine, etc. Heroin is an opioid drug that is synthesized from morphine.
- c. Universal Precautions: Treating all blood and bodily fluids as if they are contaminated with infectious materials.

#### **II. Training**

- a. All sworn personnel, security guards, and any other members identified by the Chief of Police will receive training in the administration of Naloxone to individuals experiencing or believed to be experiencing an opioid overdose.
- b. Only members who have been trained may administer Naloxone.
- c. Members will receive training prior to the issuance of Naloxone.

#### **III. Equipment**

- a. Each Naloxone-trained member will be issued one dose (4mg) of Naloxone and shall carry the medication on their person.
- b. Naloxone will be available in the Supervisor's Office for immediate replenishment, with a minimum of two spare doses available at all times.
- c. Naloxone must be stored at room temperature (59°F to 77°F) and protected from light. Excursions permitted between 41°F to 104°F. Naloxone should not be frozen or exposed to excessive heat above 104°F.
- d. Daily inspection of Naloxone will be documented on the Daily Equipment Log by the Officer in Charge (OIC) or Supervisor for sworn and nonsworn personnel.

#### **IV. Procedures**

- a. Naloxone shall be administered using universal precautions when a trained member arrives on the scene of a medical emergency prior to Emergency Medical Services (EMS) and determines it to be an apparent opiate overdose.
- b. After Naloxone has been administered and the subject has improved and regained breathing, the subject may be placed in the recovery position.
- c. If breathing does not return to normal or if difficulty resumes, after 2-3 minutes, give an additional dose of Naloxone with a new device in the alternate nostril.
- d. Members should be cautious that the overdose may cause projectile vomiting and/or violent behavior.

#### **V. Notifications**

- a. Notify EMS that Naloxone was administered and transfer care to EMS.
- b. The OIC or Supervisor shall notify the Operations Commander that Naloxone was administered.

#### **VI. Disposal**

- a. Naloxone used in the field shall be placed in a biohazard bag with used personal protective equipment and placed in the biohazard container.
- b. Biohazard bags can be found in the department vehicles or with the biohazard container.

- c. The Operations Commander will notify Environmental Safety & Health to collect the contents of the biohazard container.

**VII. Replacement**

- a. The OIC or Supervisor shall provide replacement Naloxone upon notification of Naloxone administration.
- b. The Support Services Commander will maintain an inventory of Naloxone with expiration dates and distribute new doses upon expiration.
- c. The Deputy Chief of Police is responsible for ordering additional doses of Naloxone upon notification from the Support Services Commander.

**VIII. Reporting**

- a. An incident report will be created by any sworn member who administers Naloxone, or by a responding officer if a nonsworn member administered Naloxone.
- b. If Naloxone is administered by or to a member of the UMBC Police Department because of accidental overdose or exposure while on duty, a Report of Work-Related Injury shall be completed and submitted as per the instructions on the form.
- c. Before the end of shift, the OIC or Supervisor shall contact the Maryland Poison Control Center at 1-800-222-1222 to report the incident and the administration of Naloxone.

## **2.12.0 Court Procedures**

### **2.12.1 General Screening Requirements**

Felony Review is the process where the arresting officer meets with a prosecutor to review the legal sufficiency of a case: reports, evidence, statements and additional court orders or investigation that needs to occur pre-trial.

- A. Arresting officers must contact the Baltimore County State's Attorney's Office within 72 hours following arrests involving these charges to schedule screening appointments:
  - 1. Felonies offenses;
  - 2. Cases involving convicted criminals in possession of handguns;
  - 3. Cases involving vulnerable adults;
  - 4. Fatal motor vehicle collision cases;
  - 5. Juvenile felony and serious misdemeanor cases;
  - 6. Complex cases, newsworthy incidents or suspects, or cases needing special attention.
- B. Appointments are scheduled during normal business hours.
- C. Screening is necessary even though preliminary hearings may be held. Cases lacking necessary screening cannot be remedied at preliminary hearings.

#### **2.12.1.1 Documents Necessary at Screening**

- A. Arresting officers will ensure that copies of all reports are available for case screening.
- B. Documents needed for case screening include:
  - 1. Crime, incident, investigative reports, and other pertinent reports of crimes for which defendants are believed responsible;
  - 2. Originals and two copies of warrants and applications for statements of charges;
  - 3. Copies or any warrants for searches or electronic surveillances;
  - 4. Forensic laboratory reports;
  - 5. Photographs;
  - 6. Witness information;
  - 7. Officers notes;
  - 8. Other information which will assist the state's attorney's office in determining proper charges.

#### **2.12.2 Court Dates**

- A. Court dates are projected at least six months in advance to ensure employee availability on court cases.
- B. All officers will be assigned projected court dates consistent with scheduling directives issued by the Office of the Clerk of the Court.
- C. Officers' unit supervisor will, in consultation with subordinates, assign court dates to ensure that projected dates are not in conflict with approved leave, schedules of the

courts, or agency schedules.

- D. Unit supervisors are responsible for conducting inspections of projected court dates.
- E. Projected court dates will be forwarded by the court liaison to the District Court of Maryland.
- F. Employees will be available for court on projected court dates, unless other arrangements are made between the officer and the State's Attorney's Office and the court.

### **2.12.2.3 Changes in Court Dates or Scheduling**

- A. All requests for court date changes must be submitted in writing to the court liaison. Suitable portions may be sent via email.
  - 1. Court date changes must be submitted at least 90 days in advance, unless exigent circumstances exist.
  - 2. Scheduling problems, requests for continuances, etc., must be submitted as soon as possible after agency employees become aware of such problems.
  - 3. To attend training on projected court dates, officers must change their court dates at least 90 days in advance. The courts do not accept training as an adequate reason for continuing court cases on officer's projected court dates. Training conflicts with court cases that are not on officer's projected court dates will be handled as routine continuation requests.
- B. Continuation requests will be submitted by affected officers or by their unit supervisors in cases where officers are not able to request assistance. Requests must contain, as applicable:
  - 1. Dates, times, locations, and court rooms;
  - 2. Docket or court case numbers;
  - 3. Names of defendants;
  - 4. Affected officer's projected court dates for that month;
  - 5. A copy of the docket;
  - 6. Other supporting documents or information (i.e.: Training or Personnel Orders); and
  - 7. Reasons for requests.
- C. Employees who request continuances, or their unit supervisor in cases where officers are not able to follow up on continuation requests, are responsible for contacting appropriate authorities to determine whether or not continuance requests have been granted.
- D. Employees are responsible for appearing as summonsed unless excused by the Baltimore County States' Attorney's Office or court personnel or continuances have been granted.

