Cottage City Police Department

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COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: PREFACE

NEW <u>REVISED</u> RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

Law enforcement officers and entrusted with powers to lawfully confront, question, search, arrest, and take away the liberty of citizens. When justified, law enforcement officers may use deadly force. No other profession in our society has authority as intense or intrusive. Those entrusted with this authority must be able to fulfill their responsibilities without risk to others, or in failure, risk to themselves. Law enforcement professionals must be able to perceive their environment objectively, use good judgment in deciding to execute their authority, and be able to carry out the required tasks in an effective manner. In a word, law enforcement personnel must be reliable.

In order to reach a high level of reliability, the law enforcement officers of Cottage City will be given guidance in the performance of their tasks from a wide variety of documents including this General Order Manual. The guidance given takes into account the interests of the community, the police department, and the law enforcement officers whose work gives it meaning. As a whole, the General Order Manual provides a reference point for police services, ensuring that they are delivered in ways that are consistent, lawful, and in keeping with a commitment to the highest standards of professional and personal performance.

The Cottage City police department exists to serve the community. Our existence creates several key requirements for each of us: great tact, restraint, and understanding in every contact with citizens and with each other. It requires demonstrated professional competence and a sincere personal

interest in meeting individual or community needs - whatever the task. It requires us to recognize that the law is the basis for all of our actions while acknowledging that our ultimate authority rests as surely on the trust and confidence we earn from the community.

However, satisfying the work may be, there are tasks to be done that are sometimes unpleasant and difficult. For every individual helped, there is one who cannot be. For every person who welcomes enforcement, there is one who fails or refuses to recognize that this enforcement benefits the interests of the total community.

Fulfilling the requirements of the law enforcement profession is demanding. We must do so cheerfully and without reservation, demonstrating an orientation to the citizens and community that builds support, fosters communication, and promotes the understanding needed to do the job. A comprehensive understanding of this General Order Manual is essential for all Cottage City law enforcement officers to be able to perform their assigned duties.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: CODE OF ETHICS

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Cottage City Police Officers are required to adhere to the following principles contained in the Law Enforcement Code of Ethics published by the International Association of Chiefs of Police:

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

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession - Law Enforcement."

A. It is the policy of the Cottage City Police Department that all sworn members will perform their professional duties competently and conscientiously in full accordance with the law as well as department rules, regulations and values.

B. It is the policy of this Department that all sworn members, while on duty, will uniformly treat all persons in a civil and equitable manner regardless of the circumstances.

C. It is the policy of this Department that all sworn members will conduct their private, personal lives in a mature, law abiding and exemplary manner.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: CODE OF ETHICS

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

ADMINISTRATION OF POLICE OFFICER'S OATH OF OFFICE

I. All personnel, prior to assuming sworn status, will take and subsequently abide by an oath of office to enforce the law and uphold the Constitution of the United States of America, and the charter and ordinances of Cottage City, and Prince George's County, Maryland.

II. The aforementioned oath of office is administered by the Secretary of the Cottage City Commission who is authorized to administer the oath.

Ill. All sworn personnel, upon appointment, will take the following Cottage City Oath of Office:

I,_____do solemnly promise and declare, that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Police Officer for Cottage City, according to the Constitution and laws of the State.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **GOALS AND OBJECTIVE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department has a duty, through the Town Ordinances and applicable statutes to provide for the security, safety, and well-being of the citizens of the town. This is accomplished through the provision of police-related service to all persons within Cottage City. To provide these services in an effective and efficient manner, organizational goals need to be established. The establishment of goals helps to ensure the direction, unity of purpose, and general mission of Cottage City Police Department.

II. PURPOSE

The purpose of this General Order is to establish procedures for the formulation, annual updating, and distribution of the goals and objectives of the Department. Input from all Departmental personnel is encouraged. Obtaining the input of personnel has great value in ensuring the relevancy and competency of goals and objectives. Also, this encourages the feeling in all members of the Department that they have contributed to its management and operation.

III. VALUE STATEMENT

Most organizations have a set of values by which they operate; however, few have taken the time to articulate those values. The Cottage City Police Department feels an obligation to the community it serves to state its values in written form. Value statements serve the purpose of informing both the community and the Department of the foundation upon which an efficient and effective police service must be based. The Cottage City Police Department's value statements are located in the Preface of the General Order Manual and in General Order 2-3, Mission and General Policy Statements.

IV. GOALS AND OBJECTIVES

The goals and objectives of the Cottage City Police Department are:

A. Crime-related

1. Provide in the community a sense of security that allays the fears of crime;

2. Create an atmosphere that deters or diverts individuals from committing offenses;

3. Investigate offenses reported to the police in an effort to identify and apprehend those responsible;

4. Recover property lost through criminal action and return it to the rightful owner;

5. Participate in the prosecution of those against whom criminal charges are placed;

6. Reduce the opportunities that individuals intent on committing a crime have for carrying out their intentions; and,

7. Develop programs that respond to the needs of crime victims and witnesses.

B. Service-related

1. Provide an enhanced level of service above that which is provided by the Prince George's County Police;

2. Facilitate the safe movement of people and vehicles;

3. Assist with the resolution of interpersonal conflicts;

4. Promote and preserve civil order;

5. Identify and address law enforcement and governmental problems;

6. Provide police assistance to special community events;

7. Improve communication between the police and the community;

8. Provide accurate and timely information to the community concerning matters of community concern;

9. Provide accurate information to the community concerning matters of public record, while maintaining the individual right to privacy;

10. Develop and maintain emergency operations plans for natural or manmade disasters;

11. Facilitate the use of available community resources; and,

12. Develop programs that respond to the needs of the community.

C. Internal management related

1. Improve the utilization of Department personnel;

2. Develop programs designed to address specific administrative issues;

3. Provide the training necessary to improve the ability of personnel to carry out their responsibilities;

4. Provide quality management and operational information to Departmental personnel;

5. Encourage the input and involvement of all personnel in program development and implementation;

6. Improve the ability of the Department to respond to requests for police service;

7. Improve the Department's relationship with other Town departments, law enforcement agencies, and agencies involved with the Criminal Justice System;

8. Evaluate present methods and programs to determine their efficiency and effectiveness;

9. Provide career development opportunities for all personnel;

10. Recruit and employ the most qualified persons for Departmental positions despite race, creed, age, sex, and national origin; and,

11. Maintain a high level of professionalism.

V. GENERAL

The goals and objectives of the Cottage City Police Department are evaluated and/or updated each year to meet Community goals.

A. Distribution

A copy of the Department's current goals and objectives will be distributed to all members of the Department through the General Order Manual. Members of the Department will be briefed on all organizational goals and objectives by their immediate supervisors.

B. Input

Input toward the compilation of these goals and objectives shall be gathered through suggestions and recommendations for improvements from all levels within the Department. Department employees are encouraged to use the internal Memorandum system whenever they have an idea or a suggestion which they would like considered for implementation.

1. Employees who feel that they have an idea worthy of consideration should submit a Memorandum through their supervisor to the Chief. The Memorandum should include: financial considerations, agency benefits, lists of all persons directly affected, and any other pertinent information which can be of use in evaluating the idea. Ideas can be of a law enforcement nature or broad in scope as to affect the entire Town.

2. The immediate supervisor shall review the suggestion, make any appropriate comments, and forward the Memorandum to the Chief.

3. After receiving the Memorandum with supervisory comments, the Chief of Police should take one of the following actions:

    a. Submit the idea to appropriate staff for review;

    b. Submit the idea to a committee for study;

    c. Send to an appropriate Department employee for further research;

    d. Approve and assign for implementation;

    e. Disapprove the suggestion;

    f. Forward the idea to the Town Counsel for review.

4. Once the suggestion has been evaluated, a copy will be returned to the originating member for his information. This allows the employee to know the status of his idea.

5. One copy will also be forwarded to the employee's personnel file.

6. Should a particular idea result in substantial financial savings, or significantly improve the efficiency and effectiveness of the organization, the Town Counsel or Chief of Police may choose an appropriate award.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **MISSION AND GENERAL POLICY STATEMENTS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. INTRODUCTION

The Cottage City Police Department is a law enforcement organization within Cottage City, Prince Georges County, Maryland, whose role is to protect residents of the town, its visitors, and their property. The department's responsibility is to (provide assistance to the public, and to gain their cooperation with established rules, regulations, and laws.

The term law enforcement is difficult to define because it encompasses many perceptions as to the services provided or expected, both by the law enforcement community and the public-at-large.

This perplexing problem of definition has been generated by the changing police role which has developed over the years because of society's uncertain demands. In view of the responsibilities of the department in Cottage City, it is essential that each employee understand those policies related to the mission of Cottage City Police Department.

II. MISSION STATEMENT

The mission of the Cottage City Police Department is:

A. To provide highly trained and professional law enforcement officers to maintain order and to enforce rules, regulations, and laws within Cottage City.
B. To prevent and detect criminal activity as well as to conduct investigations and to initiate prosecution within appropriate court systems.
C. To fulfill a commitment to public service by providing assistance of a non-enforcement nature to residents and citizens.

III. GENERAL POLICY STATEMENTS

Policies are a means by which management sets forth guidelines for its employees to follow towards achieving the mission of the Department. The scope of the policy is left to those employees who interpret the policy: to exercise discretion, to use initiative, and to develop

judgment as to which steps are to be instituted in a specific situation. The following general policy statements regarding organization, management, professionalism, law enforcement, use of force, and personnel, are provided to assist employees in performing our mission.

A. Organization

The organizational structure of the department has a direct and profound influence on the accomplishment of our mission. Administrative and staff support functions are spread among various officers; the operational function is the responsibility of each patrol officer.

Such decentralization of functions requires sound organizational control and a utilization of effective management principles. lines of authority and chain of command, the essential principles for an operative organizational structure, are critical for the success of this police organization. Each officer has the responsibility to adhere to the principles of the organization.

B. Management

Considering the organizational goals and mission, each officer is responsible for adhering to and utilizing department guidelines, directives, and policies as carefully and as efficiently as possible.

Command personnel are responsible for the performance of all officers under their command. Although authority and function many be delegated to subordinates, command personnel may not delegate their own responsibility. They are answerable and accountable for failures or inadequacies of subordinates. Command personnel are responsible for motivating their subordinates to operate in compliance with department policies and procedures at optimum efficiency and effectiveness.

The Sergeant directs the work of his subordinates. Success is measured by the performance of his subordinates rather that his personal production. The Sergeant is a leader, evaluator, and instructor of his subordinates. He must inform the Chief of the accomplishments, shortcomings, and productivity of his subordinates. The Sergeant must be concerned for the welfare of his subordinates and be responsible for supporting them in their proper actions. This support does not include protection from the consequences of misconduct.

When a mistake is made, it should not be concealed or denied. It should be corrected, an effort made to discover its cause, and steps taken to prevent its recurrence. The Sergeant is a part of management, and is therefore expected to act on behalf of management. He is to inform the Chief on matters which concern him and his subordinates as well as to inform his subordinates of Department policies and the reasons for these policies. He controls rumors by informing his subordinates of the facts.

C. Law Enforcement

A crime is an act of commission or omission prohibited and punished by law. Whenever an officer believes a crime has been committed or is about to be committed, it is his responsibility and obligation to prevent, suppress, investigate, or solve the crime. The primary purpose of enforcing the law is to protect the right of the citizen to be secure in person and property from criminal attack.

Every citizen of the United States is entitled to certain basic constitutional rights which are not to be violated. Officers must respect the rights of others and avoid provocative speech or gestures. Once an arrest is taken place, it is the obligation of the arresting officer to ensure that post-arrest procedures and prosecutorial steps are followed in accordance with existing law and constitutional safeguards. These include but are not limited to constitutional safeguards relating to interview, interrogation, and right to counsel. To fail in this effort is a violation of law and of the principles of the law enforcement profession.

Active patrol by uniformed officers in marked cruisers is one of the most useful available resources the department has to prevent crime. Each officer has the responsibility to prevent crimes which are preventable by police action. It is the patrol officer's responsibility to conduct the preliminary investigation of a crime, affect an immediate arrest if possible, and obtain all available information which will assist in the detection and apprehension of the offender.

In view of limited resources, the inherent ambiguity of some laws, and the alternatives to accomplish the intent of the law, it is essential that the police exercise discretion in the enforcement of the law. It is preferable to prevent a crime, accident, or incident than to deal with its consequences.

To be effective in decreasing the number of crimes, law enforcement officers must be selective as to time, place, and relative importance of the crime. They must direct their efforts towards those crimes which are most easily prevented by patrol. For minor offenses, an officer must use discretion in determining whether an arrest or a warning best fulfills the police objective.

The department must act quickly and decisively with regard to major crimes and serious law enforcement problems. A delay in effecting an arrest or taking decisive action is warranted only in the absence of sufficient manpower, or when delay is advisable in order to accomplish the law enforcement mission.

The primary objectives of traffic law enforcement are to save fives, to prevent accidents, and to expedite the flow of traffic. Attention should be directed towards the enforcement of those laws which when violated cause the greatest number of accidents, particularly at those times and places where most traffic violations occur. For minor violations, an officer may warn a violator if in the officer's opinion the warning would be as effective as a citation.

D. Use of Force

The basic difference between the use of force and brutality is the application of the term "reasonable." Unreasonable force is brutality, which is not condoned.

Use of force authorized by law is not brutality. Officers will only use physical force after attempts at persuasion, warning, or advice have failed. The force used will be the minimum amount necessary to produce the desired results.

E. Professionalism

A professional police officer maintains the highest standards of honesty, integrity, and conduct. He knows the limits of his authority and does not resort to illegal means to accomplish his duties. He is obligated to be knowledgeable of the law and of his responsibility in enforcing it. The standards of conduct expected of police officers are greater than that expected of the public. Officers should avoid questionable behavior. Succumbing to the numerous temptations to which an officer is subjected is a sign of weakness.

In his private life, a professional police officer should exemplify the traits of stability, fidelity, and morality. In his profession, the officer should conduct himself in a manner which instills respect for the law and the police service, and inspires confidence and trust. He does not allow himself to be personally offended or become emotionally involved in any controversy. He does not accept gifts, favors, or gratuities which may be interpreted by the public as influencing his judgment or the performance of his duty.

Nothing does more to enhance the image of the police officer and the police department to elicit public cooperation than to be courteous and helpful. Officers must refrain from lecturing, scolding, humiliating, or inconveniencing the unintentional offender for minor violations; instead, they should understand. Professional behavior on the part of the officers should minimize conflict between officers and violators.

F. Personnel

Each officer plays an important role in the police department; therefore, it is incumbent upon the department to recruit the best qualified individual available. The department has a responsibility to the officer to develop a personnel program which meets the needs of its officers with regards to employment guidance, benefits, and proper placement.

Training is a continual process. The purpose is to improve the officer's performance, which in turn makes the department more effective. The Chief and the Sergeant share the responsibility for training their subordinates. In addition, it is department policy to encourage officers to pursue educational goals which will improve their job ability.

Discipline and punishment are not synonymous. A department whose officers voluntarily abide by all the rules, regulations, and orders is a well-disciplined department; however, violations require punishment. In determining disciplinary action, all circumstances will be considered.

Complaints against officers will be investigated thoroughly and objectively. Through this investigation, the rights of both officers and citizens will be protected. The contents of these investigative reports must be kept confidential.

A systematic review ensures that adopted policies and procedures are properly implemented. This review provides a method by which management identifies organizational problems.

IV. CONCLUSION

The police department has made a positive and distinctive impact on law enforcement and public safety in Cottage City. With dedication to our mission and adherence to established policies, each officer will contribute to the continued success of the Cottage City Police Department.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **THE WRITTEN DIRECTIVE SYSTEM**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department will provide clear and specific General orders, special orders, operating procedures, rules and regulations and personnel orders so that employees may perform their duties in a consistent and efficient manner. The general orders will contain the Department's Value and Mission Statements.

II. AUTHORITY

The authority to issue, modify, implement and rescind general orders and such other orders, rules, policies, regulations and instructions as may be necessary from time to time is vested with the Chief of Police in accordance with the Cottage City Annotated Code of Ordinance, Sections 11-1C and 11-1D.

III. WRITTEN DIRECTIVES

General Orders and Special Orders will be issued under the signature of the Chief of Police and will remain in effect until rescinded or revised. The General Order System will be separated into sections by their function. The Department General Orders will be issued to every sworn member of the Department in a loose-leaf binder format to facilitate the updating of orders as necessary. The General Order Manual will also be furnished to members in a Compact Disk (CD) format. Memorandums may be issued by any department supervisor and are generally valid for a specific length of time. Memorandums will be posted on the Department's clipboard or may be issued to specific individuals. Personnel

Orders will be issued by the Commission and will be furnished to every member of the Department.

IV. GENERAL ORDERS

General Orders announce the adoption or revision of a policy or policies and direct procedures Department-wide for the indefinite future. The General Order Manual is numbered in the following manner:

100-Table of Contents
200 -Introductory Information
300 -Administration
400 -Personnel
500 -Operations
600 -Records
700 -Communications
800 -General Rules of Conduct
900 -(Reserved)
1000 -(Reserved)
1100 -Special Events

V. SPECIAL ORDERS

Special Orders are used to implement policies or procedures needed to govern an objective or event that is specific and short term. These become self-cancelling after the objective has been reached**.**

VI. PERSONNEL ORDERS

Personnel Orders are issued by the Cottage City Commission and can be directed to an individual or government-wide. These orders are in the form of an ordinance and are codified accordingly in the Personnel Manual.

VII. MEMORANDUMS

Memorandums can be issued by any supervisor department-wide or to a specific individual or individuals and are specific in nature and generally specific in the length of time they are valid.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **LAW ENFORCEMENT AUTHORITY**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department is a municipal police agency established by the Cottage City Charter funded entirely by revenues from Cottage City residents. The fundamental mission of the City police department is to protect life and property within the corporate limits of Cottage City through the provision of enhances services to residents of the City beyond those police services provided by the Prince George's County Police Department. Except during assigned times under contract to certain specific neighboring communities or under the provisions of an existing M.O.U. or Agreement, it is not the mission, role, responsibility, function, nor do Cottage City police officers have the authority to provide voluntary services outside Cottage City.