#### **2.12.2.4 Reporting Sick**

- A. Employees requesting continuances due to illness will call Communications on a recorded line and provide Communications personnel with case related information:
  - 1. Court Locations; (example: Catonsville, Towson, etc.
  - 2. Docket times;
  - 3. Courtroom numbers; and
  - 4. Names of defendants.
- B. Communications personnel receiving calls from officers reporting sick for court will:
  - 1. Make telephone notifications to the appropriate Assistant State's Attorney; and
  - 2. Collect and send required information via email to the Sick Call email group utilizing the Sick Call form.

#### **2.12.2.5 Termination of Employees**

- A. The Chief will notify the court liaison of employees' resignations, terminations, or retirement dates as well as forwarding addresses for the employees as appropriate.
- B. The Commander of Support Services will:
  - 1. Notify the courts of employees' resignations, terminations, or retirement dates as well as forwarding addresses for the employees as appropriate;
  - 2. Contact former employees' last unit supervisor to facilitate notification of former employees and/or coverage of the cases by other witnesses; or
  - 3. In the absence of other witnesses, notify the Baltimore County States' Attorney's Office to dispose of the cases in a manner that best serves the interests of the state.

#### **2.12.2.6 Court Attire**

Employees will dress consistent with **1.6.2.36 Court and Hearing Appearances** for court, other judicial proceedings, or administrative hearings.

### **2.12.3 Legal Processes – Generally**

- A. Officers are responsible for serving legal process documents that fall within the Agency's jurisdiction, authority and mission.
- B. Consistent with MD Rule 4-212, only sworn police officers and sheriffs are authorized to serve criminal processes and civil processes requiring civil arrests. Officers whose powers of arrest have been suspended administratively or by operation of law may not serve legal processes.
- C. The amount of force used while serving legal processes will be consistent with 2.2 Use of Force and Weapons.
- D. Officers will attempt to ensure a sufficient number of officers are involved in serving legal processes and making arrests. Officers will not request citizen assistance in making arrests except in the most exigent circumstances and upon consideration of crime enormity and the probability of resistance.

- E. Refer to 2.4.4 Diplomatic Immunity for directives relating to which foreign diplomatic officers have what type of legal immunity.
- F. It is the function of the Baltimore County Sheriff to serve civil writs for the seizure of real or personal property.
- G. Criminal processes that may be obtained and/or served by officers include, but are not limited to:
  - 1. Arrest warrants – valid until served or recalled;
  - 2. Bench warrants – valid until served or recalled;
  - 3. Writs of attachment – valid until served or recalled;
  - 4. Criminal Summonses – valid for 30 calendar days or as noted on summons;
  - 5. Search warrants – valid for 15 calendar days.
- H. Civil processes that may be obtained and/or served by officers include:
  - 1. Protective orders – valid as specified by issuing judicial officials;
  - 2. Peace orders – valid as specified by issuing judicial officials; an
  - 3. Emergency psychiatric services (EPS) orders – valid for five days if signed by a judge. The agency has adopted a five day limit on the service of EPS orders signed by physicians.
- I. The agency has 24-hour access to warrant and wanted persons and other criminal and civil process documents through the:
  - 1. Agency's METERS/NCIC terminal;
  - 2. Maryland Judiciary Case Search; and
  - 3. Agency's records management system (RMS).

#### **2.12.4 Tracking Legal Processes**

- A. UPD Form 264 Master Warrant/Summon Log contains the following information:
  - 1. Date and time received
  - 2. Type of document (civil or criminal)
  - 3. Nature of document
  - 4. Document source (District, Circuit Court)
  - 5. Court tracking number
  - 6. Name of plaintiff/respondent
  - 7. Date and time entered in NCIC
  - 8. Status and date
- B. Summons & Warrants Obtained  
Officers who obtain legal processes from the District Court Commissioner, the Court Clerk, or from the Baltimore County Sheriff's Office, or the Baltimore County Police Department, will:
  - 1. Create a CAD number, titled "Warrant/ summons received" is generated for each warrant or criminal summons obtained. Related information to be entered into CAD includes:
    - a. The type of legal process, such as arrest warrant, criminal summons, peace order, etc.;
    - b. Case Number of any related case; and
    - c. Name of suspect or respondent.
  - 2. Complete an entry into the MASTER Warrant / Summons Log-in form 264.

3. Complete original or supplemental report, including information in the “warrants” tab in the names section of ARMS;
4. Ensure originals and copies of the Summons or Warrants are clearly stamped as such; and
5. Submit all documents for supervisory review.
6. Supervisors will review legal process related documents.
7. Officers will not store warrant / summons / legal processes in locations other than the Warrant File.
8. Notify the Administrative Sergeant via email that we received a warrant/summons.
9. The Support Services Commander’s duties and responsibilities include:
  - a. Serving as the agency’s liaison with Baltimore County Police Department and the Baltimore County Sheriff’s warrant control functions;
  - b. Ensuring that control records and supplemental reports are completed as appropriate for legal processes received from allied agencies;
  - c. Verifying attempts at service are made and legal services returned. Inspections are conducted quarterly for all agency held or transferred legal processes to determine if they have been served, are current, or need to be recalled, withdrawn, or converted;
  - d. For legal processes possessed by this agency, but served by allied agencies:
    - i. Ensure originals, copies, and return of service messages are submitted to Records for Return to the Office of the Clerk of the Court;
    - ii. Documenting the service on Legal Process Control Records; and
    - iii. Completing supplemental reports documenting process service.
10. Communications personnel have legal process tracking duties that include:
  - a. Refusing legal processes unless they are attached to completed and supervisor approved legal process control records;
  - b. Filing the processes and accompanying documents alphabetically in the hot file;
  - c. Entering and removing warrant information into METERS/NCIC consistent with the requirements of those systems.
  - d. Ensuring CAD numbers containing required information are generated for each separate legal process and service/attempt service.
11. Warrants are entered into NCIC/METERS by PCOs, Supervisors or the Administrative Sergeant (any member who has a CN1 certification).
12. All warrants must be entered into METERS/NCIC within 72 hours after receipt.
13. Summons for Court that we receive for our Members: When we receive summons for members to appear in court, the following procedures will be used:
  - a. The PCS will enter the summons into a CAD card.
  - b. The PCS will email the member that they have a court summons.
  - c. The Operations Commander enters the summons onto ScheduleAnywhere.com for the member.

#### **2.12.5 Serving Legal Processes**

- A. Patrol officers are responsible for serving most legal processes held by this agency. Criminal Investigations Unit may be assigned to serve processes based on time constraints, staffing, tactical needs, suspect/respondent availability, etc.
- B. Officers will:

1. Document their activities on [UPD Form 59 Warrant Summons Court Process Control Form](#);
  2. Serve their own warrants/ summonses;
  3. Conduct appropriate investigations to locate suspects/ respondents;
  4. Conduct and document a reasonable number of service attempts;
  5. Ensure a CAD NUMBER event is generated by Communications for each separate attempt or actual service. These are the CAD codes for Court Process Service:
    - i. ECP- Emergency Civil Process
    - ii. WARRANT
    - iii. XPARTE- Ex Parte Service
  6. The CAD entry must contain:
    - i. The incident number for the legal process;
    - ii. The type of legal process;
    - iii. Any related case number;
    - iv. Name of any suspect or respondent; and
    - v. Whether or not the process was served.
- C. Communications personnel will:
1. Confirm the existence of active Legal processes:
    - i. Held by allied agencies through METERS / NCIC;
    - ii. Held by this agency through METERS / NCIC, RMS, and by locating the physical document in the HOT file;
  2. Send FAX copies of legal processes held by this agency to allied agencies to facilitate service;
  3. Submit return of service FAX messages received from allied agencies along with related legal process originals, copies, and legal process control records to the agency's legal process coordinator; and
  4. Send any required confirmation or clearance messages.
- D. Supervisors will ensure that:
1. Members complete the forms/ use to document their actions;
  2. Return Warrants/ Summons/ Legal processes that are expired, recalled, withdrawn.
  3. Transfer warrants/ summons/ court papers to the Legal process coordinator.
- E. The agency's legal process coordinator may transfer the primary responsibility for the service of this agency's legal process to allied agencies, upon the direction of the Operations Commander
1. The original legal process and a copy of the control record, accurately reflecting the transfer, will be submitted to the agency assuming primary responsibility for service.
  2. The original control record and a copy marked "Photo-copy" will be retained in the Hot File.
  3. The legal process coordinator will ensure:
    - i. Supplemental reports are completed to show that the court papers were transferred to another governmental agency; and
    - ii. Control records are completed, and Hot File duplicate copies are destroyed when this agency learns that legal processes have been served.

## **2.13 Criminal Justice Information Systems (CJIS) & Information Security Policies**

Criminal history or mention of criminal history will be placed in any reports. Printed copies of criminal history shall not be attached to reports.

### **2.13.1 CJIS Requirements**

#### **2.13.1.1 Objectives**

- A. To enhance awareness and understanding of:
- B. Criminal History Record Information (CHRI) Security
- C. Information Assets
- D. Information Classification
- E. Information Security Practices
- F. Accessing Information

#### **2.13.1.2 Training**

- A. Initial training is required within 30 days of initial employment.
- B. FBI Criminal Justice Information System Security Policy requires refresher training every 2 years thereafter.

#### **2.13.1.3 Information Assets includes:**

- A. Paper Files & reports
- B. Software Applications (includes iPad, smart phones and tablets)
- C. Information systems (hardware: computers and storage devices)
- D. Facilities (once breached, information can be stolen)
- E. Equipment (includes laptops and devices that are mobile)
- F. Electronic devices that can store information.

#### **2.13.1.4 Supporting Legislation**

- A. [Title 18 USC Part I, Chapter 47, Section 1030](#) – Fraud and Related Activity in connection with Computers
- B. [Title 28 CFR Part 20](#) – Criminal Justice Information Systems
- C. [Title 14, Section 14-3504](#), Commercial Law Article, Annotated Code of Maryland – Maryland Personal Information Protection Act (PIPA)
- D. [Title 8, Section 8-606](#), Criminal Law Article Annotated Code of Maryland – Making False Entries in Public Records and Related Crimes
- E. [Title 7, Section 7-302](#), Criminal Law Article Annotated Code of Maryland – Unauthorized Access to Computers and Other Related Material
- F. [Title 10, Sections 10-213 through 10-228](#), Criminal Procedures Article, Annotated Code of Maryland – Criminal Justice Information System
- G. [Title 12, Section 12.15.01.15](#), Code of Maryland Regulations – Security

#### **2.13.1.5 Individual Responsibility**

- A. Access management
- B. Separation of duties
- C. Acceptable use
- D. Data protection
- E. Physical security
- F. Passwords
- G. Social engineering
- H. Malicious code
- I. Portable/mobile computing and shortage devices

#### **2.13.1.6 Access Management**

Information access by personnel is only acceptable for authorized, work-related, and need-to-know purposes.

#### **2.13.1.7 Acceptable Use**

- A. Use Criminal History Repository Information (CHRI) for authorized purposes, i.e.: solely work related, not information for personal use.
- B. Use of information systems may be monitored or inspected to ensure integrity.
- C. Personnel are responsible for protecting CHRI once information has been obtained.
- D. Information may only be dissemination to individuals who are authorized to receive the information.

#### **2.13.1.8 Hard Copy Information**

- A. CHRI must be secured and unavailable to unauthorized persons
- B. Secured printers must be used to print or fax CHRI. Use printer security procedures to eliminate copy images. Never fax or send PDF CHRI.
- C. Cross-cut shredding is the only acceptable method to destroy CHRI

#### **2.13.1.9 Encrypt Electronic Data**

- A. Secure web services should be utilized for data transfer and email.
- B. Personnel are responsible for securing portable devices to prevent loss or theft

#### **2.13.1.10 Physical Security**

- A. Printers and fax machines must be protected.
- B. Information on computers shall be secured.
- C. Computers must be locked when unattended.
- D. Confidential and sensitive information may not be left unattended in work areas.
- E. Confidential and sensitive information must be shredded when no longer needed.

#### **2.13.1.11 Password Security**

- A. Minimum of eight (8) characters
- B. Password must contain at least three of the following:
  - 1. Upper case letter
  - 2. Lower case letter
  - 3. Number
  - 4. Non-alphanumeric characters
- C. Passwords expire every ninety (90) days
- D. Passwords must be different from the previous ten (10) passwords

#### **2.13.1.12 Dissemination**

Information may not be disseminated unless the receiver is authorized to receive the information and the receiver needs the information for work-related purposes.