Sworn officers of the Cottage City Police Department do not have the authority to initiate Police services, or provide a "police presence" outside the corporate limits of Cottage City unless directed to do so by this office, or in certain emergencies where City Police Officers are directed by a Prince George's County supervisor or dispatched by a Prince George's County Communication Center Dispatcher to assist the Prince George's County Police Department in a call for service outside the Corporate limits of Cottage City.

Cottage City police officers are vested with a wide range of authority and power granted to them by Common Law, State statutes, and the Cottage City Charter and Code of Ordinances.

II. STATUTES

A. The Maryland Code, Criminal Procedure Article, Section 2-105, authorizes an incorporated municipality in the State "To establish and maintain an adequate police force." Cottage City became an incorporated municipality in 1924. Legal References to the incorporation are located in the Cottage City Charter.

B. The Cottage City Charter, Section 18-45, authorizes the establishment of a police force and defines the general duties of the officers.

C. A "police officer" is defined in the Annotated Code of Maryland, Public Safety Article, Section 3-101, states: "'Police officer' means a person who has the authority to enforce the general criminal laws of this State and is a member of a police department, bureau, or force of an incorporated city or town."

D. Authority to enforce ordinances and laws within the contracted areas and those with Mutual Aid Agreements comes from the respective agreements with those areas.

E. Limited extra jurisdictional Authority in the State of Maryland granted under Public Safety Article 2-102, is defined in General Order 3-3. Officers should be aware that the Attorney General's Office has advised that in accordance with Article 2-102, local law enforcement agencies do not have the authority - emergency or not - to enforce traffic laws outside their area of responsibility in the absence of a specific agreement with the respective agency to do so. Cottage City does not have such an agreement with Prince George's County.

F. Although not directly related to a Cottage City police officer's authority and responsibility, officers should be aware of Article 5-309.2, <u>Courts and Judicial Proceedings</u> "Law enforcement officer acting outside jurisdiction" which reads:

   a. When not civilly liable. -A law enforcement officer acting outside the officer's jurisdiction but in the state, is not civilly liable, except to the extent that he would be if acting in his own jurisdiction, for any act or omission in preventing or attempting to prevent a crime, (emphasis added) or in effectuating an arrest, in order to protect life or property if:
      (1) The action is not grossly negligent; and,
      (2) The action is taken at the scene of the crime or attempted crime. (emphasis added)

III. POLICY GUIDELINES

A. Cottage City police officer presence outside the corporate limits of Cottage City is authorized:

1. When an officer needs assistance and a Cottage City officer is dispatched by the Prince George's County Communications Center or directed to respond by a County police supervisor.

2. In response to a mutual aid request when dispatched by the Prince George's County Communications Center or directed to respond by a County police supervisor.

3. When a Cottage City police officer observes a crime of violence, or a personal injury accident that is in the immediate vicinity of the Cottage City boundaries.

A Cottage City officer responding to these situations shall remain on the scene only until the threat of violence has subdued and/or a sufficient number of officers from Prince George's County or other jurisdiction arrive to handle the situation.

Upon the arrival of the first Prince George's County officer(s) and the immediate threat has been quelled, the Cottage City officer shall return to the Cottage City, unless specifically requested to remain on the scene by a County Police supervisor.

When a Cottage City officer responds to any of the above situations, he/she shall advise communications (when air time permits) that he/she is outside their primary jurisdiction and a Prince George's County officer must respond to handle the incident.

4. When on scheduled duty in a specific contract area. Du ring this scheduled duty, officers will hand le calls within their respective are. Except in accordance with the above policy, officer will not respond to calls in the contract area while not on duty in those specific areas.

5. On a break in accordance with established guidelines.

B. Officers who arrive on the scene of an incident requiring a law enforcement response outside of Cottage City may render necessary immediate assistance while notifying the appropriate jurisdiction.

C. In any instance in which Cottage City Officers establish citizen contact, or act, under their law enforcement authority outside Cottage City, a written Cottage City report shall be submitted.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **BOUNDARIES AND CONCURRENT JURISDICTION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. BOUNDARIES

The boundaries of Cottage City are generally as follows:

From a point at the centerline of Bladensburg Road above the northern shoreline of the Anacostia River, then south along the centerline of Bladensburg Road to its intersection with the District of Columbia at Eastern Avenue, then northwesterly to the CSX railroad right-of-way, then north along the western side of the CSX right-of way to the northern shoreline of the Anacostia River. From that point east to the origination point at the centerline of Bladensburg Road.

II. AREAS OF SPECIFIC AND CONCURRENT JURISDICTION

The Cottage City Police Department has specific jurisdiction within the boundaries of the Town of Cottage City as specified above. Within those boundaries, the Cottage City Police Department has concurrent jurisdiction with the Prince George's County Police Department.

The Cottage City Police Department also has limited jurisdiction and police authority as specified in the various Memorandums and Mutual Aid Agreements that are in effect from time to time with the Towns of Colmar Manor, Edmonston, North Brentwood and Prince George's County.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **MUTUAL AID AGREEMENTS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

On occasion the need arises to request assistance from or give assistance to a neighboring law enforcement agency. This need usually results from an emergency such as a civil disorder, fire, flood, or other situation that exceeds the capability of the local agency to counteract effectively. Generally, emergency law enforcement needs can best be served by the creation of a regional approach to law enforcement, resulting in better coordination and less duplication in law enforcement efforts. It is the policy of the Cottage City Police Department to establish and maintain mutual aid agreements in order to protect the safety and well-being of the respective municipalities. This policy pertains only to those Law Enforcement agencies that have an existing Memorandum of Understanding with the Town or this Department.

II. PROCEDURE

Generally, the legal jurisdiction of the police department stops at the Town limits, as defined by charter. The Cottage City Police Department has concurrent jurisdiction on all property owned or leased by the Maryland-National Capitol Park and Planning Commission and the CSX Railroad within the town. On April 26, 1993, State Legislatures adopted amendments to the law (Article 27, Section 594B) that granted all law enforcement personnel limited statewide jurisdiction under certain circumstances. The Cottage City Police Department adopted stringent guidelines for the implementation of this statute (General Order - Extra-Jurisdictional Authority). Law enforcement officers may transport prisoners outside the boundaries of the town and if prisoners escape while being transported, officers may pursue escapees (Article 602C, Code of Maryland).

III. MEMORANDUM OF U NDERSTAN DI NG AN D MUTUAL AID AGREEMENTS

State Code (Article 27, Section 602B) empowers local governments to enter into reciprocal agreements in order to establish and carry into effect decisive plans to provide mutual emergency assistance or to cooperate in the performance of governmental functions. Mutual aid may be requested from or provided to another law enforcement agency by the department at the discretion of the on-duty Supervisor; officers must remember, however, that their primary responsibility is providing law enforcement service to our jurisdiction.

1. Maryland State Police
   State law authorizes the Chief Executive Officer or Chief of Police to request the assistance of the Maryland State Police (Article 88, Section 4, of the Code of Maryland)
2. Prince George's County Police
   Prince George's County Police have primary jurisdiction over all county owned or leased property within the corporate limits of Cottage City. The Cottage City Police Department will assist Prince George's County Police when necessary
3. Colmar Manor Police and Edmonston Police
   The Towns of Colmar Manor and Edmonston and the Town of Cottage City have entered into a MOU. This agreement includes the short term commitment of back-up units to enhance public safety and supplement services provided by Prince George's County Police.

   a. Officer Responsibilities
      When rendering aid, Cottage City officers will assist as needed and follow the lawful orders of the Colmar Manor or Edmonston supervisor.
      In the event a Cottage City officer arrives on the scene before a Colmar Manor or Edmonston officer, he or she shall assume control until a Colmar Manor or Edmonston officer arrives.
      Cottage City personnel will adhere to agency policies and procedures and use only those weapons and tactics with which they have qualified.
      Officers may take only those law enforcement actions permitted under state law. All arrests, if possible, will be affected by Colmar Manor or Edmonston officers. Once an adequate number of units from these agencies arrive, the Cottage City officers will return to Town.
   B. Assisting adjoining jurisdictions requesting back-up units.
      In the event an adjoining jurisdiction makes a request for back-up assistance due to an officer in need of help, or similar situation, the supervisor or senior officer on duty is authorized to render assistance as needed.
   C. Requesting mutual aid
      Mutual aid may be requested by, and at the discretion of, the on-duty supervisor. Normally, outside agency personnel will be used to assist in a show of force, traffic control, mass processing of prisoners, prisoner transport, or back-up assistance.

Mutual aid is available to the Town from the Maryland State Police, Prince George's County Police, Prince George's County Sheriff's Department, Colmar Manor Police, Edmonston Police, M-NCPPC Park Police, and United States Park Police.

Available Resources:

Maryland State Police
Aviation services for medical evacuations and searches
Mobile and forensic laboratory services
Polygraph
Emergency services teams

Prince George's County Police
Aviation services for area searches
Back-up units
Canine
Forensic laboratory services
Emergency services teams for hostage and high risk entry
Prince George's County Police have primary responsibility for the investigation of all homicides, robberies, burglaries and rapes that occur within the boundaries of the Town.

Prince George's County Sheriff's Department
High-risk warrant service and entries Bloodhound

Prince George's County Fire Department
Explosive and hazardous material disposal
Missing person area searches
Water rescue

Bladensburg Police, Colmar Manor Police, Edmonston Police
Back-up units

M-NCPPC Park Police
Mounted Unit Back-up Units

United States Park Police
Aviation services for area searches

IV. REPORTING

Officers rendering or requesting mutual aid will prepare a report detailing the circumstances under which the aid was given or requested.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **RELATIONSHIPS WITH OTHER AGENCIES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of Cottage City police department to maintain open channels of communication with neighboring law enforcement agencies, other criminal justice agencies, and both public and private social service agencies. Effective liaison and open channels of communication are essential steps toward cooperation, which is the backbone of successful law enforcement. The Chief and the lieutenant are responsible for maintaining liaison with other law enforcement agencies.

II. RELATIONSHIP WITH OTHER CRIMINAL JUSTICE AGENCIES

A. It is the responsibility of all department personnel to maintain harmonious working relations and communications with the Cottage City Attorney, the State's Attorney, the Public Defender, respective Clerk's offices, local probation and parole officers, the Central Processing Unit, and any other criminal justice agencies. Members of the police department will provide all possible information, assistance, and support allowed by law to those agencies.

B. All employees of the Cottage City police department will assist and cooperate with federal, state, and local law enforcement agencies in every way possible allowed by law.

C. Any serious policy or procedural problems with the personnel of another agency will be called to the attention of the Lieutenant and/or the Chief, who will meet with. appropriate personnel of these agencies in order to resolve the problems.

D. The Cottage City Attorney is under contract with the Town. Personnel are required to obtain approval from the Chief prior to contacting the Cottage City Attorney.

E. In every contested felony or misdemeanor case other than traffic, the officer involved will meet with the State's Attorney or his assistant to discuss the case prior to trial.

F. During any police investigation, or during planning for arrests or pre-trial stages, any questions of law or criminal procedure will be addressed to the appropriate State's Attorney, or to the Chief or Lieutenant who will address the issue with the Cottage City Attorney. Questions concerning police procedure will be addressed to the Lieutenant or the Chief.

G. Criminal cases referred to the State's Attorney which result either in a decision not to prosecute or which are dismissed due to police department mishandling will be carefully reviewed and appropriate corrective action taken. The State's Attorney has been asked to call such cases to the attention of the Chief of Police.

H. The Cottage City police provide police support as required at fire and rescue scenes in the City. Liaison between the Cottage City police and the County fire department is the responsibility of the Lieutenant who will meet at least semi- annually with a fire department representative. He shall ensure that proper support is provided and that all personnel maintain harmonious working relationships.

I. The Chief attends and participates in all meetings with the State Highway Administration which address problems related to traffic safely and highway use.

J. Although no specific pre-trial release programs exist locally, the Annotated Code of Maryland, Public Safety Article § 2-102, provide a procedure for releasing persons from custody by issuing a citation under certain circumstances.

K. If a multi-jurisdictional task force is organized for the purpose of investigation or controlling criminal activity, the Cottage City police department will participate, provide information, personnel if appropriate, and cooperate in another manner as approved by the Chief.

L. The Maryland State Probation and Parole Office periodically distribute flyers to our department indication those people who are to be released into the community. This information is to be posted on the memo board and reviewed by all employees. The Lieutenant is responsible for all probation and parole activities. Any questions or problems concerning probation and parole will be brought to the attention of the Lieutenant.

III. REFERRALS

Officers of the City police department often encounter citizens, both adult and juvenile, who need specialized forms of assistance which the police department cannot give, e.g. physical abuse counseling, marriage counseling, mental health counseling, assistance in handling civil matters, etc. When in the best judgment of an officer these situations arise, the citizen should be referred to the most qualified agency to deal with the problem.

IV. LIAISON METTINGS

The purpose of these meetings is to exchange information and establish liaison with criminal justice representatives from area jurisdictions.

A. The Chief will attend the monthly Prince Georges County Criminal Justice Coordinating Commission meetings and the monthly Law Enforcement Committee meetings of that Commission.
B. The Lieutenant will attend the monthly CRLEAA meetings
C. The Chief and/or the Lieutenant will attend other liaison meetings as appropriate.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **DEPARTMENT ORGANIZTIONAL STRUCTURE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department organizational structure consists of the Office of the Chief and the Operations Division commanded by the second-in-command. Employees of the aforementioned entities will make every effort to coordinate, cooperate, and communicate with each other to ensure the highest level of Department efficiency.

II. DEPARTMENT ORGANIZATIONAL STRUCTURE

A. The Department's organizational structure is based on function, unity of command, delineation of responsibility, accountability, and the delegation of authority.

B. The explicit assignment of responsibility to any supervisory employee in the police department does not relieve any subordinate employee of the responsibility to properly carry out all orders and efficiently perform all duties assigned to that employee.

C. Except as noted elsewhere, command and control over members of the Police Department shall be exercised in accordance with the following table of titles as listed is descending order of authority:

1. Chief of Police
2. Lieutenant
3. Sergeant
4. Corporal
5. patrol Officer (senior officer on duty in absence of the above)

III. ORGANIZATIONAL CHART

A. The organizational chart depicted elsewhere in this manual denotes chain of command and intra-departmental relationships.

B. The organizational chart depicts the line of authority and communication within the Police Department. Each organizational component is under the direct command of only one supervisor. The organizational chart will be reviewed and updated as changes occur.

C. Each employee, sworn and non-sworn is accountable to only one supervisor at any given time.

D. Supervisory personnel, sworn and non-sworn, shall be accountable for the performance of employees under their immediate control.

IV. SPAN OF CONTROL

A. During normal day-to-day operations, a supervisor will have a maximum of seven (7) employees under his/her control.

B. Special emergencies (natural disasters, special events) might dictate a larger span of control.

V. AUTHORITY AND RESPONSIBILITY

A. The Chief of Police is ultimately responsible for the performance of the Police Department. To assist the Chief in accomplishing the mission, goals and objectives of the Department, employees are vested with the authority necessary to perform the duties of their assignment. Such authority may be found in general orders, the Cottage City Charter, and/or by any law or ordinance governing any employee's conduct.

B. Each departmental employee will be held fully accountable for the use of, or failure to use, delegated authority. Any employee who has questions concerning his/her delegated authority should bring such questions to the attention of his/her immediate supervisor or the Chief of Police for prompt resolution. Legal questions may be referred via the chain of command to the Cottage City Attorney.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **COMMAND STRUCTURE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. RESPONSIBILITIES OF THE CHIEF OF POLICE

The Cottage City Charter and Code of Ordinances has delegated to the Chief of Police the authority and responsibility for the management, direction, and control of the operations and administration of the Police Department.

II. CHAIN OF COMMAND

A. In the absence of the Chief of Police, command of the Police Department shall rest with the highest ranking officer available. The Chief of Police may designate a subordinate officer as "Acting Chief of Police" to perform the duties of the Chief during a temporary absence from the Department of during a period of disability.

B. The descending order of command shall be as follows:

1. The Lieutenant will be the first in line to act on behalf of the Chief.
2. Next in line will be the Sergeant.
3. Next in line will be the most senior officer of the Department.

C. If the Chief of Police does not designate a person to act in his behalf and is absent from the Department or unable to make such a designation, the Cottage City Commission shall make such designation.

D. In situations involving personnel of different functions from other departments engaged in a single operation (K-9, investigators, ERT), Cottage City officers will adhere to the direction of the highest-ranking member of the specialized unit at the scene. In all other situations, Cottage City Officers will adhere to the Memorandum of Understanding

between the Town and Prince George's County Police wherein a PGPD Sergeant or above arrives on the scene he/she will be in charge of the scene.

III. ORDERS

A. Obedience to Lawful Orders

Employees of the Department shall promptly obey any lawful orders of a superior officer. This will include orders relayed from a superior officer by an officer of the same or lesser rank.

B. Conflicting Orders

1. Superiors shall not issue any orders which they know would require a subordinate to commit any illegal, immoral, or unethical acts.

2. Employees shall not obey any order which they know would require them to commit any illegal, immoral, or unethical act.

3. Employees who are given an otherwise proper order which is in conflict with a previous order, rule, regulation, or directive shall respectfully inform the superior officer issuing the order of the conflict. If the superior officer issuing the order does not alter or retract the conflicting order, the last given order will stand. Under the circumstances, the responsibility for the conflict shall rest with the superior officer. Employees obeying the conflicting order will not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.

IV. DEPARTMENT STAFF MEETINGS

The Chief of Police or his designee will conduct regular meetings with Department staff at all levels for the purpose of coordinating activities and enhancing the flow of information between all employees.

A. The Chief will meet with supervisory staff bi-weekly or at other convenient times.

B. Department meetings involving all police personnel will generally be held twice annually.

C. Additional meetings may be scheduled as necessary. The Chief will preside over all meetings and those in attendance will have the opportunity to raise questions and discuss matters of interest and concern.