#### **2.13.1.13 Portable or Mobile Devices**

- A. Must be Agency owned
- B. Must be Encryption activated
- C. Must have Physical protection
- D. Must Report lost/stolen
- E. Must have Logical protection

#### **2.13.1.14 Conflict of Interest Recusal**

Employees must not access any CHRI in which one participant is a(n):

- A. Relative of the employee
- B. Person with whom the employee cohabits
- C. Close Friend or Business Associate

#### **2.13.1.15 Violation Reporting**

Personnel are required to report any suspected or actual event that threatens the confidentiality, integrity and/or availability of CHRI. This includes, but is not limited to:

- A. Suspected virus or computer problem
- B. Lost or stolen CHRI
- C. Unauthorized access
- D. Inappropriate activities
- E. Unauthorized/suspicious individuals or activity in police facilities

#### **2.13.1.16 How to Report**

- A. Contact Supervisor or management personnel
- B. Agency management will report the incident to the Criminal Justice Information System Central Repository Section

### **2.13.2 MOBILE DATA TERMINAL SYSTEM POLICY**

Members of the UMBC Police Department will only use the Mobile Data Terminal (MDT) System to support the Department's activities. It is the responsibility of each user to ensure that this technology is used for proper business purposes and in a manner that does not compromise confidential, protected, restricted or otherwise sensitive information.

#### **2.13.2.1 Mobile Data Terminal Program Coordinator**

The Chief of Police will designate an MDT Program Coordinator. The MDT Program Coordinator will conduct random administrative security checks of the MDT System to ensure that all necessary security procedures are being followed. The MDT Program Coordinator will also ensure that the required employees are trained on the proper use of the MDT and will work closely with the Information Systems Unit in equipment maintenance.

#### **2.13.2.2 General MDT System Usage**

All MDT's, data and software, maintained or used by the UMBC are for official use only. No employee will use or cause to be used any MDT for personal gain or benefit of any kind.

- A. Employees will NOT attempt to install, delete or modify any software or hardware associated with the MDT. This includes: modifying default settings, e.g., font size, etc.
- B. If equipment needs service, send a message using the IT request form ,
- C. Users are responsible for inspecting the MDT at the beginning of each shift. If any damage is noted, an e-mail must be sent using the IT request form on a UMBC computer along with an email to the user's supervisor. If the damage has not been previously reported, the previous user will be held accountable.
- D. It will be the responsibility of each officer or civilian employee with access to the MDT System to keep their system logon and password current.
- E. Any user who violates any of the policies or rules set forth in this directive will be subject to removal or suspension from the program and may face further disciplinary sanctions.

### 2.13.2.3 Mobile Data Terminal Procedures

All electronic messaging/correspondence is the property of the UMBC Police Department.

- A. **MDT usage is restricted:** to those agency employees who have been trained in the proper usage of the equipment and given access to the system.
- B. **Password Security:** User passwords for to access the MDT System, MILES/NCIC System shall not be shared with anyone. Assigned users may be required to disclose this information to someone in their chain of command or computer support personnel for business purposes.
- C. **Alert:** Users who believe that their password has been compromised shall immediately notify the MDT Program Coordinator and copy their immediate supervisor. Attempts by any member to utilize an MDT with another user's password are prohibited.
- D. **Driving with an MDT:** The safe operation of a police vehicle shall always be the driver's primary responsibility and they must give full time and attention to the safe operation of the vehicle. MDT use is a secondary concern to the safe operation of the vehicle. Drivers may need to safely stop the vehicle before using the MDT if such use is going to divert the user's attention from the safe operation of the vehicle.
- E. A user receiving a 10-99 "hit" must verify the hit by viewing the NCIC Summary Screen to ensure that the hit is identical for the person, property or vehicle that the user entered, prior to initiating a stop, contact or other enforcement activity, unless other probable cause exists for a stop.
- F. Users must then confirm the hit (i.e. confirm the existence of an open warrant or stolen vehicle, etc.) through communications.
  1. A computer hit is **not** sufficient probable cause to make an arrest.
  2. Barring exigent circumstances, an arrest shall not be made until the hit is confirmed.

### 2.13.2.4 Electronic Messaging Procedures

- A. All electronic messages should be considered in the public domain.
- B. Employees have no expectation of privacy regarding electronic messages.
- C. All transactions on the MDT are electronically logged.
- D. All electronic messages should be professional.
- E. Messages should not be offensive, degrading or embarrassing in any way to the Department or any individual.
- F. Under no circumstances will an employee use the MDT System to broadcast jokes, sexual comments or innuendos of a provocative or suggestive nature, or language that creates an intimidating, hostile or offensive working environment of any kind.
- G. The MDT Program Coordinator, or other Supervisors, will periodically review the message logs.
- H. Any electronic message that is sent through the MDT System may be retrieved by authorized personnel later, even though it may have been deleted from the specific MDT. Electronic messages are not a protected form of communication and could be subject to a discovery motion in a criminal/civil case or an internal investigation.

### 2.13.2.5 Security/Storage of Mobile Data Terminals

The assigned employee is responsible for:

- A. **Safeguarding** the computer by locking the vehicle when un-occupied,
- B. **Logging off** from all network computer systems and programs at the completion of their workday.
- C. **Keeping food and liquids away from the MDT's at all times.** In the event of a spill:

1. Log off all active sessions and shut down the MDT as quickly as possible.
2. Clean the affected area as soon as possible by wiping the spill.
3. Notify the MDT Program Coordinator and the employee's immediate supervisor immediately for corrective action.

**D. The MDT Program Coordinator** is responsible for:

1. Maintaining an inventory of all MDT's; and
2. Conducting annual inspections of all vehicle mounted mobile computers.

**2.13.2.6 Mobile Data Terminal Operational Procedures**

**A. Definitions:**

1. Confirmation: Process of communications personnel contacting originating agencies for wanted and stolen hits received through NCIC or MILES.
2. Verification: Process of officers requesting communications personnel run registration, stolen or wanted checks through the communications terminal to affirm information officers read on MDTs.

**B.** Officers will maintain MDT certification and keep passwords and access levels current and up to date (NCIC, METERS, etc.).

**C.** Upon going in-service for patrol or other traffic enforcement duties, Officers will notify communications of the status of their MDT.

**D.** Officers will utilize MDTs for routine registration, stolen, wanted and driver's license checks whenever possible to relieve communications staff of this responsibility.

**E.** Information read from MDT vehicle registration checks will constitute probable cause to make traffic stops and issue traffic citations for violation of the traffic articles. Warrant hits, or information relating to the registered owner of a vehicle (suspended, revoked, unlicensed) will NOT constitute probable cause for a traffic stop.

**F.** Communications staff will attempt to run vehicle registration checks when officers make traffic stops or are stopped for other law enforcement reasons.

**G.** Officers will have Communications confirm NCIC/MILES stolen and wanted hits before making arrests.

**2.13.2.7 Official Use Only**

CJIS is for official use only. No personal or private messages or inquiries will be sent. Any violation of CJIS policies can result in administrative sanctions, which may include termination of employment. Serious violations may be prosecuted as criminal violations if the acts are knowing and intentional.