D. Meetings generally will be held in the police conference room and minutes of the meeting will be typed and disseminated to supervisors to brief personnel under their command of topics discussed and any decisions reached.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **AUTOMATED ENFORCEMENT SYSTEM**

NEW <u>REVISED</u> RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

POLICY

The Cottage City Police Department operates an automated photo enforcement section on behalf of the Town of Cottage City which is designed to capture images of vehicles that fail to stop for red traffic signals in violation of the Maryland Transportation Article,§ 21- 202 (h). This is a state sanctioned safety program authorized under Maryland Transportation Article § 21- 202.1, intended to reduce the frequency of red light running and collisions throughout the state. There are currently two (2) red light cameras located at Bladensburg Rd. and 41ST Avenue and at Bladensburg Rd. at 38TH Avenue.

It is the policy that the Cottage City Police Department will issue civil violations to the registered owners of all vehicles who are photographed failing to stop at red traffic lights.

PROCEDURES

I. Vehicles that are photographed committing a violation of Transportation Article § 21-202 (h) and (j) will be reviewed by an employee of the police department, either sworn or civilian who will ensure that all the information necessary to issue a citation is correct.
   a. Only members of the department who have been properly trained and authorized will be permitted to approve and issue red light camera citations.
   b. An authorized Department employee is one who has been trained, certified, and has the proper log-on from the Maryland State Police CJIS to access the NCIC and MVA computer system and has an official pre-printed signature and ID number available to be inserted electronically onto the on the approved citation.

II. Once a series of four (4) photographs of the violation have been examined and the approving member is satisfied that a violation of T.A. § 21- 202 {h) or (j) has been committed the citation shall be approved and sent to the violator.

a. The approved violation citation will be mailed via First Class US Mail by the authorized vendor to the registered owner of the vehicle who shall have the option of paying the pre-set fine or contesting the violation in District Court. Unpaid citations will be subject to the Maryland MVA flagging program or collections or both.

b. Maryland Law provides that the only exemptions for violations are short-term rental vehicles, dealer-owned vehicles displaying dealer tags, authorized emergency vehicles responding to a report of an emergency or vehicles that must yield to a responding emergency vehicle and vehicles in a funeral procession. Approving members will make every effort to ascertain if the offending vehicle falls into one of these categories.

III. Members will instruct the violator to view their citation and select a payment method via the Department's secure web site, if possible at: www.violationinfo.com where credit card payments can be accepted

IV. All members of the Department will be courteous and provide the necessary information to persons who respond to or call the station with questions or concerns about the red light camera program, however some information is proprietary in nature or may be a discovery request and therefore subject to the Freedom of Information Act (FOIA).

A. Complete guidance and instructions for the operation of the photo enforcement system is contained in the Automated Photo Enforcement Manual located in the station. This manual details the approval process and the methods employed in spoiling or voiding a citation. The manual also explains the process for re-issuing a citation to another operator after receipt of a notarized affidavit.
B. The manual also explains the process for scheduling cases for court, adjusting fines imposed and entering dispositions after the trial. It further explains the methods of posting payments, issuing receipts and MVA form VR-119, flag release, to violators.
C. Members who are attending trial in District Court and representing the Town shall be attired in either the uniform of the day or suitable business attire so as to present a neat and professional appearance. Members shall hand deliver the court case jackets to the Clerk's Office at least one (1) week prior to the scheduled trial date.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **ORGANIZATIONAL STRUCTURE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department has a limited number of personnel and thus its organization is limited by its size. The Chief of Police has overall authority and responsibility for the Department, both in supervision and direction however there exists a rank structure within the Department that permits closer supervision and clearer lines of authority and responsibility.
No member will be directly responsible to more than one superior at one time.

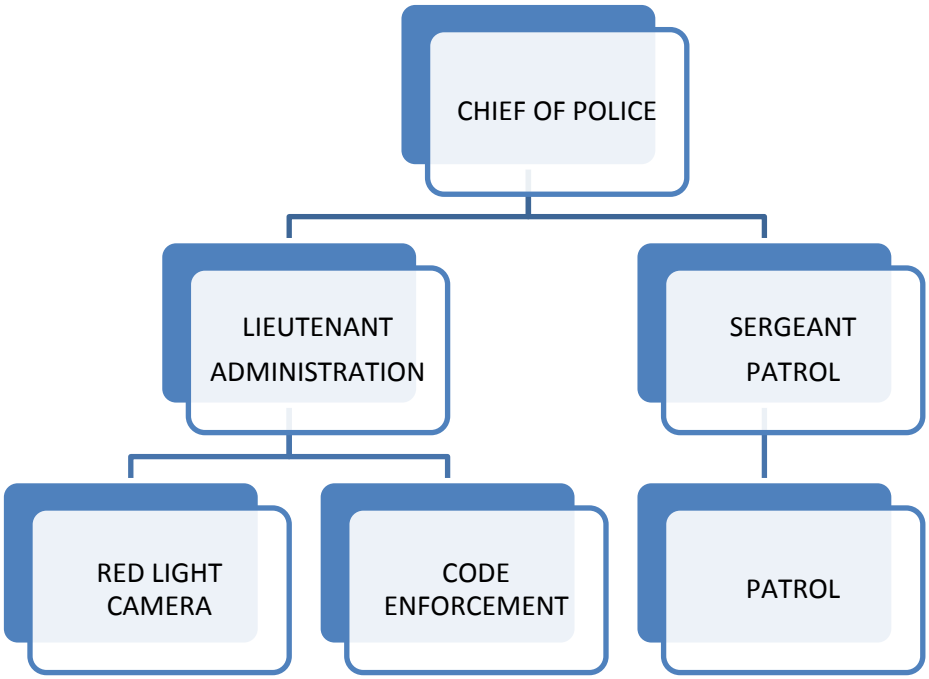
II. STRUCTURE

The Department's rank structure consists of a Chief of Police, a Lieutenant, a Sergeant, Corporals, Private First Class (PFC's) and Officers of a number that is approved from time to time by the Cottage City Commissioners. The Lieutenant shall be in command of the administrative operations, which includes the photo- enforcement section and the Code Enforcement section. The Sergeant will command the patrol sections and have responsibility for the proper scheduling of officers.

Attached is an Organizational Chart depicting the above lines of authority.

COTTAGE CITY POLICE DEPARTMENT

ORGANIZATIONAL CHART



COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **GENERAL ADMINISTRATION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Effective and efficient administrative practices and procedures in the Cottage City Police Department will help ensure that appropriate information flows when and where needed and that management decisions are based on the best available information. In addition, coordinated administrative activities will reduce the possibility of duplication, overlap, possible gaps and wasted effort. Accordingly, all employees must be aware of the general administrative practices and procedures of the Department.

This General Order describes the general administrative practices and procedures of the Cottage City Police Department which are not described elsewhere.

II. PROCEDURES

A. Management Information System

The Department's management information system includes the flow of information, written and oral, between individuals and the Chief's office which facilitates and provides information to be used in management decision-making.

1. Information may flow in a variety of forms, be stored in several places and formats, and may be utilized by different departmental and City employees in various ways. To avoid duplication, overlapping, gaps, or wasted effort, it is important that all employees have an understanding of and support the Department information system.
2. The management information system includes reports relating to personnel activities and needs used _i n predicting workload, determining manpower and

resource needs, and in budget preparation. The system includes information as to the effective accomplishment of the law enforcement function such as offenses, incidents and arrest reports, statistical and data summaries of specific department activities, dispatch records, Uniform Crime reporting, etc.

3. The management information system incorporates both manual and computerized systems to prepare, store, and make available needed data.

B. Administrative Reporting Program

The Department's administrative reporting program is designed to provide information concerning activities of the Department, ensure communication of information up the chain of command, and periodic comparative and summary data.

1. Daily Reports

   a. Each officer is required to provide daily information concerning activities performed during the duty tour and subsequently documented on a Daily Activity Report (DAR). In addition, officers provide a variety of types of information to those who record/process traffic hazards, lights out, signs down, Public Works matters, patrol observations, incident disposition, etc.
   b. Each officer is also required to provide information concerning any activities which may require the attention of subsequent shift. This information can be exchanged during shift change or put into an Inter- Departmental Memorandum format and placed on the Departmental Memo clipboard.

2. Memorandum Reports

   Memorandum reports are prepared as required or on a need basis, concerning any unusual police incidents, response to inquiries, or suggestions. Such reports may be prepared at the initiative of individual officers, or at the direction of the Sergeant, and are usually sent through the chain of command to the Chief of Police.

3. Monthly Reports

   Monthly reports are prepared by the Administrative Assistant, the Code Enforcement Officer for forwarding to the Cottage City Commission through the Chief of Police. The monthly reports provide an opportunity to account for activities, to discuss administrative matters, highlight achievements or problems, provide comparative data; establish objectives for the next report period, etc.

4. Miscellaneous Reports

a. As-required reports are prepared by individuals assigned or participating in significant departmental activities and submitted to the Sergeant for approval and distribution to the appropriate units/personnel.

b. Annual reports are prepared by the Administrative Assistant for the Chief of Police. These reports may summarize the monthly reports and should provide comparative data and statistics which account for the activities of the Department.

C. Forms Management/Accountability

The forms management function is designed to ensure that only necessary and essential forms are retained in use and that all others are eliminated.

1. The Sergeant is responsible for keeping a list of all departmental forms in use, assigning form numbers, and monitoring the need for a particular type of form. Since the use of a form is usually described in a policy or procedure, the Chief of Police will carefully analyze the use of any new form at the time the related policy is approved.

2. Once a form has been adopted and is in use, each employee has a responsibility to ensure that sufficient forms are available for use prior to each tour of duty. The need for copies of forms shall be addressed to the Sergeant who is responsible for ensuring that a sufficient stock of forms is procured and maintained to meet departmental needs.

3. Accountability must be maintained for certain departmental forms which are pre-numbered, such as the Maryland Uniform Traffic Complaint and Citation. These are published in books of 25 each. A book is withdrawn from the secured storage area by the Sergeant and given to the officer who will complete the attached receipt, photocopy it, mail the receipt to MVA and place the photocopy in the Sergeant's mailbox. The Sergeant will maintain a log of all issued state citation books. Each officer is accountable for each form in the book and must either properly issue each numbered form or may, if necessary, seek to void the issued form in accordance with established department policy. Officers must ensure that they have sufficient forms on hand at the beginning of each tour of duty. Forms will not be loaned to or borrowed from another officer.

D. Departmental Written Directives System

The formal written directives system of the Department is designed to ensure that employees have a clear understanding of the expectations and constraints relating to performance in Departmental activities and duties. Information pertaining to written directives in use within the Department includes:

1. General Orders describe permanent directives concerned with policy and procedures.

2. Rules and Regulations. Rules relate to the conduct of an individual and regulations define, to some extent, the duties and responsibilities of the individual. These rules are inflexible, rigid, and definite and will be complied with by every member of the Department. Disciplinary sanctions will be applied for violation of rules.

3. Policy generally provides flexible guidelines while giving the employee the generally accepted departmental ways of acting and a framework within which to make decisions.

4. Procedures are the normally accepted step-by-step ways of doing a particular task and usually are used for training new employees or for introducing new or revised methods to all.

5. Compliance with policies and procedures is usually expected unless good reasons exist for not doing so. It will be the responsibility of any employee choosing non-compliance to justify such non-compliance.

6. The intent of words such as "will," "must," "should," and "shall" in any General Order is to be directive and to mandate a particular action. Words such as "may," "can," and "usually" are less directive and imply a degree of choice.

7. Department memoranda, generally addressed to "All Personnel" and signed by the Chief of Police, are aimed at providing information, opinions, guidance, or orders concerning a particular subject or event. Frequently self-canceling after a particular event, those that have general application will be included in a subsequent revision of related General Orders.

8. Memoranda can also announce changes in the status of personnel such as transfer, promotion, special assignment, additional duties, etc.

9. Other memos, interoffice routing slips, training materials, etc., are used within the Department to communicate inquiries and information among and between individuals. The may be Issued by any appropriate Officer.

E. Non-departmental Written Directives

Non-departmental written directives, with which members of the Department must comply, include:

1. Federal law and mandates, including the Constitution of the United States.

2. State law and mandates, including the Constitution of the State of Maryland and the Annotated Code of Maryland.

3. City Code of Cottage City and other City directives including, but no limited to, City policies relating to personnel, purchasing, finance, inventory control, City plans such as emergency/disorder operation plan, etc.

F. Department Staff Meetings

Periodically, a staff meeting will be conducted at which topics of interest are discussed. Another purpose of this meeting is to highlight achievements or problems, provide information concerning forthcoming activities or events, discuss needs, requirements, or changes, provide feedback concerning policy, General Orders or directives and, in general, to share information. All employees have an opportunity to speak and should feel free to comment at any time on any matter under discussion.

G. Department Correspondence

1. Usually, correspondence prepared on behalf of the Department to individuals or agencies outside the department will wither be signed by the Chief or the Lieutenant for the Chief of Police. Correspondence will be reviewed by the Chief for style, format, and accuracy prior to signature.

2. Correspondence between individual members of the Department and individuals of other agencies will be signed by the individual member. Such correspondence should reflect the desired high standards of this Department in terms of style, format, and accuracy.

3. Department letterhead stationery and envelopes will only be used for official departmental purposes.

H. Department Files Plan

1. The Department filing system provides a means of locating previous correspondence. A file copy will be retained and properly filed of each piece of departmental correspondence sent. Correspondence received within the Department will, similarly, be filed when necessary action has been completed.

2. An officer is designated with the collateral duty of being responsible for the filing system and maintenance of those files. Officers may maintain convenience files of relevant correspondence; but will attempt to avoid duplication of files maintained elsewhere and will ensure that record copies of departmental correspondence are maintained in departmental files.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **MEDIA RELATIONS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

POLICY

One of the first and most fundamental considerations of the nation's founders in drafting the Bill of Rights was to provide for a free press as an essential element of the First Amendment to the Constitution. They realized that a well-informed citizenry is vital to the effective functioning of a democracy. Police operations profoundly affect the public and, therefore, arouse substantial public interest. The police should make every reasonable effort to serve the needs of the media in informing the public about crimes or other police problems. This should be done with an attitude of openness and frankness whenever possible. The media should have access at the lowest level in a department to personnel who are fully informed about the subject of a press inquiry. Further, they should be told whatever that will not impinge on a person's right to a fair trial, impede a criminal investigation, imperil human life, or seriously endanger the security of the public.

In all other matters dealing with the media on current news, every member of the department should make every reasonable effort consistent with accomplishing the police task in providing the media representatives with full and accurate material.

PURPOSE

The purpose of this directive is to provide guidelines as to types of information which may be released to media representatives, to specify some types of which may not be released, to identify who may release information, and to establish procedures for media relationships with the department.

PROCEDURES

A. General:

1. The department is committed to informing the community and the news media of events within the public domain that are handled by or involve the department.
2. The public information function includes:
   a. Assisting news personnel in covering routine news stories and at the scenes of incidents.
   b. Responding to news media inquiries, in person or telephonically.
   c. Preparing and distributing news releases.
   d. Arranging for news conferences as required or requested.
   e. Releasing information about victims, witnesses, and suspects as allowed by law provided that the release of the information does not compromise any investigation.
   f. Coordinating and authorizing the release of information concerning confidential departmental investigations and operations.
3. All employees of the department have individual responsibilities concerning the release of information.
4. The chief of police will function as the primary contact for information dissemination to the community and media.
5. Inquiries concerning departmental policies, procedures, practices or relationships with other criminal justice agencies will be referred to the chief of police. Similarly, the chief of police will coordinate all responses to inquiries or release of information pertaining to departmental involvement with other public agencies (e.g. fire department, medical examiner, State's Attorney).
6. The chief of police shall coordinate responses to inquiries and release of information concerning confidential departmental investigations and operations.

B. Information that is not releasable.

1. The following information will not be released due to 61 Amendment, statutory or other restrictions.
2. The identity of victims of sex related crimes.
3. The identity of any suspect for whom a warrant or summons has not been issued or an indictment returned.
4. The existence of any criminal record or any information concerning the character or reputation of the accused or remarks that end to establish the defendant as a professional criminal.
5. The existence or contents of any confession, admission, or statement of the accused.

6. The performance of any examination or test by the accused or the refusal or failure to submit to an examination or test.
7. The identity of any actual or potential witnesses to crimes, other than the victims as mentioned above, or comments on the expected testimony or credibility of any witness.
8. Any opinions as to the innocence or guilt of the accused, the merits of the case, the possibility of any plea or negotiations or the value of any evidence.
9. The identity of any juvenile arrested who has not been certified by the Circuit Court and an adult.
10. The names of deceased persons before the notification of next of kin.
11. Information relating to motor vehicle accident reports specifically prohibited by Maryland Law.
12. Comments which suggest that the defendant has aided in the investigation.
13. Information concerning the planning of raids, the execution of search warrants or other specialized enforcement efforts.

C. Release of information pertaining to juveniles.
1. Criminal Offense - Normally, juvenile's name, address, or other distinctly unique information which would serve to identify a juvenile SHALL NOT be released. The age, sex, place of residence and details of the offense MAY be released. Under certain circumstances, a judge may authorize the release of identity information
2. Traffic violations, except for those listed below which are classified as misdemeanor crimes, any information including name, address, etc., is fully releasable.
3. Accidents in which traffic charges are or may be placed as a result of an accident investigation, juvenile identity information will be withheld.
4. Any traffic offense which is a mandatory court appearance and cannot be prepaid, and therefore classified as a misdemeanor or for which the juvenile has been indicted the juvenile's identity SHALL NOT be released.
5. The identity of juvenile victims of sex crimes SHALL NOT be released.

D. Crime or Incident information release
1. Crime or incident information to be released to the media upon request includes:
2. The type of crime or event and when and where it occurred, to include a brief synopsis of known facts concerning the incident.
3. The identity of the victim(s) or the name of the person who reported the crime. If the victim or complainant requests that his or her name not be used in the media, this request will be given to the media. The media are obligated to honor this request.