**2.13.3 Computer Software Policy**

**2.13.3.1 Information Systems Security and Acceptable Use**

**A.** This policy defines the Information System Security responsibilities and acceptable use rights for employees, guests, vendors, and contractors (hereinafter, "Users") of UMBC Police Department (the "Department") information system resources. Information systems include all platforms / operating systems, all computer sizes and equipment, and all applications and data (whether developed in-house or acquired from third parties) contained on those systems.

**B.** All individuals that are granted access to the UMBC network and information systems including but not limited to full and part-time employees, temporary workers, contractors,

and those employed by others to perform UMDPS work, are covered by this policy and shall comply with this and associated policies, procedures and guidelines.

### **2.13.3.2 User Access Responsibilities**

- A. Employees will comply with The University of Maryland's "Guidelines for the Acceptable Use of Computing Resources" and "Using Software, A Guide to the Ethical and Legal Use of Software for Members of the Academic Community." Questions about those directives may be brought to the attention of the agency's Information Technology coordinator, the President's Legal Office, or the Coordinator of Policy and Ethics in the University's Academic Information Technical Services.
1. All agency computers and computer systems are the property of the UMBC.
  2. All computer systems and information stored within the computer systems are also the property of the University of Maryland and may be monitored.
  3. Access to the computers and computer systems and the local area network is provided to authorized users only. Accounts issued to individuals are for the sole use of that individual and are non-transferable.
  4. Unauthorized access to the local area network, files, and/or computers is in violation of [Maryland Criminal law 8-606](#) and [7-302](#) and may result in prosecution or disciplinary action.
- B. Data Sharing: All information and data processing systems to which users are given access are to be used only to conduct the activities authorized by the Department. The use of these resources must be conducted according to the policies, standards, and procedures instituted by the Department or on its behalf. The unauthorized use or disclosure of information provided by these data processing systems may constitute a violation of Department, State, and/or Federal laws which will result in disciplinary action consistent with the policies and procedures of the Department.
1. The UMBC Police Department may require additional agreements regarding the confidentiality of specific types of information; for example, METERS, CJIS, personnel records, financial records, etc. This policy may augment such Bureau policies but is not intended to replace policies which remain in effect.
  2. Users given access to which they are not privileged or entitled are required to report the circumstances immediately to their supervisor. Supervisors are responsible for determining the User's appropriate access rights. Supervisors must notify the Information Systems Unit should they determine that access rights need to be modified.
- C. General Use Guidelines
1. Users should log off the network at the end of each day and should lock their computers or logout of secure applications when away from their desk/office.
  2. Users should store important files on the network drives where files are backed up daily.
  3. All individual user passwords must be kept confidential. Users should not share their passwords with other users.
  4. Users should change their passwords when required or as necessary.
  5. Computer systems shall only be used by the employee that is currently logged in or signed on to it.

### **2.13.3.3 Rights of Information Ownership**

The Department retains the rights of ownership to all Information Systems resources including hardware, software, functionality, data, and related documentation developed by the Department's information systems users on behalf of the Department. All

Department Information Systems resources remain the exclusive property of the University of Maryland and/or the Department, unless otherwise prescribed by other contractual agreements.

#### **2.13.3.4 Internal Network and Internet**

- A. While in performance of work-related functions, while on the job, or while using publicly owned or provided information processing resources, UMBC users are expected to use the network and Internet responsibly and professionally. Users shall make no intentional use of these services in an illegal, malicious, or obscene manner.
- B. Users may make reasonable personal use of Internet resources if:
  - 1. The direct measurable cost to the public is negligible, or access supports the mission of the agency
  - 2. There is no negative impact on user's performance of public duties;
  - 3. The policy is applied equitably among all personnel of the agency;
  - 4. Users may be required to reimburse the agency if costs are incurred that do not have prior approval by the Department.
  - 5. When sending or forwarding e-mail via departmental e-mail accounts, Users shall identify themselves clearly and accurately. Anonymous or pseudonymous posting is expressly forbidden, unless otherwise allowed by law to make anonymous postings.
  - 6. Users are responsible for protecting UMBC sensitive information by following the UMBC policies and procedures.
- C. Users shall avoid unnecessary network traffic and interference with other users, including but not limited to:
  - 1. Subscribing to or otherwise authorizing the transmission of unsolicited commercial advertising (SPAM) by UMBC Users. Such use is strictly forbidden.
  - 2. This prohibition shall not include Mailings to individuals or entities on a mailing list so long as the individual or entity voluntarily placed his/her name on the mailing list.
- D. The use of computer resources, including e-mail, to conduct any activities already prohibited by University personnel or other UMBC policies (such as private/personal fund raising, profit-making, political activities, etc.) is prohibited, without written authorization from the University. Mass emailing by employees that do not pertain to Department business is prohibited.
- E. Users shall not use the Internet, or any State information system to allow the unauthorized dissemination of confidential information, or for any purpose that is not permitted by UMBC policies or would compromise public safety or public health.
- F. Users shall not stalk others; post, transmit, or originate any unlawful, threatening, abusive, fraudulent, hateful, defamatory, obscene, or pornographic communication or any communication where the message, or its transmission or distribution, would constitute a criminal offense, a civil liability, or violation of any applicable law.
- G. Users shall not access or attempt to gain access to any computer account to which they are not authorized. Users also shall not intercept or attempt to intercept data transmissions of any kind to which they are not authorized.
- H. Users shall not install, download, attach or play audio/video accessories, CD's, DVD's, MP3, etc. except that equipment or media which is required in the performance of UMBC business. The use of UMBC provided computer equipment for personal entertainment purposes is prohibited.

### **2.13.3.5 Work-Station Security**

- A. Each employee should guard against the loss of data stored within the various computers and computer systems operated or accessed by UMBC employees and other individuals.
- B. The following requirements apply to office, home, or other remote access locations if utilized for UMBC business:
  - 1. As appropriate, sensitive computer media shall be stored in suitable locked cabinets, or behind locked doors, especially outside working hours;
  - 2. Personal computers and computer terminals should not be left logged on when unattended or not in use;
  - 3. Classified or sensitive information should not be printed on a printer located in public areas. However, in the event that public printers must be used to print sensitive or classified information, such information shall be cleared from printers immediately.
  - 4. Users should store important files on the network drives which are backed up daily;
  - 5. All individual user passwords must be kept confidential. Users should not share their passwords with other users. Users should change their passwords when required or as necessary; and
  - 6. Computer systems shall only be used by the employee that is currently logged in, or signed on to it.