4. Information concerning property loss, physical injuries or deaths - provided the next of kin have been notified.
5. Information concerning the type or length of investigation.
6. Information concerning the existence and physical description of suspects may be released.
7. If a warrant has been executed then the name, address and description will be released. If a warrant has been issued but not executed and the officer believes that the public may provide information to assist in locating the person, this information may be released.

E. Release of individual arrest information

After the arrest of a person other than a juvenile, the following may be released upon request to the media:

1. The arrestee's name, age, residence and other factual background information.
2. The nature of the charge upon which the arrest was made.
3. The identity of the investigative agency of the police department and any assisting agencies.
4. The circumstances surrounding the arrest, including the place of arrest and the identity of the arresting officer(s).
5. The custody status, if known.
6. The date(s) of various court hearings.
7. Photographs of the defendant(s) without the police identification data may be furnished if readily available in current files.

F. Names of police officers

The names of police officers providing information to the media may be given to the media and published, unless the officer(s) involved are in an undercover assignment. The addresses and telephone numbers of police personnel will not be released.

G. Media contacts and procedures

1. Normally, media representatives either visit the department in person or call seeking information about newsworthy items. Routinely, they should be referred to the chief of police.
2. As a rule, media representatives will not read the offense report since non-releasable information may be on the report (e.g. suspect information or the names of sex crime victims). Offense reports and accident reports should be carefully checked concerning the involvement of juveniles before releasing information.

3. At the scenes of major fires, natural disasters, or other catastrophic events, or at crime scenes, officers shall establish perimeters and control access. Any such limitations should be clearly explained to media representatives, preferably in meetings before any emergencies arise, by sending editors and commissions' copies of this policy. News media representatives should not interfere with law enforcement operations at the scene of an incident. AS soon as possible, however, media representatives should be assisted in gaining access to the scene when it will not interfere with the law enforcement mission. Officers may deny access for legitimate investigative or safety reasons; additionally, they may not authorize the media to trespass onto private property. The media representative is responsible for obtaining any permission necessary once the Law enforcement mission allows access to the scene on private property.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PLANNING AND RESEARCH**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department performs a variety of planning and research functions, such as analysis of reported crimes and requests for service, departmental planning and budgeting, liaison with other criminal justice agencies, and developing operational procedures and policy guidelines. These functions and related activities are performed by public safety personnel and supervisors under the direction of the Chief of Police.

II. PROCEDURES - GENERAL

The Supervisors report directly to the Chief of Police. Their duties and responsibilities include but are not limited to the following:

A. The development and implementation of evaluative techniques to assist the officers in achieving departmental objectives;

B. The evaluation of established procedures;

C. The review of resources in terms of personnel, finances, and equipment to determine if they are adequate to meet public safety objectives;

D. The provision of recommendations for improving management efforts

E. The conduct of a wide variety of studies to include clerical, administrative, technical, and operational aspects of the police department.

III. PROCEDURES- SPECIFIC

Planning and research functions are performed under the direct supervision of the Chief of Police and include, but are not limited to, the following types of activities:

A. Crime analysis is a function of the Chief of Police.

B. Operational planning is a function shared by the Chief and the Supervisors. In addition to day-to-day operational planning, standard operation procedures are developed and maintained, preventative patrol activities are designed, and policies and procedures known as general orders are researched and published. General orders are continuously reviewed for content, timeliness, legality, etc.

C. Budgeting is the responsibility of the Chief, with input from staff and supervisors.

D. Scheduling and the development of staffing alternatives is the responsibility of the Sergeant.

E. Uniform crime reporting is the responsibility of the Chief of Police

F. Traffic accident and enforcement analysis is performed by the Chief of Police.

G. Forms development and modification is the responsibility of the supervisory staff. Forms that are modified, added, or deleted are reviewed by the Supervisors and approved by the Chief.

H. Although specific responsibilities are assigned, this does not preclude and in fact encourages input from officers. As such, there is a wide variety of information available to officers including the Maryland State Code, IACP model policies, and the policies of several police departments. This information can be reviewed by contacting the Sergeant or the Chief. Further, the Chief is always available to discuss changes, additions, or deletions in policy with the officers.

IV. ANALYTICAL REPORTS

A. Several monthly analytical reports are prepared for the town including: Police Activity, Traffic, and Code Enforcement. These reports are made available to the officers by placing them on the Patrol Memo clipboard. In addition to being reviewed by supervisors, officers are encouraged to review them as they develop patrol and enforcement patterns.

B. Monthly report summaries are prepared by the police for activity in the contract areas and are available for review by posting them in the Patrol Memo Clipboard.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **RECEIPT OF CASH/CHECKS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of this department to accept money orders for fines, vehicle impounds, copies of reports, etc.

II. PROCEDURES

A. Station clerks and police officers may accept money order only payment for fines, vehicle impounds, copies of reports, etc.

B. A numbered receipt imprinted with the name and address of the police department will be issued for each payment received.

1. The original of the receipt will be given to the person making the payment.

2. The payment will be attached to the yellow receipt and placed in the lock-box to be delivered to the Town Treasurer.

3. The pink receipt will remain intact in the receipt book to ensure continuity.

4. At the beginning of each month, all receipts and monies collected will be totaled and delivered to the Town Treasurer on a Monthly Fines and Fees Report.

C. As receipts are received, the Town Treasurer will ensure that the payment received equals the amount shown on the receipt. A signed copy of the Monthly

Fines and Fees Report will be returned to the department confirming the total received.

D. The Town Treasurer will conduct a quarterly accounting of payments received by the police department. An independent outside auditor will conduct an annual audit of funds received and disbursed by or on behalf of the department and the Town.

E. The Chief of Police will disburse funds to members as necessary from a petty cash fund for miscellaneous expenses. Any expenditure in excess of $500 requires approval of the Chief of Police and authorization of at least 3 Commissioners.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PUBLIC INFORMATION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

One of the first and most fundamental considerations of this nation's founders in drafting the Bill of Rights was to provide for a free press as an essential element of the First Amendment to the Constitution. They recognized that a well-informed citizenry is vital to the effective functioning of a democracy. Police operations profoundly affect the public and therefore arouse substantial public interest. Likewise, public interest and public cooperation bear significantly on the successful accomplishment of any police mission.

Full cooperation between the news media and law enforcement agencies in the prompt and accurate dissemination of information to the public is a continuing goal and the policy of the Cottage City Police Department. This procedure is intended to protect the delicate balance of rights and duties of both the new media and the police. It also provides the basic controls required by the police department to protect its own physical security, the security of its employees, and the rights of suspects, those arrested, and witnesses related to a crime or other police-related incident.

II. PURPOSE

The purpose of this General Order is to establish guidelines and procedures for the release of public information and the department's commitment to community relations. This policy is designed to foster a relationship of mutual trust, cooperation, and respect.

III. PUBLIC INFORMATION COMMITMENT

A. General public

The public has an abiding interest in law enforcement and in the activities of the Department. Members of the public frequently direct inquiries to the Department seeking information on a variety of subjects. While it is the aim of the Department to fulfill such requests, it is not always possible to do so. Whether to release information or to grant interviews will be determined according to the facts of each case and prevailing laws regarding the release of information.

B. News media

The Department actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest in a way that does not hamper police operations; however, certain information must be withheld for the news media to protect the constitutional rights of victims, witnesses, or the accused; avoid obstruction of an ongoing Department investigation; or because it is legally privileged.

IV. PUBLIC INFORMATION FUNCTION

A. The Cottage City police have established an overall public information function which is structured to accommodate the news media for potential situations that are newsworthy.

B. The Chief of Police will function as the primary contact for information dissemination to the community and new media.

1. Information from agency files concerning Departmental plans, policies, or administrative changes shall be released by the Chief of Police or his designee. These officials shall assist the media whenever they are contacted.
2. The dispatchers will usually only provide basic information to the news media, since to do more would interfere with the performance of their primary tasks. Dispatchers will route such requests to the appropriate on-duty officer.

3. Information related to investigations where public disclosure would interfere with the investigation, the apprehension of

suspects, or the rights of suspects, will be withheld from public disclosure.

C. To foster cooperation and mutual respect between the news media and the Department, the public information function will include, but is not limited to:

1. Assisting news personnel at the scenes of incidents and in covering routine new stories;

2. Maintaining availability for on-call responses to the news media;

3. Preparing and distributing Department news releases;

4. Arranging for, and assisting at, news conferences and/or cable television broadcasts;

5. Coordinating and authorizing the release of information about victims, witnesses, and suspects according to Department policy;

6. Assisting in crisis situations that affect the Department;

7. Coordinating and authorizing the release of information concerning confidential investigations and operations following Department policy;

8. Developing procedures for releasing information when other public service agencies are involved in a mutual effort.

V. PRESS RELEASES

A. Press releases shall be prepared as required by specific occurrences in the Town or to address specific issues or concerns of the agency department.

B. Information about cases and statistics will be available from the department according to this General Order when requested by the media.

C. Dissemination of information to the news media will be accomplished in a manner to ensure its equal availability to all news media members.

Generally, press releases will be available at the City Administrative Office and the police department.

D. When making a news release in which other agencies have been involved, credit will be given to those agencies.

E. The agency having primary jurisdiction will be responsible for coordinating the release of information.

VI. NEW MEDIA PERSONNEL

A. Members of the department shall require adequate identification of media representatives before permitting access to controlled or secured areas. For the purpose of this General Order, media representatives shall include reporters, photographers, camera operators, and other media personnel.

B. The department does not issue credentials to media representatives, but instead relies on media organizations to supply appropriate identification. If, for some reason related to the conduct of a media representative, an officer feels an individual no longer should be granted press privileges, the officer shall notify the Chief of Police in writing via the chain of command. The Chief of Police will decide whether contact with the media organization is appropriate and whether action equivalent to the "revocation of credentials" should be explored.

C. Officers should recognize the need for reporters and photographers to be present at scenes of police-related incidents. Police officers must remain aware of citizens' rights to accurate, timely information concerning incidents requiring police response. Therefore, police officers at crime or other incident scenes must cooperate with members of the news media consistent with this General Order. Members of the media will be allowed the necessary and sometimes additional freedom to complete their tasks, provided that freedom does not interfere with the performance of the police function.

D. At the scene of a police-related incident, whether a crime scene or incident of another nature, (i.e., major fire, natural disaster, serious accident, or other catastrophic event) the police have an obligation to preserve the integrity of the scene, to gather evidence, and assist injured victims. Accordingly, police personnel should define the crime scene area, while investigation, evidence collection, and related activities are

on-going and restrict the media from those areas so as not to interfere with law enforcement operations.

E. After the police have completed their tasks, media representatives will be allowed to ask questions and take photographs of the scene. Taking photographs at scenes of incidents, crimes, or accidents will be done at the discretion of the new media, who will assume full responsibility for the use of such photographs or film. Should an incident take place on private property, news media representatives may be permitted on the scene upon completion of the investigation with the permission of the owner or person legally responsible for, or in control of the property.

F. News media representatives are prohibited from photographing individuals in custody within the confines of police facilities. Photographing of individuals in custody outside those facilities is permitted.

G. Any problems encountered by either police personnel or media representatives in carrying out the provisions of this General Order should be reported in writing to the Chief of Police via the chain of command.

H. Before any changes are made in this General Order, the news media will be contacted and allowed to make any suggestions that will help them in their daily work.

VII. RELEASE OF INFORMATION

A. The following information will not be released:

1. The identity of victims of sex-related crimes;

2. The identity of any suspect for whom a warrant or summons has not been issued or indictment returned;

3. The existence of any prior criminal record or any information concerning the character or reputation of the accused or remarks which tend to establish the defendant as a "professional" criminal;

4. The existence or contents of any confession, admission, or statement of the accused;

5. The performance of any examination or test by the accused or the refusal or failure to submit to an examination or test;

6. The identity of actual or prospective witnesses to crimes, other than the victim as mentioned above, or comments on the expected testimony or credibility of any witness;

7. Any opinions as to the innocence or guilt of the accused, the merits of the case, the possibility of any pleas or negotiations, or the value of any evidence;

8. The identity of any juvenile arrested who has not been certified by the Circuit Court as an adult. NOTE: A judge may authorize release of juvenile identity information when the crime is a felony or the juvenile is sentences as an adult.

9. The names of deceased prior to the notification of next of kin;

10. Comments which tend to suggest that a defendant has aided in the investigation;

11. Information concerning the planning of raids or other specialized enforcement efforts;

12. Information which would hinder, impedes, or otherwise interferes with an on-going investigation.

B. Release of information pertaining to juveniles

1. Criminal offense - The juvenile's name, address, or other distinctly unique information which would serve to identify a juvenile may NOT be released. Age, sex, city of residence, and details of the offense MAY be released; however, under certain circumstances, a judge may authorize release of identity information.

2. Accidents - If traffic charges are or may be placed as a result of an accident investigation, juvenile identity information will be withheld.

C. Crime or incident information to be released upon media request includes:

1. The type of event or crime, when and where it occurred, including a brief synopsis of facts concerning the incident;

2. The identity of the victim and/or the name of the person who reported the crime. In the event the victim or reporting person requests that his name not be used in the media, this fact will be given to the media.

3. Information concerning property loss, physical injuries, or death, after notification of next of kin;

4. Information concerning the type and length of investigation;

5. Information concerning the existence of suspects may be released, if it is felt that public assistance is needed for the location of a suspect or evidence.

6. If a warrant has been executed, the name, address, description, etc., of that person will be released. If a warrant has been issued but not executed, and it is anticipated that the public may provide information to help in locating the person, this information may be released.

D. After an arrest of an individual, other than a juvenile, the following may be released upon media request:

1. Defendant's name, age, residence, and other factual background information;

2. Nature of the charge upon which the arrest is made;

3. Identity of any assisting agencies; Circumstances surrounding the arrest, including the place of arrest and the identity of the arresting officers;

4. Custody status;

5. Dates of various hearings;

6. Photographs of the defendants without the police identification data may be furnished, if readily available in current files.

7. E. Names of officers providing information to the media may be given to the media and published, unless the officer(s) involved is in an undercover assignment. Addresses and telephone numbers of the police personnel will not be released.

VIII. SIGNIFICANT EVENTS

Notifications of pol ice and town officials concerning significant events will be made in accordance with other orders and town protocol.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **THE ACCREDITATION PROCESS**

NEW <u>REVISED</u> RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. The Cottage City Police Department believes that law enforcement is indeed a profession, and because the Department seeks to continuously improves itself and the quality of the services that its members provide; it is the policy of the Department to commit itself to the accreditation program.

B. The accreditation program for law enforcement agencies is a joint effort of the Commission of Accreditation for Law Enforcement Agencies (CALEA) and four major law enforcement executive membership associations: The International Association of Chiefs of Police (IACP), the National Organization of Black Law Enforcement Executives (NOBLE), the National Sheriffs Association (NSA), and The Police Executive Research Forum (PERF).

C. CALEA was formed to develop an accreditation process that provides law enforcement agencies an opportunity to demonstrate voluntarily that they meet an established set of professional standards.

D. The several hundred professionally developed standards are designed to: (1) increase law enforcement agency capabilities to prevent and control crime; (2) increase agency effectiveness and efficiency in the delivery of law enforcement services; (3) increase cooperation and coordination with other law enforcement agencies of the criminal justice system; and (4) increase citizen and employee confidence in the goals, objectives, policies, and practices of the agency.

II. DEPARTMENT NETWORKING

The Department is an advocate for accreditation through its membership in the Chesapeake Region Law Enforcement Accreditation Alliance (CRLEAA).

Whenever possible, the Department's Accreditation Manager will attend CRLEAA network meetings and training sessions to keep abreast of items of interest pertaining to accreditation.

A. The Department's Accreditation Manager is the Administrative Assistant, who shall, among other duties, maintain liaison with other law enforcement agencies. The Department, when called upon, will assist other agencies in their pursuit of accreditation.

B. The Department will strive to have the Accreditation Manager and the Chief attend one CALEA conference each year.

III. PROCESS FAMILIARZATION

A. During the "self-assessment" phase associated with initial accreditation, all Department personnel will be provided with information designed to familiarize them with the accreditation process.

B. Just prior to an "on-site" assessment and each re-accreditation, all Department personnel will be provided with information designed to familiarize them with accreditation 'on-site' assessment.

C. All newly hired personnel of the Department (sworn and non-sworn) will tie familiarized with the accreditation process within a reasonable period after their employment begins.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **SELECTION OF PERSONNEL**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department's selection process will be administered by the Chief of Police, under the direction of the Commissioners.

II. SELECTION PROCESS COORDINATION

A. Chief of Police's Responsibilities

To the extent required to administer the Department's selection process, the responsibilities of the Chief of Police include, but are not limited to:

1. Ensuring compliance with all Maryland Police and Correctional Training Commission regulations and standards relating to selection;

2. Ensuring compliance with all applicable CALEA standards relating to the Department's selection process;

3. The review, distribution, and placement of all job announcements;

4. The reviewing of all background investigations upon their completion;

5. The formulation and scheduling of oral interviews;

6. Interviewing prospective candidates, and;

7. Recommending to the commission that a conditional job offer(s) is made pursuant to the provisions of the Americans with Disabilities Act.

8. Scheduling candidates for pre-placement medical examinations, physical fitness examinations, and emotional stability assessments, and communicating their results to the Commission.

B. Commission's Responsibilities

The Commission will be responsible for, among other things:

1. Working with the Chief of Police to implement the Department's selection process;

2. Ensuring compliance with all applicable laws relating to personnel;

3. Making conditional job offer(s) to successful candidates pursuant to the provisions of the Americans with Disabilities Act.

4. Approving recommendations for employment and making job offers to successful candidates.

C. Selection Process Manual

1. Comprehensive manual pertaining to the Department's selection process is maintained by the Department, the purpose for which is to describe all of the elements, activities, procedures, and methods by which the selection process will be administered.

2. Notwithstanding the applicability of laws and City policies with which the Department's selection process must comply, the Selection Process Procedures Manual is an official guide intended to ensure that all parts of the selection process are administered fairly, uniformly, and consistently.

3. To ensure compliance with the Americans with Disabilities Act of 1973, the Selection Process Procedures Manual will contain information from both acts relating to recruitment, application procedures, and selection.

III. THE SELECTION PROCESS

A. Process Validity

1. All elements of the Department's selection process use only those rating criteria and minimum qualifications that are job related.

2. Based on the Department's needs, and Maryland Police and Correctional Training Commission standards, the Department will validate its process through content validation, which is the justification of a component of the selection process by showing that it measures a significant part of the job.

3. The Department will ensure that all elements of the selection process will be valid and non-discriminatory.

B. At the time of formal application, candidates are informed, in writing, of:

1. All elements of the selection process;

2. The expected duration of the selection process;

3. The department's policy of re-application, and re-evaluation of candidates not appointed.

C. Uniform Administration of Process

Through the monitoring of all phases of the process, and by training Department personnel involved in the process, all elements of the selection process will be administered, scored, evaluated, and interpreted in a uniform manner.

D. Use of Minority Personnel to Assist With the Process

1. Whenever possible, Department personnel, representative of race, sex, and ethnic groups in the Department's service area will be included in participating on interview boards, and other personnel- related activities.

2. Department personnel who will participate in the administration of the selection process have or will receive training relative to the process.

E. Secure Storage of Process Materials

1. When selection materials are not in use, they will be securely stored, and will not be left unattended.

2. If and when selection materials are to be disposed of, the disposition will be performed in a manner that is appropriate and that prevents disclosure of the information contained therein.

3. If practical, the materials will be shredded and the destruction will be monitored.

4. If shredding is impractical, the Department will employ an alternate means of destroying the materials which prevents disclosure of the information contained therein.

F. Candidate Disqualification

Applications will not be rejected because of omissions or deficiencies that can be corrected prior to the interview process. Candidates determined to be ineligible for appointment to probationary status on the basis of a single test, examination, interview, or investigation will be informed, in writing, of the specific reason(s) within 30 calendar days of the disqualification decision.

G. Disposition of Records of Candidates Not Appointed

1. All records of candidates not appointed to probationary status will be kept for a period of 10 years in a secure area.

2. A Cottage City Employment Application that was completed by a candidate who was not selected for employment may not be shown to prospective employers or persons acting on behalf of the prospective employer.

3. Information from the employment application will be released upon receipt of a Court Order seeking such information.

H. Background Investigations

1. A background investigation of each candidate will be conducted y a trained background investigator prior to appointment to probationary status, and will include, at a minimum:

   - Verification of the candidate's qualifying credentials

   - A review of any criminal, traffic, and Court record(s),

- Verification of at least three (3) persona l references,
- A check with previous employers and co-workers for the past 5 years,
- A check of current and past neighbors for the past 5 years,
- A review of the candidate's credit record,
- A check with the candidate's family members (i.e., wife, fiancé, father, mother, brothers, sisters, etc.),
- A review of school records (high school, college, and/or trade schools),
- A review of military records,
- Other reviews deemed necessary, or as warranted by the course of the investigation.

2. Regulation .01of the Maryland Police and Correctional Training Commission, requires an applicant to be of good moral character and reputation, and emotionally stable, as determined by a comprehensive background investigation which includes fingerprinting of the applicant and a search made of local, State and national criminal record files. MPCTC regulations also require that a record be kept of each investigation conducted.

3. Within 30 days of the hiring of an officer, the Department shall notify the MPCTC of the hire and the results on the background investigation on an MPCTC "Notice of Probationary Appointment Card."

4. The investigation should determine beyond a reasonable doubt that the officer candidate is a loyal United States citizen and is mentally, physically, and emotionally fit to perform law enforcement duties.

5. When the background investigator meets with the applicant for the first time, the initial interview will include the following:

    a. The completion of a "Preliminary Questionnaire" by the applicant,

    b. The completion of the confidential background investigation booklet by the investigator,

    c. Fingerprinting the applicant on three (3) fingerprint cards (F.B.I., Maryland, and R.A.F.I.S.),

d. Execution of the "Authorization for the Release of Information",

e. Completion of a notice advising the applicant that, pursuant to Title 28, Code of Federal Regulations(CFR), Section 50.12, their fingerprints will be sent to the F.B.I. for a criminal records check,

f. Completion of a Department of Public Safety and Correctional Services "Application for Criminal Background Check," and,

g. Photographing the applicant.

6. Requests for credit reports/information shall be completed.

7. Requests for military records will be handled by mail only and will go to the location listed below, addressed to the Director of the particular branch of the military to which the applicant belonged:

- National Records Center 9700 Page Boulevard, St. Louis, Missouri 63132 (Phone 314-263-3901)

8. Background investigators will inquire of school official(s) regarding the applicant.

9. Upon completion of the investigation, the following format will be used to synopsize the investigator's findings before being forwarded to the Commissioners:

- Personal History

    1. FBI Prints
    2. State and County Prints
    3. Military Record
    4. Credit Report
    5. School Records
    6. Personal References
    7. Neighbors
        a. > Present, Past Employers
        b. > Present, Past Employees
- Medical and Psychological Evaluation
- Oral Interview
- Driver's License Information

- Previous Police Employment
- Citizenship
- Verification of Age

- Special Police Commission
- High School Diploma/GED

10. Conclusion

10. Background investigators are free to use their imagination and best judgment while conducting investigations. The MUST obtain the information required by the Maryland Police and Correctional Training Commission, but they may exceed what is required.

11. Background investigators are encouraged to have the applicant obtain most of the material items (such as school transcripts, high school diplomas, certificates, etc.) to assist the investigator with some of the "leg-work.

12. A record of each candidate's background investigation shall be maintained on file in a secure area for at least five (5) years.

I. Oral Interviews

1. An oral interview of each candidate (sworn and non-sworn) will be conducted prior to appointment using valid, useful, and non- discriminatory procedures.

2. The initial oral interview will be conducted by the senior supervisor, and the second interview will be conducted by the Chief. The senior supervisor and other designees may be included in the second interview. Additional interviews may be conducted as necessary.

3. Oral Interviews will be conducted in a standardized manner in order to be effective and impartial, and the results will be recorded on standardized forms.

4. The Chief of Police will ensure that persons comprising the oral interview board(s) are provided with an orientation/training session.

5. MPCTC Regulation .01states, that by conducting an oral interview, the Chief of Police shall certify that the applicant possesses the ability to communicate and this shall be included on the Notice of Probationary Appointment Card.

6. The fitness and relative ability of applicants shall be examined in one or more of the following ways:

    - An evaluation of education, training and experience as shown on the application or by other information submitted,
    - An interview,
    - A pre-placement physical examination, and
    - Verification of ability and character through checking references.

J. Pre-Placement Medical Examination and Emotional Stability Evaluation

1. The Department's physical requirements will be in compliance with the Americans with Disabilities Act.

2. To certify the general health of each candidate, and to establish that the candidate is physically fit to perform the duties of a police officer, before a candidate is appointed to probationary status, a pre- placement medical examination of the candidate will be conducted by a licensed physician of the City's choosing, using non- discriminatory procedures.

3. The pre-placement medical examination will include an emotional stability and psychological fitness examination that will be conducted and assessed by a qualified professional.

    - MPCTC Regulation .01-A(G) requires the examination to aid the physician in determining that the candidate is emotionally and mentally fit for police duties.

4. To comply with MPCTC Regulation .01-A {9), the medical examination for police officer applicants will include a drug screening test for controlled dangerous substances.

5. Records containing the results of the pre-placement medical examination and emotional stability and psychological fitness evaluation will be securely maintained on file.

6. Under the American with Disabilities Act, no employer can conduct a medical examination or make inquiries of a job applicant concerning the nature or severity of a disability unless an offer of employment (which may be conditioned upon the successful completion of the medical or other selection

processes) has been made and a similar examination is required of all new employees. The results of such an examination must be maintained confidentially.

K. Polygraph Examinations

1. If the selection process will include the use of a polygraph examination, all candidates will be provided (at the time of their formal application) with a list of the areas from which polygraph questions will be drawn.

2. If polygraph examinations are administered as part of the selection process, the Department will utilize only personnel who have been trained to conduct such examinations, and who have been trained to evaluate the examination's results.

3. As a matter of Department policy, the Department will not use the results of polygraph examinations or other instruments for the detection of deception as the single determinant of employment eligibility.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **SELECTION OF PERSONNEL**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department's selection process will be administered by the Chief of Police, under the direction of the Commissioners.

II. SELECTION PROCESS COORDINATION

A. Chief of Police's Responsibilities

To the extent required to administer the Department's selection process, the responsibilities of the Chief of Police include, but are not limited to:

1. Ensuring compliance with all Maryland Police and Correctional Training Commission regulations and standards relating to selection;

2. Ensuring compliance with all applicable CALEA standards relating to the Department's selection process;

3. The review, distribution, and placement of all job announcements;

4. The reviewing of all background investigations upon their completion;

5. The formulation and scheduling of oral interviews;

6. Interviewing prospective candidates, and;

7. Recommending to the commission that a conditional job offer(s) is made pursuant to the provisions of the Americans with Disabilities Act.

8. Scheduling candidates for pre-placement medical examinations, physical fitness examinations, and emotional stability assessments, and communicating their results to the Commission.

B. Commission's Responsibilities

The Commission will be responsible for, among other things:

1. Working with the Chief of Police to implement the Department's selection process;

2. Ensuring compliance with all applicable laws relating to personnel;

3. Making conditional job offer(s) to successful candidates pursuant to the provisions of the Americans with Disabilities Act.

4. Approving recommendations for employment and making job offers to successful candidates.

C. Selection Process Manual

1. Comprehensive manual pertaining to the Department's selection process is maintained by the Department, the purpose for which is to describe all of the elements, activities, procedures, and methods by which the selection process will be administered.

2. Notwithstanding the applicability of laws and City policies with which the Department's selection process must comply, the Selection Process Procedures Manual is an official guide intended to ensure that all parts of the selection process are administered fairly, uniformly, and consistently.

3. To ensure compliance with the Americans with Disabilities Act of 1973, the Selection Process Procedures Manual will contain information from both acts relating to recruitment, application procedures, and selection.

III. THE SELECTION PROCESS

A. Process Validity

1. All elements of the Department's selection process use only those rating criteria and minimum qualifications that are job related.

2. Based on the Department's needs, and Maryland Police and Correctional Training Commission standards, the Department will validate its process through content validation, which is the justification of a component of the selection process by showing that it measures a significant part of the job.

3. The Department will ensure that all elements of the selection process will be valid and non-discriminatory.

B. At the time of formal application, candidates are informed, in writing, of:

1. All elements of the selection process;

2. The expected duration of the selection process;

3. The department's policy of re-application, and re-evaluation of candidates not appointed.

C. Uniform Administration of Process

Through the monitoring of all phases of the process, and by training Department personnel involved in the process, all elements of the selection process will be administered, scored, evaluated, and interpreted in a uniform manner.

D. Use of Minority Personnel to Assist With the Process

1. Whenever possible, Department personnel, representative of race, sex, and ethnic groups in the Department's service area will be included in participating on interview boards, and other personnel- related activities.

2. Department personnel who will participate in the administration of the selection process have or will receive training relative to the process.

E. Secure Storage of Process Materials

1. When selection materials are not in use, they will be securely stored, and will not be left unattended.

2. If and when selection materials are to be disposed of, the disposition will be performed in a manner that is appropriate and that prevents disclosure of the information contained therein.

3. If practical, the materials will be shredded and the destruction will be monitored.

4. If shredding is impractical, the Department will employ an alternate means of destroying the materials which prevents disclosure of the information contained therein.

F. Candidate Disqualification

Applications will not be rejected because of omissions or deficiencies that can be corrected prior to the interview process. Candidates determined to be ineligible for appointment to probationary status on the basis of a single test, examination, interview, or investigation will be informed, in writing, of the specific reason(s) within 30 calendar days of the disqualification decision.

G. Disposition of Records of Candidates Not Appointed

1. All records of candidates not appointed to probationary status will be kept for a period of 10 years in a secure area.

2. A Cottage City Employment Application that was completed by a candidate who was not selected for employment may not be shown to prospective employers or persons acting on behalf of the prospective employer.

3. Information from the employment application will be released upon receipt of a Court Order seeking such information.

H. Background Investigations

1. A background investigation of each candidate will be conducted y a trained background investigator prior to appointment to probationary status, and will include, at a minimum:

   - Verification of the candidate's qualifying credentials

   - A review of any criminal, traffic, and Court record(s),

- Verification of at least three (3) persona l references,
- A check with previous employers and co-workers for the past 5 years,
- A check of current and past neighbors for the past 5 years,
- A review of the candidate's credit record,
- A check with the candidate's family members (i.e., wife, fiancé, father, mother, brothers, sisters, etc.),
- A review of school records (high school, college, and/or trade schools),
- A review of military records,
- Other reviews deemed necessary, or as warranted by the course of the investigation.

2. Regulation .01of the Maryland Police and Correctional Training Commission, requires an applicant to be of good moral character and reputation, and emotionally stable, as determined by a comprehensive background investigation which includes fingerprinting of the applicant and a search made of local, State and national criminal record files. MPCTC regulations also require that a record be kept of each investigation conducted.

3. Within 30 days of the hiring of an officer, the Department shall notify the MPCTC of the hire and the results on the background investigation on an MPCTC "Notice of Probationary Appointment Card."

4. The investigation should determine beyond a reasonable doubt that the officer candidate is a loyal United States citizen and is mentally, physically, and emotionally fit to perform law enforcement duties.

5. When the background investigator meets with the applicant for the first time, the initial interview will include the following:

    a. The completion of a "Preliminary Questionnaire" by the applicant,

    b. The completion of the confidential background investigation booklet by the investigator,

    c. Fingerprinting the applicant on three (3) fingerprint cards (F.B.I., Maryland, and R.A.F.I.S.),

d. Execution of the "Authorization for the Release of Information",

e. Completion of a notice advising the applicant that, pursuant to Title 28, Code of Federal Regulations(CFR), Section 50.12, their fingerprints will be sent to the F.B.I. for a criminal records check,

f. Completion of a Department of Public Safety and Correctional Services "Application for Criminal Background Check," and,

g. Photographing the applicant.

6. Requests for credit reports/information shall be completed.

7. Requests for military records will be handled by mail only and will go to the location listed below, addressed to the Director of the particular branch of the military to which the applicant belonged:

- National Records Center 9700 Page Boulevard, St. Louis, Missouri 63132 (Phone 314-263-3901)

8. Background investigators will inquire of school official(s) regarding the applicant.

9. Upon completion of the investigation, the following format will be used to synopsize the investigator's findings before being forwarded to the Commissioners:

- Personal History

    1. FBI Prints
    2. State and County Prints
    3. Military Record
    4. Credit Report
    5. School Records
    6. Personal References
    7. Neighbors
        a. > Present, Past Employers
        b. > Present, Past Employees
- Medical and Psychological Evaluation
- Oral Interview
- Driver's License Information

- Previous Police Employment
- Citizenship
- Verification of Age

- Special Police Commission
- High School Diploma/GED

10. Conclusion

10. Background investigators are free to use their imagination and best judgment while conducting investigations. The MUST obtain the information required by the Maryland Police and Correctional Training Commission, but they may exceed what is required.

11. Background investigators are encouraged to have the applicant obtain most of the material items (such as school transcripts, high school diplomas, certificates, etc.) to assist the investigator with some of the "leg-work.

12. A record of each candidate's background investigation shall be maintained on file in a secure area for at least five (5) years.

I. Oral Interviews

1. An oral interview of each candidate (sworn and non-sworn) will be conducted prior to appointment using valid, useful, and non- discriminatory procedures.

2. The initial oral interview will be conducted by the senior supervisor, and the second interview will be conducted by the Chief. The senior supervisor and other designees may be included in the second interview. Additional interviews may be conducted as necessary.

3. Oral Interviews will be conducted in a standardized manner in order to be effective and impartial, and the results will be recorded on standardized forms.

4. The Chief of Police will ensure that persons comprising the oral interview board(s) are provided with an orientation/training session.

5. MPCTC Regulation .01states, that by conducting an oral interview, the Chief of Police shall certify that the applicant possesses the ability to communicate and this shall be included on the Notice of Probationary Appointment Card.

6. The fitness and relative ability of applicants shall be examined in one or more of the following ways:

    - An evaluation of education, training and experience as shown on the application or by other information submitted,
    - An interview,
    - A pre-placement physical examination, and
    - Verification of ability and character through checking references.

J. Pre-Placement Medical Examination and Emotional Stability Evaluation

1. The Department's physical requirements will be in compliance with the Americans with Disabilities Act.

2. To certify the general health of each candidate, and to establish that the candidate is physically fit to perform the duties of a police officer, before a candidate is appointed to probationary status, a pre- placement medical examination of the candidate will be conducted by a licensed physician of the City's choosing, using non- discriminatory procedures.

3. The pre-placement medical examination will include an emotional stability and psychological fitness examination that will be conducted and assessed by a qualified professional.

    - MPCTC Regulation .01-A(G) requires the examination to aid the physician in determining that the candidate is emotionally and mentally fit for police duties.

4. To comply with MPCTC Regulation .01-A {9), the medical examination for police officer applicants will include a drug screening test for controlled dangerous substances.

5. Records containing the results of the pre-placement medical examination and emotional stability and psychological fitness evaluation will be securely maintained on file.

6. Under the American with Disabilities Act, no employer can conduct a medical examination or make inquiries of a job applicant concerning the nature or severity of a disability unless an offer of employment (which may be conditioned upon the successful completion of the medical or other selection

processes) has been made and a similar examination is required of all new employees. The results of such an examination must be maintained confidentially.

K. Polygraph Examinations

1. If the selection process will include the use of a polygraph examination, all candidates will be provided (at the time of their formal application) with a list of the areas from which polygraph questions will be drawn.

2. If polygraph examinations are administered as part of the selection process, the Department will utilize only personnel who have been trained to conduct such examinations, and who have been trained to evaluate the examination's results.