### **2.13.3.6 Media Storage**

- A. Sensitive information stored on external media (e.g., CDs, USB Drives) must be protected from theft and unauthorized access. Such media must be appropriately labeled so as to identify it as sensitive information.
- B. The use of removable storage devices or external devices (e.g., USB Flash Drives) shall be restricted to authorized personnel in order to safeguard and protect confidential data and information technology assets. Authorization for the use of removable storage devices must be granted by the user's supervisor in writing and specify the intended use of the device. The Section management shall maintain an inventory of all authorizations and use of removable storage devices. Any use must meet UMBC Removable Media Security Policy.
- C. Users shall request the use of Department owned storage devices. Sections shall strive to provide state owned-storage devices to staff and thereby limit the use of any personal device used to conduct any University business. Any use of personal devices must be disclosed to the supervisor and be approved.
- D. Mobile computing devices and removable storage devices (e.g., laptops, PDAs, USB flash drives, etc.) must never be left in unsecured areas and their use must meet UMBC security standards. Any incidents of misuse, theft, or loss of data must be reported to the supervisor and to the Operations Commander.
- E. UMBC sensitive or confidential information shall not be stored at home without appropriate authorization from the user's supervisor/manager, in consultation with the Section Commander.

### **2.13.3.7 User Privacy**

All users of the Department's information systems are advised that their use of these systems may be subject to monitoring and filtering.

- 1. UMBC reserves the right to monitor randomly and/or systematically the use of Internet

- and UMBC information systems connections and traffic.
- 2. Any activity conducted using the University and State's information systems (including but not limited to computers, Networks, e-mail, etc.) may be monitored, logged, recorded, filtered, archived, or used for any other purposes, pursuant to applicable Departmental policies and State and Federal laws or rules.
- 3. The Department reserves the right to perform these actions with or without specific notice to the user.

#### **2.13.3.8 Software and Hardware**

- A. All software licenses used by the UMBC Police Department are the property of the UMBC Police Department, UMBC or the State of Maryland.
  - 1. Software is not to be copied for personal use, except as permitted by software licensing agreements.
  - 2. Personal software is not allowed on University computers except in rare job-related instances.
  - 3. If you wish to install any software, you must obtain permission of the agency's Information Technology coordinator.
- B. Installation of Software or Hardware
  - 1. UMBC information system hardware and software installations and alterations are handled by authorized UMBC Information System Unit employees, designated staff, or contractors only. Users shall not install new or make changes to existing information system hardware or software without prior authorization by the Information Systems Unit.
  - 2. Users shall not download software from the Internet unless specifically approved by the user's supervisor and the designated Information Systems Unit personnel. Downloading audio or video stream for a work related webinar or audio conference is permissible without prior authorization.
- C. Purchasing Software and Hardware
  - 1. All purchases must be approved by the Information Systems manager and the employee's unit manager prior to purchase.
  - 2. Purchases made without the prior consent of the Information Systems manager will be subject to disciplinary action.

#### **2.13.3.9 Computer Viruses: Malicious Code**

- A. It is the responsibility of each User to help prevent the introduction and spread of computer viruses and other malicious code. All personal computers in the Department must have the provided virus detection software running at all times.
  - 1. Immediately contact their supervisor or Commander and submit a Department IT Request for service when a virus is suspected or detected, so that it may be confirmed and removed by the appropriate Information Systems Unit personnel.
  - 2. Users must report all information security violations to their Section Commander, who will notify the Information Systems Unit.

#### **2.13.3.10 Remote Access**

- A. Authorized users of UMBC computer systems, networks and data repositories may be permitted to remotely connect to those systems, networks, and data repositories to conduct Department-related business only.
  - 1. Users will only be granted remote access through secure, authenticated, and managed access methods and in accordance with Information Systems Unit and UMBC security policy and standards.
  - 2. Users shall not access agency networks via external connections from local or

remote locations, including homes, hotel rooms, wireless devices, and off-site offices without knowledge of and compliance with the User Access Responsibilities section described above within this policy.

### **2.13.3.11 Responsibilities of Information Systems Unit**

- A. Responsibilities of the Information Systems Unit include:
1. Maintaining a liaison with Department of Information Technology (DoIT) and other agencies to ensure off site server back-ups are conducted and maintained;
  2. Keeping the UMBC computer systems running and configured properly;
  3. Coordinating purchasing, installing, training, operation, maintenance, storage, moving, and reconfiguration of UMBC computers and computer hardware and software;
  4. Setting, modifying, and terminating individual and group computer security levels, access, permissions, and distribution access levels; and
  5. Providing yearly, written audits to the chief of computer system security issues that includes password and other access violations.
- B. The Information Systems unit is also responsible for creating access accounts for authorized users only.

### **2.13.3.12 Loss of Data, Irregularities and Recovery**

In the event that there is a loss of data or other irregularity that occurs with electronically-stored data, the agency's Information Technology Specialist will be consulted to assist with recovery of information. In the event that they are unable to assist in the recovery, the UMBC Department of Information Technology will be consulted.

If data hacking is suspected, CJIS will be contacted for assistance, and must be notified.

### **2.13.3.13 Data Retention and Redundancy**

DoIT will establish a retention schedule for data. In the event that they cannot store all of our information, we will revert to the data retention schedule that has been established for paper records 1.9 Records Management.

DoIT has established a daily backup of UMBC Police records, and under an agreement they maintain redundant systems for storage of electronic record data.

### **2.13.3.14 Special Logistical Requirements and Financial Arrangements**

Many agencies are using "Cloud" storage technology to store information from the network. The UMBC Police Department has not agreed to this arrangement as we cannot control who will hold the information or the geographical proximity of the "Cloud" storage (for example; the location could be outside of the United States where we could not exercise control over the information).

The UMBC Police Department will not agree to any off-site storage or data that does not comply with state or federal laws and NCIC/ METERS standards and requirements.

### **2.13.3.15 Written Agreements**

The UMBC Police Department holds written agreements with the UMBC Department of Information Technology and the State of Maryland Criminal Justice Information Service, which allows us to store electronic data off-site.

### **2.13.4 Media Protection**

UMBC Police will create a protocol on the length of time data will be stored, as well as provisions for the destruction of data in accordance with applicable records retention laws. The retention and destruction of these records will conform to Maryland and federal laws, rules and accepted practices. The UMBC Archivist can assist with the development of these policies.

#### **2.13.4.1 Secure Handling, Transporting, and Storing of Media**

The rules for media storage and access are addressed in section **2.13.3.6 Media Storage**.

- A. Members of the UMBC Police Department shall securely store electronic and physical media within physically secure locations or controlled areas.
- B. Members of the UMBC Police Department shall restrict access to electronic and physical media to authorized individuals.
- C. When physical and personnel restrictions are not feasible then the data shall be encrypted. The UMBC Department of Information Technology (DoIT) encrypts devices and hardware that is authorized by the UMBC Police Department. If there is any question regarding the encryption security of any device or hardware; then the member will ask the UMBC Police Department's IT Specialist or the DoIT section to assess whether the device is secure and properly encrypted.

#### **2.13.4.2 Media Transport**

The agency shall protect and control electronic and physical media during transport outside of controlled areas and restrict the activities associated with transport of such media to authorized personnel. This includes laptop computers, tablets, USB drives; or any other device that can electronically store CJIS information. Members cannot remotely access without the permission of the Deputy Chief of Police and with the knowledge of the IT Specialist.

The UMBC Police Department's IT Specialist will contact Maryland CJIS to ensure that the access is lawful and authorized.

Ability to access information does not mean personnel or individuals are authorized to access information. If there are questions regarding access, the IT Specialist will be consulted. Maryland CJIS will be contacted prior to authorized access.

#### **2.13.4.3 Electronic Media in Transit**

"Electronic media" means electronic storage media including memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, optical disk, flash drives, external hard drives, or digital memory card. CJIS information will NOT be copied onto these devices.

Any device that is authorized for use by the UMBC Police Department would have:

- A. Encryption software added by the IT Specialist.
- B. Permission to use by the Deputy Chief of Police.

#### **2.13.4.4 Physical Media in Transit**

The controls and security measures in this document also apply to Criminal Justice Information in physical form; i.e.: printed documents, printed imagery, etc. Physical media shall be protected at the same level as the information would be protected in electronic form.

#### **2.13.4.4 Electronic Media Sanitization and Disposal**

- A. Physical media shall be securely disposed of when no longer required, using formal procedures.
- B. The formal procedures for the secure disposal or destruction of physical media shall minimize the risk of sensitive information compromise by unauthorized individuals.
- C. Physical media shall be destroyed by shredding or incineration. The UMBC Police Department shall ensure the disposal or destruction is witnessed or carried out by authorized UMBC Police Department personnel.

#### **2.13.4.5 Printers**

- A. Many printers have an internal hard drive for data storage.
- B. The UMBC Police IT Specialist will determine which printers have internal Hard Drive storage. These will be marked in a manner that will let users know.
- C. These copiers/ printers will have their hard drives removed by the IT Specialist, and the Hard Drives will be destroyed in the manner prescribed in the above section: 2.13.4.4.

**Any agreement must meet CJIS (and NCIC) standards for care, custody and control of electronic information. Whenever there appears to be a conflict, members will choose in favor of CJIS / NCIC rules for care, custody, and control of data.**

## **2.14 COMFORT DOG**

### **I. General Considerations and Guidelines**

The trained Comfort Dog is a valuable supplement to UMBC Police resources. The function of the Comfort Dog is to provide interaction during final exams, campus events, and to reduce anxiety and increase communication between the victim/witness and investigators, to provide comfort for people during times of crisis, and to provide aid and comfort to individuals, groups and communities impacted by tragedy or traumatic events.

The Comfort Dog is also a valuable tool in fostering dialog and communications between the police department and the community we serve. The Comfort Dog can effectively be used in the Community Policing unit.

### **II. Purpose**

The purpose of this operation directive is to establish procedure and regulations governing the deployment, training, evaluation, and use of a Comfort Dog and define the authority, circumstances and responsibility for their use.

### **III. Policy**

When not engaged in training or animal maintenance, the comfort dog handler will be available to aid with community sponsored events and midterms/final exams with a focus on public education about the comfort program, utilizing the comfort dog to help victims feel more at ease while speaking about their situation, and/or to comfort individuals or groups that have experienced a traumatic event.

Administrative supervision of the comfort dog handler, for purposes of selection, training and maintenance of the comfort dog, re-assignment and equipment, will be provided by the Chief or his/her designee.

### **IV. Comfort Dog Applications**

#### **A. General Uses for the Comfort Dog Team**

1. Aid in the investigation where there is a victim of abuse
  - a. Prior to a forensic interview the Comfort Dog Team may meet with the victim/witness in the lobby or waiting area of the building where the victim will be interviewed to reduce anxiety while the interviewer prepares for the interview. The Comfort Dog Handler will also have the opportunity to engage the victim in conversation, which will help the victim feel more comfortable talking to an unfamiliar person. This interaction will also help the handler assess the victim's developmental capabilities prior to the interview.
  - b. Forensic interview aid of a victim, at the interviewer's discretion. This option is available if the victim becomes extremely upset while away from a place their unfamiliar with. If the Comfort Dog is used in the interview, the handler is to only perform the duties of handling the Comfort Dog and allow the interviewer to engage in communication with the victim
2. Critical Incident Mental Health Support
  - a. The Comfort Dog Team can help bridge the gap between a traumatic event and the connection to mental health supports. A compassionate presence leveraging the human-canine bond helping restore a person's emotional and cognitive equilibrium. The first contact with an impacted individual is important. If managed in a respectful and compassionate way, it can help establish an effective helping relationship and increase the person's receptiveness to further help.
3. Critical Incident Stress Management
  - a. The Comfort Dog Team is authorized to aid the University of Maryland Baltimore County Police department and the University of Maryland Baltimore County Counseling Center Team with Debriefing or Diffusing First Responders that were involved in a Traumatic Event within the University of Maryland Baltimore County response area as requested.

4. University Support
  - a. The Comfort Dog team may be utilized to assist school officials during time of mental health crisis, bereavement counseling or any other appropriate request.
5. Community Relations
  - a. Requests for demonstrations or visits will be routed to the Operations Lieutenant. All requests will be made far enough in advance to ensure that a Comfort Dog team will be available.