3. As a matter of Department policy, the Department will not use the results of polygraph examinations or other instruments for the detection of deception as the single determinant of employment eligibility.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **EQUAL EMPLOYMENT OPPPORTUNITY**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department will maintain a workplace that promotes equal employment opportunities, respects employees as individuals, and fosters teamwork and mutual trust.

In accordance with the City policy concerning equal employment opportunities which is outlined in Section 3 of the Employee Manual, the Department will ensure that all personnel actions will be based on merit and ability without regard to a person's race, color, sex, age, religion, national origin, marital status, or handicap in practices involving recruitment, selection, training, transfers and other terms and conditions of employment.

II. DEPARTMENT E.E.O. PLAN

Plan's Purpose and Provisions

A. The purpose for the Department's E.E.O. Plan is to ensure fairness and equality in all aspects pertaining to personnel matters, and to ensure compliance with applicable provisions of the American with Disabilities Act and the Civil Rights Act.

B. The Department will not support, nor will it condone, any action designed to intimidate, retaliate, harass, or discriminate against an employee who has exercised protective rights in opposing any practice made unlawful under the Civil Rights Act, or has participated in any manner in any Civil Rights investigation, proceeding, hearing, or lawsuit.

C. Sexual harassment by a Department member is prohibited will not be tolerated, and allegations of such conduct will be taken seriously by Department management. See General Order 4-25.

D. The Department will advertise itself on all employment applications, recruitment literature, and job vacancy announcements as an equal opportunity employer.

E. To ensure compliance with applicable provisions of the American with Disabilities Act, the Department will ensure that qualified applicants with a disability are not discriminated against.

- A "qualified applicant with a disability" is one who satisfies the requisite skill, experience, education and other job-related requirements of the position such individual holds or desires, and with or without reasonable accommodation, can perform the essential job functions of the position.

F. The Department will ensure that it complies with applicable provisions of Title II of the A.D.A., which prohibits a local government from discriminating against a qualified applicant with a disability in regard to recruitment, advertising, and job application procedures. (56 Federal Register 35736, Section 1630.4)

G. The Department will take steps to ensure that communications with applicants with disabilities are as effective as communications with others.

H. The Department's job vacancy announcements will not use qualification standards that screen out or tend to screen out an individual with a disability or class or individuals with disabilities, on the basis of disability.

I. The Department will ensure that any interviews that are administered as part of the recruitment and selection, and promotional processes are conducted in easily accessible locations.

J. Employee complaints alleging discrimination should be handled pursuant to the provisions of the Department's grievance procedures.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PROCESSING EMPLOYMENT APPLICATIONS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. Employment applications received by the Department will be entered into the Department's Master Name Index and will be stored in a locked file cabinet in the station.

B. Applications will not be rejected because of omissions or deficiencies that can be corrected prior to any testing or interview process.

II. CONTACT WITH APPLICANTS MAINTAINED

A. At the time of their formal application, candidates are informed in writing of :

- All elements of the selection process,
- The expected duration of the process, and
- The Department's policy on re-application, re-testing, and re- evaluation of candidates not appointed.

B. Throughout the selection process, the Department will maintain contact with applicants from initial application to final employment disposition, by:

- Informing the applicants of whether or not their application will
- be processed further,

- Periodically informing the applicants of the status of their applications, and
- Documenting and logging all contacts with the applicant.

C. The applicant will be notified in writing of any examination results and any conditional offer of employment.

D. Copies of any and all correspondence sent to an applicant will be included with the applicant's file.

E. If an applicant is rejected, or the Department for good cause will not process an application any further, the applicant will be notified in writing of this decision and the reasons.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **POSITION DESCRIPTION – POLICE OFFICER**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. INTRODUCTION

The patrol officer is the key to success in a police department. The attainment of the police mission depends upon how well patrol officers do their complex and demanding jobs.

Patrol officers are directly responsible for law enforcement activities within an assigned area. They are the primary force in accomplishing adherence with the law and attempts to achieve compliance with established laws through reasonable enforcement dedicated to the protection and service of each individual citizen.

II. POSITION DESCRIPTION

It should be noted that the position description reflects illustrative examples of work performed. It is descriptive, not limiting, and is not intended to describe all the work performed.

A. Nature of Work

This is responsible municipal law enforcement work in the protection of life and property through the enforcement of laws and ordinances. Work involves responsibility for the protection of life and property, prevention of crime, apprehension of criminals, and the enforcement of laws and ordinances in a designated area on an assigned shift. A patrol officer may be assigned to uniformed patrol, criminal investigation, juvenile work, or other specialized activity. Work involves an element of personal danger, and officers must be able to act without direct supervision and to exercise independent

judgment in completing both routine and complex emergency assignments. The officer must have the willingness to accept responsibility and the ability to act effectively in extremely divergent interpersonal situations (e.g. acts friendly, persuasive, firm or forceful depending upon the circumstance). Work assignments and instructions are received in general terms from a superior officer who reviews work methods and results through reports, observations, and discussions.

B. Examples of Work

1. Patrols a designated area of the Town in a patrol car, bicycle, other means of transportation, or on foot; prevents and discovers the commission of a crime; apprehends criminals and offenders; enforces vehicle and traffic laws; makes police presence known in a manner that contributes to deterrence of law violations.

2. Answers radio calls and complaints involving automobile accidents, misdemeanors, and felonies; conducts accident investigations and criminal investigations at the scenes of crimes; administers first-aid to persons; gathers evidence; locates and questions witnesses; interrogates suspects; writes citations and makes arrests as required by circumstances; testifies as a witness in court.

3. Establishes traffic control and police protection at incidents which may attract crowds; performs police duties at parades, processions, and other police events in assigned area; checks and reports on deficient street lights, signs, road surfaces, or other facilities which serve the public The patrol officer must possess the psychomotor skills required to drive a patrol vehicle in normal and emergency situations; fire a weapon accurately under extreme, varied conditions; successfully qualify with the assigned weapon in accordance with the requirements established by the Maryland Police Training Commission; maintain agility, endurance, and strength; and show dexterity in self-defense and apprehension (e.g. safely taking a person into custody with a minimum of force).

4. Checks doors and windows and examines premises of unoccupied buildings or residences in order to detect any suspicious conditions; gives information and provides assistance to motorists and the public.

5. On an assigned basis, serves as a police investigator; conducts follow- up investigations; interviews witnesses, victims, and others and takes statements; interrogates suspects; examines records and collects evidence to be used for criminal prosecutions; testifies in court; prepares detailed investigative reports; serves warrants, obtains subpoenas, and makes arrests; conducts surveillance; works undercover.

6. On an assigned basis, serves as a juvenile and crime prevention officer; investigates offenses involving juveniles; works with runaway and abused children, parents, schools, churches, the county juvenile court, and other public and private agencies; completes initial and follow-up report; prepares and delivers talks to organized groups.

C. Work Environment

The patrol officer will be expected to work alone in areas where there is a possibility that a person may be armed while attempting to commit a crime and, during an attempt to evade arrest, the situation may lead to an assault on the officer.

D. Physical Demands

The physical demands of this position require that all candidates pass an extensive physical examination and meet such physical requirements as may be established by competent authority. The physical examination includes fitness-based tests which are "construct valid". This refers to a test's ability to measure an underlying factor that is a characteristic of an officer's ability to perform an essential task. For example, the purpose of measuring cardiovascular endurance directly relates to the ability of a 6fficer to initiate a foot pursuit and then engage in a use of force situation, or perform CPR for an extended period of time.
The patrol officer must possess the psychomotor skills required to drive a patrol vehicle in normal and emergency situations; fire a weapon accurately under extreme, varied conditions; successfully qualify with the assigned weapon in accordance with the requirements established by the Maryland Police Training Commission; maintain agility, endurance, and strength; and show dexterity in self-defense and apprehension (e.g. safely taking a person into custody with a minimum of force).

E. Desirable Education and Experience

Graduation from high school; or any equivalent combination of school and experience which provides the following knowledge, abilities, and skills:

1. Knowledge of modern police practices and methods;

2. Knowledge of Town procedures, rules, and regulations;

3. Knowledge of applicable federal, state, and local laws and ordinances including laws of arrest;

4. Knowledge of the street layout and geography of the Town;

5. Ability to deal firmly and courteously with the public, and to control and motivate persons;

6. Ability to communicate effectively, both orally and in writing;

7. Ability to maintain required records and to prepare reports;

8. Ability to analyze situations quickly and objectively, and to take proper courses of actions;

9. Ability to establish and maintain effective working relationships with others.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **POSITION DESCRIPTION – POLICE OFFICER FIRST CLASS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. INTRODUCTION

The patrol officer is the key to success in a police department. The attainment of the police mission depends upon how well patrol officers do their complex and demanding jobs. Patrol officers are directly responsible for law enforcement activities within an assigned area. They are the primary force in accomplishing adherence with the law and attempts to achieve compliance with established laws through reasonable enforcement dedicated to the protection and service of each individual citizen.

II. POSITION DISCRIPTION

It should be noted that the position description reflects illustrative examples of work performed. It is descriptive, not limiting, and is not intended to describe all the work performed. The grade of Police Officer First Class is superior to Police Officer but subordinate to the grade of Corporal. Police Officers who have completed their eighteen month (18) probationary period and have maintained a satisfactory performance rating or better will be promoted to the grade of Police Officer First Class.

A. Nature of Work

This is responsible municipal law enforcement work in the protection of life and property through the enforcement of laws and ordinances.

Work involves responsibility for the protection of life and property, prevention of crime, apprehension of criminals, and the enforcement of laws and ordinances in a designated area on an assigned shift. A patrol officer may be assigned to uniformed patrol, criminal investigation, juvenile work, or other specialized activity. Work involves an element of

personal danger, and officers must be able to act without direct supervision and to exercise independent judgment in completing both routine and complex emergency assignments. The officer must have the willingness to accept responsibility and the ability to act effectively in extremely divergent interpersonal situations (e.g. acts friendly, persuasive, firm or forceful depending upon the circumstance). Work assignments and instructions are received in general terms from a superior officer who reviews work methods and results through reports, observations, and discussions.

B. Examples of Work

1. Patrols a designated area of the Town in a patrol car, bicycle, other means of transportation, or on foot; prevents and discovers the commission of a crime; apprehends criminals and offenders; enforces vehicle and traffic laws; makes police presence known in a manner that contributes to deterrence of law violations.

2. Answers radio calls and complaints involving automobile accidents, misdemeanors, and felonies; conducts accident investigations and criminal investigations at the scenes of crimes; administers first-aid to persons; gathers evidence; locates and questions witnesses; interrogates suspects; writes citations and makes arrests as required by circumstances; testifies as a witness in court.

3. Establishes traffic control and police protection at incidents which may attract crowds; performs police duties at parades, processions, and other police events in assigned area; checks and reports on deficient street lights, signs, road surfaces, or other facilities which serve the public.

4. Checks doors and windows and examines premises of unoccupied buildings or residences in order to detect any suspicious conditions; gives information and provides assistance to motorists and the public.

5. On an assigned basis, serves as a police investigator; conducts follow- up investigations; interviews witnesses, victims, and others and takes statements; interrogates suspects; examines records and collects evidence to be used for criminal prosecutions; testifies in court; prepares detailed investigative reports; serves warrants, obtains subpoenas, and makes arrests; conducts surveillance; works undercover.

6. On an assigned basis, serves as a juvenile and crime prevention officer; investigates offenses involving juveniles; works with runaway and abused children, parents, schools, churches, the county juvenile court, and other public and private agencies; completes initial and follow-up report; prepares and delivers talks to organized groups.

C. Work Environment

The patrol officer will be expected to work alone in areas where there is a possibility that a person may be armed while attempting to commit a crime and, during an attempt to evade arrest, the situation may lead to an assault on the officer.

D. Physical Demands

The physical demands of this position require that all candidates pass an extensive physical examination and meet such physical requirements as may be established by competent authority. The physical examination includes fitness-based tests which are "construct valid". This refers to a test's ability to measure an underlying factor that is a characteristic of an officer's ability to perform an essential task. For example, the purpose of measuring cardiovascular endurance directly relates to the ability of an officer to initiate a foot pursuit and then engage in a use of force situation, or perform CPR for an extended period of time.

The patrol officer must possess the psychomotor skills required to drive a patrol vehicle in normal and emergency situations; fire a weapon accurately under extreme, varied conditions; successfully qualify with the assigned weapon in accordance with the requirements established by the Maryland Police Training Commission; maintain agility, endurance, and strength; and show dexterity in self-defense and apprehension (e.g. safely taking a person into custody with a minimum of force).

E. Desirable Education and Experience

Graduation from high school; or any equivalent combination of school and experience which provides the following knowledge, abilities, and skills:

1. Knowledge of modern police practices and methods;

2. Knowledge of Town procedures, rules, and regulations;

3. Knowledge of applicable federal, state, and local laws and ordinances including laws of arrest;

4. Knowledge of the street layout and geography of the Town;

5. Ability to deal firmly and courteously with the public, and to control and motivate persons;

6. Ability to communicate effectively, both orally and in writing;

7. Ability to maintain required records and to prepare reports;

8. Ability to analyze situations quickly and objectively, and to take proper courses of actions;

9. Ability to establish and maintain effective working relationships with others.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **POSITION DESCRIPTION – CORPORAL**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. INTRODUCTION

As a first-line supervisor, the Corporal is expected to perform all duties. required of every police officer either directly or through his subordinates and is responsible for the work of operational line officers. As the link between officers and the Sergeant, the Corporal assists with and is concerned with the achievement of the police purpose. The Corporal must assist in its execution. The Corporal, having continuous face-to-face contact with the officers, performs a dual role: technical - having to do with the proper methods of performing the basic police function; interpersonal - having to do with the human relations involved in directing the work of others.

The most difficult and burdensome part of a supervisor's job is administering discipline. Good discipline is a force within an officer that causes the officer to adhere to high standards of work and behavior on a voluntary basis.
Officers who develop and apply good work habits are well-disciplined individuals. The supervisor establishes these work habits through the climate of supervision and personal example.

Disciplinary action is taken when discipline has failed. Forms of disciplinary action are discussed in other General Orders, the Cottage City Code and the Law Enforcement Officers' Bill of Rights.

II. POSITION DESCRIPTION

It should be noted that the position description reflects illustrative examples of work performed. It is descriptive, not limiting, and is not intended to describe all the work performed. The Corporal is subordinate to the Sergeant.

A. Nature of Work

This is responsible supervisory municipal law enforcement work.

Work involves responsibility for the command and coordination of subordinate officers engaged in general duty law enforcement. Work also involves supervising the conduct of follow-up criminal investigations. Work requires the use of seasoned judgment when in the command of subordinates under normal and emergency circumstances. Work is performed with considerable independence and in accordance with applicable laws, ordinances, and regulations, under the general supervision of the Sergeant. Work is reviewed through observation, discussions, and reports for results obtained.

B. Examples of Work

1. Inspects the appearance of subordinate officers and Police Clerks; relays and explains special orders and information; conducts routine patrol and provides back-up to officers as necessary; checks employee performance in the field; gives advice to employees when necessary.

2. Performs and assists in the apprehension and arrest of law violators; questions suspects and interviews witnesses; makes court appearances and testifies as appropriate.

3. Reviews reports of subordinates and prepares reports for the Chief, the Commission, and other government agencies; responds to and takes command of major incidents or emergencies until relieved by higher authority.

4. Supervises and participates in investigations; reviews reports and makes investigative assignments as appropriate; provides advice and assistance relative to the conduct of investigations and preparation of cases for prosecution; reviews and approves written reports and case materials.

5. Serves as a training officer; patrols with recruits and instructs officers on police procedures; evaluates officers and communications personnel during the probationary period.

6. Performs patrol and other related work as required.

C. Desirable Education and Experience

Graduation from high school and considerable experience in law enforcement work; or any equivalent combination of training and experience which provides the following knowledge, abilities, and skills:

1. Considerable knowledge of modern police practices and methods;

2. Considerable knowledge of department procedures, rules, and regulations;

3. Considerable knowledge of applicable federal, state, and local laws and ordinances, including laws of arrest;

4. Considerable knowledge of the street layout and geography of the Town;

5. Knowledge of the principles and methods of organization, management, and supervision;

6. Ability to assign, supervise, review, and evaluate the work of subordinates;

7. Ability to communicate effectively, both orally and in writing;

8. Ability to analyze situations quickly and objectively and to determine proper courses of action;

9. Ability to maintain records and prepare reports;

10. Ability to establish and maintain effective working relationships with others;

11. Ability to meet such physical requirements as may be established by competent authority;

12. Skill in the use of firearms and such other regular and special police equipment as may be assigned.

13. Knowledge of police communications and regulations

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **POSITION DESCRIPTION – SERGEANT**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. INTRODUCTION

As a first-line supervisor, the Sergeant is expected to perform all duties required of every police officer either directly or through his subordinates and is responsible for the work of operational line officers. As the vital link between officers, corporals and higher management, the Sergeant is concerned with the achievement of the police purpose. The Sergeant must interpret the purpose of the work, assist and instruct in its execution, and translate policy into accomplishing the job. The Sergeant, having continuous face-to-face contact with the officers, performs a dual role: technical - having to do with the proper methods of performing the basic police function; interpersonal - having to do with the human relations involved in directing the work of others.

The most difficult and burdensome part of a supervisor's job is administering discipline. Good discipline is a force within an officer that causes the officer to adhere to high standards of work and behavior on a voluntary basis.
Officers who develop and apply good work habits are well-disciplined individuals. The supervisor establishes these work habits through the climate of supervision and personal example.

Disciplinary action is taken when discipline has failed. Forms of disciplinary action are discussed in other General Orders, the Cottage City Code and the Law Enforcement Officers' Bill of Rights.

II. POSITION DESCRIPTION

It should be noted that the position description reflects illustrative examples of work performed. It is descriptive, not limiting, and is not intended to describe all the work performed. The police sergeant is superior to the grade of corporal and subordinate to the grade of lieutenant.

A. Nature of Work

This is responsible supervisory municipal law enforcement work.