## **V. Authorization, Limitations, Deployment and Use**

- A. Only the Community Resource Sergeant or officers and dogs authorized by the Chief of Police or his/her designee will perform the duties of a Comfort Dog team.
- B. No one shall engage with the Comfort Dog unless authorized by the facilitator.
- C. When the Comfort Dog has the vest on, it is working and should not be distracted. It will be the responsibility of the handler to educate the employees and public when they can or cannot interact with the comfort dog.
- D. No one shall feed anything to the Comfort Dog without the handler's permission.
- E. Only the facilitator, or person designated by the facilitator can give the Comfort Dog, a cue or command.
- F. The Comfort Dog is not trained to defend itself. It will not be used as a less lethal tool for the department. It shall not be asked to perform a task it is not trained in (such as drug recognition, patrol defense, crowd control or tracking). As such, prior to using the Comfort Dog, the location must be safe and secure for the team. Final approval for the deployment of the team, including location and time, will rest with the handler. No discipline will be sought for the refusal of the handler to deploy his/her team due to safety considerations.
- G. Comfort Dog teams may be deployed at times and locations that provide optimal response throughout the campus of the University of Maryland Baltimore County. Requests to deploy the Comfort Dog Team outside the University of Maryland Baltimore County jurisdiction should be coordinated through the Operations Lieutenant.
- H. In order for the Comfort Dog team to be most effective, their use is designed for cases in which there are reasons to believe the allegations of abuse are present, during the times of mental health crisis, or during or the immediate aftermath of a critical incident.
  1. The Comfort Dog team can be used to diffuse a mental health crisis by distracting and refocusing the effected person to a positive interaction.
  2. In situations of an active critical incident or immediate aftermath thereof, the Comfort Dog team would be responsible for creating a positive distraction as well comforting survivors prior to mental health service involvement or the use of a Critical Incident Stress Management (CISM) Team.
- I. The department shall be responsible for reasonable veterinarian treatment for an owner/handler Comfort Dog injured while being used in performance of their duties by no fault of the handler.
- J. For a department owned and issued dogs. The handler will be responsible for the training and upkeep of the dog. The University of Maryland Baltimore County Police department shall be responsible for all reasonable costs associated with owning a dog, including liability, feeding, upkeep, veterinarian costs, training, kennels, equipment, and temporary shelter during the handler vacation periods.

## **VI. Comfort Dog Reporting Procedures**

- A. Use of the Comfort Dog will be explained by the handler in writing via the agency's Record Management System (RMS) and any other documenting requirements as appropriate. All completed reports will be forwarded to the investigating officer.
- B. The Comfort Dog handler maintains all Comfort Dog-training records. These training records will also be forwarded to the Training Unit for entry into the Comfort Dog handler's training files.
- C. If a Comfort Dog injures any person (child, suspect, citizen, or officer):
  - 1. The handler shall ensure that proper medical treatment is received by the person who was injured as soon as possible.
  - 2. The handler will notify the Chief of Police or his/her designee.
  - 3. The handler and the Comfort Dog handler's supervisor shall examine all injuries.
  - 4. All injuries will be photographed (when applicable), regardless of the suspected nature of the injury. Photos will be submitted with the Report
  - 5. It is the responsibility of the Comfort Dog handler's supervisor to investigate the report and attach all supporting documentation, which is to be forwarded to the Chief of Police or his/her designee.

## **VII. Transporting Comfort Dogs**

- A. Comfort Dog handlers may use modified department issued vehicles for transporting the Comfort Dog. Handlers may carry refreshments for the Comfort Dog in the vehicle. The Comfort Dog shall not be left unaccompanied in a vehicle that is not equipped with a heat sensor. The Comfort Dog will be always accompanied by the handler.
- B. Additional equipment
  - 1. Window tinting – The rear deck/gate and rear door windows may be tinted to a much darker shade than normal in order to assist in keeping the vehicle cool. This can cause significantly decreased vision to the sides and rear especially in low light or no light situations. Members must remember this when backing, turning or changing lanes.
  - 2. Use – Arrestees will not be transported with Comfort Dogs in the vehicle.

## **VIII. Training of Comfort Dog**

- A. Comfort Dog teams will receive initial training and/or proficiency testing and/or re-training in accordance with a nationally recognized comfort, crisis dog organization or other certifying association approved by the Chief of Police or his/her designee. A puppy may be used as a Comfort Dog while it is undergoing training as long as it has been evaluated and approved by the Chief of Police or his/her designee.
- B. Comfort Dog teams will train on a regular basis to maintain proficiency and operational readiness. Additionally, the Comfort Dog team will undergo a demonstration of proficiency on a yearly basis under the supervision of a nationally recognized comfort or crisis dog organization.
- C. The Training Coordinator, or designee, will ensure that the above training is conducted as indicated and will ensure that the training records are maintained for each Comfort Dog team by the Training Unit

## **IX. Qualifications and Selection of Comfort Dog Handlers**

- A. The Designated Handler is required to:
  - 1. Be full-time, sworn personnel
  - 2. Complete Mental Health First Aid or its equivalent, annually
  - 3. Complete Suicide Prevention training
  - 4. Complete Green Dot Training

## X. Uniform and Equipment

- A. The Comfort Dog Handler shall wear:
  - 1. The authorized seasonally appropriate uniform and equipment of that of a patrol officer; or
  - 2. A subdued uniform of which consists of tan or dark pants, and department approved collared shirt that displays an embroidered or printed badge and the officers name, handcuffs and firearm; or
  - 3. Plain clothes as appropriate
- B. Anytime the general public has access to the Comfort Dog it shall be equipped and wear:
  - 1. An appropriate collar and leash, no longer than 6 feet.
  - 2. A vest or harness marked "POLICE"
    - i. The vest or harness may be adorned with other appropriate patches, badges, or mementos in relation to its service
  - 3. An appropriately sized kennel or safe place will be made available at the station for securing the dog indoors. Water will be made available for the dog while being kenneled or stored; the dog may not be kenneled or stored any longer than 4 hours without a break, except for cases of emergency.

## XI. Disposition of Comfort Dogs

- A. University of Maryland Baltimore County Owned Dog
  - 1. Retirement of the Comfort Dog
    - a. Recommendations to retire a Comfort Dog for cause will be made through the chain of command. After consultation with the departmental veterinarian and an approved trainer the Chief of Police will make the recommendation as to whether or not the Comfort Dog may be retired to the care of the handler or stay in service. If it is determined that the Comfort Dog should be retired, the handler will have the option of adopting the dog, free of cost, for personal use.
  - 2. Employee Leave
    - a. Teams Greater than Five Years partnership
      - i. In cases where a handler that has been teamed with a Comfort Dog for greater than five year leaves the department through resignation, injury, or retirement, the Comfort Dog shall be made available for adoption at no cost to the departing member, if so desired. If the handler declines adoption, the dog may be assigned to a new handler or be offered up for adoption to another as determined by the Chief of Police or his/her designee.
    - b. Teams with less than five years partnership
      - i. In cases where a handler leaves the department through resignation, injury, or retirement, prior to five years of teamwork, the Comfort Dog will remain the property of the department. If the Comfort Dog is determined to be suitable for reassignment to a new handler, it shall be retained within the unit or sold to the original handler for the cost of a replacement dog. If the Comfort Dog is determined unsuitable for reassignment, the Comfort Dog shall be made available for adoption at no cost to the departing member, if so desired. If the handler declines adoption, the dog may be assigned to a new handler or be offered up for adoption to another as determined by the Chief of Police or his/her designee.
    - c. Dissolution of the Program
      - i. In cases where UMBC or the department discontinues the program the Comfort Dog shall be made available for adoption at no cost to the handler, if so desired. If the handler declines adoption, the dog may be offered up for adoption to another as determined by the Chief of Police or his/her designee.