Work involves responsibility for the command and coordination of subordinate officers engaged in general duty law enforcement. Work also involves supervising the conduct of follow-up criminal investigations. Work requires the use of seasoned judgment in the command of subordinates under normal and emergency circumstances. Work is performed with considerable independence and in accordance with applicable laws, ordinances, and regulations, under the general supervision of the Lieutenant and the Chief. Work is reviewed through observation, discussions, and reports for results obtained.

B. Examples of Work

1. Inspects the appearance of subordinate officers and Police Clerks; assigns officers to patrol areas; relays and explains special orders and information; irregularly conducts Town patrol and. provides back-up to officers as necessary; checks employee performance in the field; gives advice to employees when necessary and evaluates and rates the performance of employees.

2. Assists in the apprehension and arrest of law violators; questions suspects and interviews witnesses; makes court appearances.

3. Reviews reports of subordinates and prepares reports for the Chief, the Commission, and other government agencies; responds to and takes command of major incidents or emergencies.

4. Supervises investigations; reviews reports and makes investigative assignments as appropriate; provides advice and assistance relative to the conduct of investigations and preparation of cases for prosecution; reviews and approves written reports and case materials.

5. Serves as a training supervisor; patrols with recruits and instructs officers on police procedures; evaluates officers and station personnel during the probationary period.

6. Performs patrol and other related work as required.

C. Desirable Education and Experience

Graduation from high school and considerable experience in law enforcement work; or any equivalent combination of training and experience which provides the following knowledge, abilities, and skills:

1. Considerable knowledge of modern police practices and methods;

2. Considerable knowledge of department procedures, rules, and regulations;

3. Considerable knowledge of applicable federal, state, and local laws and ordinances, including laws of arrest;

4. Considerable knowledge of the street layout and geography of the Town;

5. Knowledge of the principles and methods of organization, management, and supervision;

6. Ability to assign, supervise, review, and evaluate the work of subordinates;

7. Ability to communicate effectively, both orally and in writing;

8. Ability to analyze situations quickly and objectively and to determine proper courses of action;

9. Ability to maintain records and prepare reports;

10. Ability to establish and maintain effective working relationships with others;

11. Ability to meet such physical requirements as may be established by competent authority;

12. Skill in the use of firearms and such other regular and special police equipment as may be assigned.

13. Knowledge of police communications and regulations.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **POSITION DESCRIPTION – LIEUTENANT**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. INTRODUCTION

As a police administrator, the lieutenant is expected to perform all duties required of every police officer either directly or through his subordinates and is responsible for the work of operational line officers. As the vital link between officers, corporal, sergeant and the Chief of Police, the lieutenant is concerned with the achievement of the police purpose. The lieutenant must interpret the purpose of the work, assist and instruct in its execution, and translate policy into accomplishing the job. The lieutenant, having continuous face-to-face contact with the supervisors, performs a dual role: technical - having to do with the proper methods of performing the basic police function; interpersonal - having to do with the human relations involved in directing the work of others.

The most difficult and burdensome part of a supervisor's job is administering discipline. Good discipline is a force within an officer that causes the officer to adhere to high standards of work and behavior on a voluntary basis.
Officers who develop and apply good work habits are well-disciplined individuals. The lieutenant establishes these work habits through the climate of supervision and personal example.

Disciplinary action is taken when discipline has failed. Forms of disciplinary action are discussed in other General Orders, the Cottage City Code and the Law Enforcement Officers' Bill of Rights.

II. POSITION DESCRIPTION

It should be noted that the position description reflects illustrative examples of work performed. It is descriptive, not limiting, and is not intended to describe all the work performed. The police lieutenant is superior in grade to the sergeant and subordinate to the chief of police.

A. Nature of Work

This is responsible municipal law enforcement management.

Work involves responsibility for the command and coordination of all subordinate department members engaged in general duty law enforcement. Work also involves supervising the conduct of follow-up criminal investigations. Work requires the use of seasoned judgment in the command of subordinates under normal and emergency circumstances. Work is performed with considerable independence and in accordance with applicable laws, ordinances, and regulations, under the general supervision of the Chief. Work is reviewed through observation, discussions, and reports for results obtained.

B. Examples of Work

1. Inspects the appearance of subordinate officers and Police Clerks; assigns officers to patrol areas; relays and explains special orders and information; irregularly conducts Town patrol and provides back-up to officers as necessary; checks employee performance in the field; gives advice to employees when necessary and evaluates and rates the performance of employees.

2. Assists in the apprehension and arrest of law violators; questions suspects and interviews witnesses; makes court appearances.

3. Reviews reports of subordinates and prepares reports for the Chief, the Commission, and other government agencies; responds to and takes command of major incidents or emergencies.

4. Supervises investigations; reviews reports and makes investigative assignments as appropriate; provides advice and assistance relative (to the conduct of investigations and preparation of cases for prosecution; reviews and approves written reports and case materials.

5. Serves as a training officer; patrols with recruits and instructs officers on police procedures; evaluates officers and communications personnel during the probationary period.

6. Performs patrol and other related work as required.

C. Desirable Education and Experience

Graduation from high school and considerable experience in law enforcement work; or any equivalent combination of training and experience which provides the following knowledge, abilities, and skills:

1. Extensive knowledge of modern police practices and methods;

2. Extensive knowledge of department procedures, rules, and regulations;

3. Considerable knowledge of applicable federal, state, and local laws and ordinances, including laws of arrest;

4. intimate knowledge of the street layout and geography of the Town;

5. Extensive knowledge of the principles and methods of organization, management, and supervision;

6. Ability to assign, supervise, review, and evaluate the work of subordinates;

7. Ability to communicate effectively, both orally and in writing;

8. Ability to analyze situations quickly and objectively and to determine proper courses of action;

9. Ability to maintain records and prepare reports;

10. Ability to establish and maintain effective working relationships with I others;

11. Ability to meet such physical requirements as may be established by competent authority;

12. Skill in the use of firearms and such other regular and special police equipment as may be assigned.

13. Knowledge of police communications and regulations.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **POSITION DESCRIPTION – CHIEF OF POLICE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. INTRODUCTION

The Cottage City Charter and the Annotated Code of Maryland has delegated to the Chief of Police the authority and responsibility for the management, direction, and control of the operations and administration of the Police Department.

II. POSITION DESCRIPTION

It should be noted that the position description reflect illustrative examples of work performed. It is descriptive, not limiting, and is not intended to describe all the work performed. The Chief of Police is superior to all other members of the department. The Chief of Police reports directly to the Commission through the Police Commissioner.

A. Nature of Work

This is highly responsible professional and administrative work in planning, organizing, and directing the activities of the Cottage City Police Department.

Work involves responsibility for the efficient operation of the Cottage City Police Department through planning, organizing, and directing its activities; assuring that law .and order are maintained, that laws and ordinances are enforced, and that measures are implemented to prevent crimes and to protect lives and property. Work also involves consulting with other police officials in determining overall plans and policies to be followed in conducting police operations. Supervision is exercised over all employees of the Department. Work is performed with wide latitude in interpreting and applying policies, rules, and regulations. Work is performed under the policy guidance of the Cottage City

Commission. Work is reviewed through conferences and reports for overall program effectiveness.

B. Examples of Work

1. Plans, organizes, and directs the programs and activities of the Police Department.

2. Supervises directly, or through a subordinate supervisor, a moderate- sized staff or law enforcement and civilian employees; prescribes, publishes, and enforces rules and regulations; recommends the appointment, promotion, and dismissal of employees;

3. Prepares the annual departmental operating budget and controls the expenditure of appropriations;

4. Advises and assists subordinates in highly complex criminal or other investigations; assumes direct command of subordinates in emergency situations or major law enforcement operations;

5. Cooperates with county, state, and federal officers in the apprehension and detention of wanted persons and with other departments where activities of the Police Department are involved; participates in and attends meetings of county, regional,state and national law enforcement associations;

6. Attends and participates in public functions for the purpose of promoting crime prevention, law enforcement, and establishing favorable public relations; directs the investigation of and responds to major citizen complaints;

7. Directs the maintenance of criminal and operational records; prepares a variety of regular and special reports;

8. Performs related work as required or directed by the Commission.

C. Desirable Education and Experience

Graduation from an accredited four-year college or university with major course work in police science or a related field; thorough experience in police operations and administration; or any equivalent combination of training and experience which provides the following knowledge, abilities, and skills:

1. Thorough knowledge of the principles and practices of modern police administration and police methods;

2. Thorough knowledge of the standards by which the quality of police service is evaluated and the use of police records and their application to police administration;

3. Thorough knowledge of the principles and methods of organization, management, and supervision;

4. Thorough knowledge of department rules and regulations and of applicable federal, state, and local laws and ordinances;

5. Thorough knowledge of the functions of other governmental jurisdictions and authorities as they relate to police work;

6. Ability to plan, organize, and direct the work of employees performing varied operations connected with police activities;

7. Special skills in the psychology of human behavior and public relations;

8. Ability to establish and maintain effective working relationships with public officials, state and federal authorities, civic leaders, and the public; and,

9. Ability to prepare, and present effectively, oral and written informative material relating to the activities of the Pol ice Department.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **POSITION DESCRIPTION – CHIEF OF POLICE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. INTRODUCTION

The police Administrative Assistant occupies a critical position in that he/she provides the first point of contact with Town residents who telephone the police both in emergency and non-emergency situations. This is a non-sworn position.

II. POSITION DESCRIPTION

It should be noted that the position description reflects illustrative examples of work performed. It is descriptive, not limiting, and is not intended to describe all the work performed. The Administrative Assistant is under the direct supervision of and reports directly to the Chief of Police

A. General Purpose

The Administrative Assistant performs a variety of routine clerical, administrative and technical work in receiving routine and emergency information; keeping official records; and assisting in the administration of the code enforcement operating policies and procedures by keeping and maintaining files, preparing correspondence and contacting violators as appropriate. The Administrative Assistant assists the Chief of Police in preparing and compiling data and reports necessary for meetings and hearings.

B. Supervision Received

The Administrative Assistant works under the close supervision of the Police Chief.

C. Supervision Exercised

None

D. Essential Duties and Responsibilities

1. Answers all incoming telephone calls and ascertains nature of call, gathers all necessary information to relay as appropriate;

2. Oversees the general operation of the department's red light camera system and answers all calls concerning red-light camera enforcement. Reviews and approves the issuance of red light camera citations, including the input of data from the CJIS computer. Maintains files pertaining to the system. Attends periodic red light camera meetings hosted by the Howard County Police. Prepares cases for court and testifies as necessary when violators contest their citations in court.

3. Maintains a log on telephone communications, location of personnel and equipment; in the event of an emergency situation, maintains on- going contact with the responding personnel and keeps them informed of all incoming pertinent information; keeps track of various information such as street light out and streets closed and keeps emergency personnel informed; notifies Public Works of maintenance needs;

4. Maintains station work area and equipment in clean and working condition, orders office and police supplies as required;

5. Maintains files on parking violations, sends late notices to violators, places flags against vehicle registrations of Maryland registered violators who have ignored the citation, collects parking fines.

6. Operates listed office machines as required.

7. Composes, types, and edits correspondence, reports, memoranda, and other material requiring judgment as to content, accuracy, and completeness;

8. Inputs data to standard office and department forms, both manual and automated; makes simple postings to various reports; compiles and tabulates data to include the department's monthly UCR reports.

E. Peripheral Duties

1. Monitors activities in Town Hall, receives information from citizens and residents, takes appropriate action;

2. Assists in training new employees.

F. Desired Minimum Qualifications

1. Education and Experience

   a. Graduation from a high school or GED equivalent with specialized course work in general office practices such as typing, filing, accounting or bookkeeping; and,

   b. One (1) year of increasingly responsible related experience, or any equivalent combination of related education and experience.

2. Necessary Knowledge, Skills and Abilities:

   a. Working knowledge of computers and electronic data processing; working knowledge of modern office practices and procedures; some knowledge of accounting principles and practices; typing skills - 30 wpm desirable;

   b. Some skill in operation of the listed tools and equipment; ability to handle multi-tasks;

   c. Ability to effectively meet and deal with the public; ability to communicate effectively both verbally and in writing; ability to handle stressful situations.

G. Special Requirements

1. No felony convictions.

2. The ability to be certified and trained in the use of the NCIC, CJIS, MVA and NLETS computer systems and to maintain certification.

H. Tools and Equipment Used

Computer-aided systems; personal computer including word processing software; standard typewriter; copy machine; fax machine; radio.

I. Physical Demands

1. The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions:

2. While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk. The employee is frequently required to use hands to finger, handle, or feel objects, tools, or controls; and reach with hands and arms.

3. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

J. Work Environment

1. The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

2. The noise level in the work environment is usually quiet.

K. Selection Guidelines

1. Formal application, rating of education and experience; oral interview and reference check; job related tests, limited background check and fingerprinting may be required.

2. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or logical assignment to the position.

3. The job description does not constitute an employment agreement between the Town and the employee and is subject to change by the Town as the needs of the Town and requirements of the position change.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **EMPLOYEE BENEFITS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The employees of the Cottage City Police Department are authorized certain benefits enumerated in the Cottage City Personnel Manual issued to every employee. The manual specifies the amount of leave each employee may accrue and the various types of leave authorized. It also lists other benefits offered to its employees, such as retirement, health and life insurance and optional benefits that may be purchased by the employee, such as disability coverage. The Police Department does not offer benefits of its own nor does it have the authority to modify any benefit offered by the Town, although police employees are eligible to join the Police Federal Credit Union by virtue of their law enforcement employment and members may join a police fraternal organization of their choice.

II. TYPES OF LEAVE

The Town offers its employees annual leave, sick leave, compensatory leave, military leave, administrative leave and bereavement leave. Annual and Sick Leave are accrued at the rate of four (4) hours per pay period. All employees are directed to consult the Personnel Manual for specifics on leave accrual rates.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **EMPLOYEE COMPENSATION**

NEW <u>REVISED</u> RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. Employees of the Cottage City Police Department are paid according to the Cottage City pay grade scale, in accordance with the Town Personnel Regulations, and the Fair Labor Standards Act.

B. The Cottage City Commission will maintain job classifications and pay scales. The Police Chief, as part of the annual budget preparation, will examine and compare the salary programs of other jurisdictions with the compensation currently offered, to ensure that the Town's compensation is fair, equitable, and competitive with other jurisdictions of similar population, geographic size, staffing, and responsibility. Recommendations for salary adjustments, if any, will be made to the Commission.

II. DEPARTMENT SALARY PROGRAM

A. Entry-Level Salary: The Department's entry-level salary is normally the minimum rate for the established pay grade for the position of Police Officer.

B. Salary Differential within Ranks: The Cottage City Salary Plan will list the various grades, and the minimum and maximum salary within each grade.

1. The salary plan contains "Steps" within each grade.

2. Salary differential within each grade is based on merit increase recommendations made by the Chief of Police to the Commission and

supported by satisfactory employee performance evaluations during the preceding work year.

C. Salary Differential between Ranks: Salary differential between grades is determined by the Town's classification and pay scale.

Normally, when an employee is promoted from one grade to another, a percentage pay increase is included. The exact amount of the increase is recommended by the Chief of Police and approved by the Commission.

III. COMPENSATORY TIME POLICY

Sworn officers of the department are eligible to earn "Compensatory Time" on an hour for hour basis for hours worked in excess of 80 in the pay period up to 86 hours in a pay period. Compensatory Time may be earned at the time and one-half rate for hours worked in excess of 86 in a pay period.

A. If an officer works in an overtime capacity, he/she has the option of being compensated in Compensatory Time rather than money except on a holiday when the only compensation will be money.

B. Officers attending training programs will normally have their schedules adjusted to attend while on duty and may receive Compensatory Time for hours in excess of their normal work day.

C. Officers are encouraged to take Compensatory Time off within the pay period it is earned; however, scheduling demands may prohibit its use. Therefore, officers may accumulate up to 40 hours of Compensatory Time to be used in a manner similar to vacation time.

IV. OVERTIME POLICY

Overtime pay is earned in the same manner as Compensatory Time.
Overtime pay on an hour for hour basis shall be authorized for all full-time employees covered under the Fair Labor Standards Act, i.e., lieutenants and below, for hours worked in excess of 80. If approved, hours worked in excess of 80 shall be paid at the rate of time and one-half.

A. Officers who attend court during off-duty hours shall be paid a mini m u m compensation of two (2) hours and hour for hour after the minimum.

B. Officers may d rive their POV or use a Town vehicle if available to attend court or training functions.

C. Officers eligible to earn Overtime and Compensatory Time are:

1. Police Officer

2. Police Officer First Class (PFC)

3. Police Corporal

4. Police Sergeant

5. Police Lieutenant

6. Administrative Assistant

D. Call-back- Whenever an officer is required by his authorized supervisor to return to work from an off-duty status to perform unanticipated or unscheduled work assignments, the officer are entitled to overtime compensation.

1. Officers required to work overtime, i.e., Shift Coverage, will be compensated from the time they are to officially report.

2. Overtime compensation is not authorized for travel time in connection with scheduled work assignment, court, or training.

E. Compensation for approved work in excess of a regular day or for work performed on an officer's regular day off shall be determined as follows:

1. 1- 15 minutes =no compensation

2. 16 - 45 minutes= 30 minutes

3. 46 -60 minutes = 1hour

V. SALARY AUGMENTATION

Employees eligible for salary augmentation must meet requirements set forth in the Cottage City Employee Manual.

VI. PROCEDURE FOR REQUESTING OVERTIME COMPENSATION

A. Officers must complete Compensation Section of the bi-weekly time report. Enter all requested information.

B. The Chief of Police will ensure the form is completed properly and approve/deny request.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **OFFICERS DAILY ACTIVITY LOG REPORT**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

All police officers shall prepare a Daily Activity Log Report. With each police officer's report, this information uniformly and on a daily basis offers a complete picture of police activity and daily work experience is recorded.

II. RESPONSIBILITIES

A. All police officers shall prepare a Daily Activity Report Log and submit it to their supervisor at the end of the shift for each shift the member works.

B. If the supervisor is not available at the end of a shift; the report shall be placed in the appropriate report slot in the station and forwarded to the supervisor for review.

C. The supervisor shall check Daily Activity Reports for completeness and accuracy. After the supervisor is satisfied that the information is complete and accurate, he/she shall initial the form. The form will be used as a record of each officer's daily activity and calls for service. Sergeants will use the report as a management tool to enforce performance guidelines, assess evaluation ratings, and ensure strict enforcement in the contract areas.

D. Completed forms will be filed in chronological order in the monthly report file.

III. INSTRUCTIONS

A. It is essential that the information supplied on the forms be accurate and complete. Important records will be completed based on these reports. All calls for service, whether dispatched or officer-generated shall be listed along with a county-approved disposition code. Simply entering a case number is not sufficient. Any special assignment, such as directed patrol or stationary traffic enforcement shall be listed as a call for service.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PROMOTION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. PURPOSE

The purpose of this order is to state the eligibility requirements and establish the procedures that will be used for promoting and appointing employees to supervisory positions.

II. POLICY

The policy of Cottage City is to have an equitable system that has as its objective the selection of qualified people for advancement, informs its employees of how selections are made, and utilizes procedures that are job related and non-discriminatory.

The Chief of Police will be responsible for the administration of each promotional process, will approve each process before it is announced, is responsible for administering each competitive part of the promotional process and will be responsible for the security of all promotional materials. The Cottage City Commission is the promoting authority.

III. POSITION ANNOUNCEMENT

A. The Chief of Police will announce by memorandum a promotional process for various ranks/positions. The memorandum will provide qualification standards which include at least two (2) years of police service, specific information on the date and time that an application must be submitted, and the specific date for the written test (if required) and the use of assessment center (If any). The

Cottage City police department currently has the following as a promotional rank: Corporal, Sergeant and Lieutenant.

B. In most cases the initial memorandum will be followed by subsequent memoranda that will add specific information such as the time and location for the written test and oral interviews. Position descriptions for the available position(s) are in the General Order Manual.

C. The announcement will be placed on the memoranda board, and a copy will be placed in each employee's mail drawer, for a period of at least ten (10) calendar days. Qualified employees who are interested shall apply to the Chief's office within fifteen (lS) calendar days of the posting period unless the deadline is extended by the Chief.

D. Lateral Entry

1. In order to ensure a comprehensive field of candidates, the Chief may expand the eligibility for the position to police officers outside the Town.

2. Should the Chief decide to consider officers outside the Town, an advertisement will be placed in a newspaper of general circulation detailing the qualifications for the position. Deadlines shall be the same as Ill,C, above. Only Maryland certified police officers or those eligible for certification shall be considered. If an officer who is eligible for certification is selected, the officer must be certified within twelve (12) months.

3. The written or oral phases of the process will not be changed or adjourned unless bona fide "emergency situations" occur.

4. Promotional candidates who unexpectedly experience and incapacitating, duty connected injury, personal illness or serious family emergency MAY be permitted to make-up the written test or oral interview.

   The Chief will evaluate the authenticity of the emergency and make a recommendation to the Commission. If adverse to the employee, the Commission's decision may be appealed in accordance with the Town Code.

IV. PROCEDURES

A. The promotional process will be evaluated annually, or prior to beginning a process, for the rank/position. The evaluation will be conducted by the Chief, the Lieutenant, and/or the Sergeant. The purpose of the evaluation is to determine if the process is meeting its objectives.

Particular emphasis will be placed on insuring that the procedures used are job related and non-discriminatory. If necessary, revisions will be made and announced in the announcement at the beginning of each process. Anyone who wishes to comment or to provide input may do so by sending a memorandum, via the chain of command, to the Chief.

B. Promotional Potential Evaluations

A promotional potential evaluation will be completed based on an interview of each candidate by the Chief of Police, Sergeant, and/or the Lieutenant who will rate the candidates as Exceptional, Above Average, Average, Needs Improvement, or Not Acceptable using the following criteria:

1. Human Relations Skills
2. Initiative and Performance of Duty
3. Knowledge of Responsibilities
4. Personal Appearance
5. Professional Conduct
6. Practical Judgment
7. Oral Communications
8. Supervisory Experience and Skills
9. Knowledge of Maryland Criminal Law

10. Knowledge of Maryland Traffic Law

- EXCEPTIONAL will have a value of 10 points
- ABOVE AVERAGE will have a value of 8 points
- AVERAGE will have a value of 6 points
- NEEDS IMPROVEMENT will have a value of 4 points
- NOT ACCEPTABLE will have a value of O points

The maximum possible total would be 100 points. The candidates score would be the average total from those completing the evaluation.

C. Written Test

1. If a written test is to be given, the Chief will notify the candidate(s) of the written test date and time.

2. The written test may be obtained from an outside vendor, using bibliography sources provided by the Department to derive questions for the test and/or the Chief of Police may use a written test comprised of questions developed within the Department.

D. Experience

Experience will account for five percent (5%) of the total promotion testing scores. One/half (.5) point for each year of police service up to a · total of 5 points.

E. Oral Interviews

Each eligible candidate will be afforded the opportunity to continue in the process and be interviewed by the Chief of Police.

The Chief will rate each candidate in six (6) general areas. Those areas will include:

1. Communications Skills up to 10 points

2. Appearance/Demeanor up to 10 points

3. Knowledge of Responsibilities up to 10 points

4. Practical Judgment up to 10 points

5. Knowledge of Police Duties up to 10 points

6. Supervisory Judgment up to 10 points

Total 60 points

F. Ratings

Based on the total points awarded for the various phases of the process, if there are more than three (3) candidates for the position, the candidates will be rated as "Well Qualified," "Qualified," or "Not Qualified." Those in the "Well Qualified" category will then be given a final interview by the Chief. If there are three or less than three candidates, they will be given a final interview by the Chief.

G. Any employee who wishes to review or question any score or phase of the process, to include initial eligibility, may do so by requesting a meeting with the Chief. The written request should specify the issue to be discussed. The Chief will meet with the employee and attempt to resolve the matter. lfthe employee is not satisfied with the Chiefs response, he/she may request in writing,to meet with the Police Commissioner. Further grievance procedures and appeals will be in accordance with the Town Code.

H. If any part of the promotion process is declared invalid on appeal or through a grievance, the process will be declared null and void. A new process will be initiated and candidates will be encouraged to reapply, be retested, and reevaluated.

V. PROMOTION

A. The Chief will make a recommendation(s) for promotion to the Commissioners who will make the selection for promotion.

B. Individuals selected for promotion shall be required to sign a contract that they will remain in the Town employment for a period of twelve (12) months.

C. Individuals selected for promotion will be required to successfully complete a twelve month (12) probationary period to determine:

1. Their desire to remain in the position;

2. Their ability to perform the position.

D. During the twelve (12} month probationary period, the employee shall have the right to revert back to their former position if there is such a vacancy.

E. If the employee is found to be unsatisfactory in the new position, notice and reason will be submitted in writing to the employee.

F. Those promoted shall be placed into the appropriate pay grade as required.

G. Promotion eligibility lists will be in effect for 12 months. During this time, eligible candidates will be considered for promotion without retesting unless there are fewer than three candidates on the list, in which case the Chief may require a new list.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PERFORMANCE EVALUATIONS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

All employees will be evaluated twice a year by their supervisor; entry-level probationary employees will be evaluated quarterly. In order to ensure that personnel are rated fairly and professionally, the rater must have attended at least one supervisory training class. The period of evaluation shall be marked on the evaluation form and only performance specific to the assignment of the employee during that period will be considered. The appraisal shall be completed and submitted to the Chief for concurrence and approval of the "ratings."

II. M EASUREMENT CRITERIA -GENERAL

The employee's performance shall be evaluated on the following criteria as applicable to the employee's position:

A. Endurance

This dimension may include medical reports which may affect the ability of employees to perform all aspects of their responsibilities, routine and Emergency. Also, the ability of employees to adjust to working schedule changes due to snow, personnel shortages, resources, policy changes, etc., over and beyond normal administrative policy changes.

B. Personal Appearance

Maintaining a neat and clean personal appearance in uniform or civilian attire, including personal hygiene, hair, shoes, equipment, and clothing;

C. Professional Pride

The ability to handle stress and work assignments, including a measurement of the employees' ability to project a "professional" bearing towards carrying out their responsibilities, while complying with policies, rules, and regulations.

D. Attention to Duty

The trait of being industrious and working thoroughly and conscientiously in completing routine duties or a special assignment;

E. Cooperation

The ability to work cooperatively with co-workers, Town staff, and management; also, the exchange of constructive suggestions, methods of operations, materials, and resources. Most importantly, the ability to work within existing rules, regulations, and policies.

F. Initiative

The willingness to take appropriate action to remedy a given situation without requiring a direct order (i.e., picking up newspaper on a house check, reporting lights out, investigating follow-ups, reporting hazards, etc.).

G. Presence of Mind

The ability to take logical and appropriate action to remedy certain situations in unexpected emergencies or under great strain; this will also include matters in non-emergency situations.

H. Use of Appropriate Force

The ability to carry out police duties with the least amount of force believed to be reasonable to resolve a situation effectively.

I. Leadership (Supervisor or designee only)

The ability to direct, control, and influence the activities of others to achieve Town goals and objectives; The ability to maintain high morale in implementing rules, regulations, and policies of management.

J. Loyalty

The ability to accept, support, and carry out rules, regulations, and policies of the department and the Town with or without personal or professional acceptance as an individual of the goals and objectives of the department and the Town.

K. Personal Relations

The ability to maintain acceptable, cordial relations and a positive attitude with co-workers, supervisors, City staff, management, and the community at all time;

L. Economy of Management

The effective management, care, and use of City equipment and facilities;

M. Respect

The ability to exercise discretion and use information in such a manner to avoid embarrassment to the department, co-workers, or management;

III. MEASUREMENT CRITERIA - POLICE OFFICERS

The performance of a police officer shall be evaluated on the following criteria:

A. Knowledge of State and Local Laws

The ability to demonstrate an extensive or thorough working knowledge of State and local laws, including the Laws of Arrest, and apply them correctly in given situations;

B. Policy/Procedure Knowledge and Application

The ability to demonstrate a thorough working knowledge of current Department directives, including General Orders and memoranda;

C. Knowledge and Use of Alternative Resources

Has extensive knowledge of community-based and government-based resources, and .makes appropriate referrals, or utilizes those resources when necessary. Consistently uses those resources to problem-solve.

D. Driving Skills in Normal Conditions

Demonstrates exemplary driving behavior and obeys all laws and Department policies regarding the operation of the vehicle(s) they are authorized to operate.

E. Driving Skills in Stressful or Emergency Conditions

Displays a high degree of competence at handling and maneuvering a vehicle at high speed; Utilizes emergency equipment appropriately. Has not been involved in an at-fault accident while on duty during this rating period;

F. Orientation Skill/Response to Calls for Service

Always responds safely and in accordance with designated response codes. Responds promptly and is prepared for different situations.

Handles calls efficiently and in accordance with established policies and procedures;

G. Report Writing: Organization and Detail

All reports are well-organized and rarely returned because of errors.

H. Report Writing: Neatness, Grammar, and Spelling

All reports exhibit excellent use of grammar, punctuation, and spelling. All reports are neat with no use of "white-out" or erasure.

I. Report Writing: Appropriate Time Used

All reports turned in within an appropriate period of time.

J. Problem Solving/Decision Making

Makes complex decisions with little or no assistance, anticipates problems, and prepares solutions in advance. Decisions are ethically, legally, and morally correct, and are based on intelligent information.

K. Performance Under Pressure/Stress

Gains and maintains control in all situations, under all conditions. Control feelings, emotions, and maintains composure in even the most trying situations.

L. Self-Initiated Activity

Is always alert and takes appropriate action when necessary. Patrols aggressively and pro-actively

M. Officer Safety

Always follows accepted safety practices and procedures.

N. Control of Conflict

Always uses a high degree of tact and discretion with which to maintain peace and order.

0. Use of Radio

Follows all Department, County, and FCC regulations and procedures, pays close attention to radio traffic.

IV. PROCEDURE

A. The rater will complete and sign the appropriate evaluation form:

1. The Police Officer Evaluation Form for Police Officers.

B. Any performance rating of unsatisfactory, excellent, or outstanding must be followed by explanatory comments citing specific reasons for the rating. Employees will be advised in writing at least ninety (90) days prior to the end of the annual evaluation period if their performance is deemed to be unsatisfactory.

C. The rater will discuss with the employee:

1. The results of the performance evaluation;

2. The level of performance expected and the goals for the next reporting period; and,

3. Any advancement, specialization, and training opportunities available to the employee.

D. Once the rater has finished, the employee will have a chance to review the evaluation with the rater, sign it, and make a statement if he or she wishes.

E. If the employee wishes to contest the evaluation report, he or she must do the following:

   1. Compose a written statement stating his or her specific reasons for wanting an appeal;
   2. Submit a copy to the rater's supervisor;

   The rater's supervisor will meet with both parties to discuss the matter. The supervisor has the authority to re-evaluate the employee or dismiss the appeal. If the employee remains unsatisfied, he or she may appeal to the Town Manager.

F. The rater's supervisor will review the evaluation for fairness and sign it if he/she concurs. When it is the rater's turn to be evaluated, the skill with which the rates have performance their evaluations will be taken into account.

G. The evaluation will be filed and retained in the employee's file and a copy will be provided to the employee's

H. If the employee has performed his/her duties satisfactorily for the preceding year, the Chief will so certify and recommend to the Cottage City Commission that the employee receive and in-grade salary increase.

I. If the Cottage City Commission concurs with the Chief's recommendation, the employee will receive an in-grade salary increase to take effect on the anniversary date of employment.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PERSONNEL AND ADMINISTRATIVE COMPLAINTS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The integrity of the Cottage City Police Department depends on the personal integrity and discipline of all employees individually and collectively. To a large degree, the public image of the agency is determined by the quality of the internal affairs function in responding to allegations of misconduct by the agency or its employees. The policy of the Cottage City Police Department is to investigate fully each complaint or allegation of misconduct against an employee of the Department.

II. PURPOSE

The purpose of this General Order is to establish an internal affairs function which the Department considers important for the maintenance of professional police conduct and the overall integrity of the agency. The Department will respond expediently and responsibly to allegations of misfeasance, malfeasance, and nonfeasance by employees, and to complaints about the Department's response to community and individual needs.

III. GENERAL

A. Department employees are often subject to intense pressure in the performance of their duties. An employee must remain neutral in situations that are tense, fast-moving, and emotional. Situations frequently result in words, actions, and reactions that are misunderstood or confusing, which become the foundation for a complaint. Resolution of a complaint and inquiry into the circumstances prompting it requires a procedure that is exacting, fair, and consistently applied.

B. Police officers, like all citizens, are protected by the guarantees of the U.S. Constitution and are further protected by the Law Enforcement Officers' Bill of Rights (LEOBR) Public Safety Article §3-101et. seq. of the Annotated Code of Maryland as amended.

C. Employees are expected always to give truthful responses to questions related to the performance of their official duties and their fitness to hold public office.

D. Copies of the Citizen Complaint form will be kept on hand in the report form file cabinet and will be offered to a citizen will an explanation of its use whenever any citizen asks for information on how to make a complaint against the Department or an employee of the Department.

E. All complaints made against the Department or its members shall be investigated, including anonymous complaints.

IV. CLASSIFICATION OF COMPLAINTS

A. Administrative

Complaints initiated internally against an employee by another Department employee.

B. Personnel

Complaints made by the public or other persons outside the Department against an employee.

V. DEFINITIONS

A. Brutality

Brutality is considered the use of excessive or unjustified physical force by an officer in the exercise of official duties.

B. Complaint

A complaint is an allegation of misconduct made against an employee(s) of the Department.

C. Exonerated

The incident did occur, but the actions of the accused were justified, lawful, and proper.

D. Minor complaints

Minor complaints are not enumerated in this General Order, but include those allegations, which if sustained, would be appropriately disciplined through the imposition of summary punishment or use of the Remedial Action Form.

E. Not sustained

The investigation failed to disclose sufficient evidence to prove or disprove the allegation.

F. Serious Allegations

Serious complaints include, among other acts, physical brutality, complaints which allege racial, ethnic, sexual or other types of prejudice, misappropriation of monies, or untruthful statements.

G. Sustained

The investigation disclosed sufficient evidence to prove the allegations of misconduct.

H. Unfounded

The investigation of the complaint indicates that the acts complained of did not occur.

VI. INTERNAL AFFAIRS FUNCTION

A. Cottage City Police maintains an internal affairs function for the purpose of creating a process to ensure the integrity of the agency.

B. The Chief of Police is responsible for the internal affairs function and may assign a supervisor specific duties and responsibilities on a case-by-case basis.

C. The goal of internal affairs is to ensure that the integrity of the agency is maintained through an internal system by which objectivity, fairness, and justice are ensured by an impartial investigation and review.

VII. INTERNAL AFFAIRS ACTIVITIES

A. Allegations of employee misconduct shall be investigated appropriately and adjudicated promptly.

B. The function of internal affairs includes these activities:

1. Recording, registering, and controlling the investigation of complaints against employees.

2. A written record will be made and maintained by the Chief of Police or his designee of all complaints against the Cottage City Police Department and its employees. The written record will consist of a permanent log maintained as a part of the Internal Affairs/Administrative Inquiry files. The log will include, but not be limited to:

    a. Date;

    b. Employee's name;

    c. Complainant's name;

    d. Type of complaint;

    e. Investigator's name;

    f. Administrative Inquiry or Internal Affairs designation;

    g. Assigned control/file number;

    h. Final disposition.

3. Handling and/or supervising and controlling the investigation of alleged or suspected misconduct within the Department.

4. Maintaining the confidentiality of the internal affairs investigation and records.

5. Ensuring that the investigation is consistent with the Annotated Code of Maryland, Public Safety Article §3- 101,et. seq., inclusive, entitled, "Law Enforcement Officers' Bill of Rights."

6. The Chief of Police will acknowledge receipt of each complaint by letter to the complainant.

7. The Department will maintain close liaison with the Officer of the State's Attorney for investigations involving allegations that involve alleged criminal conduct on the part of any employee. In matters involving civil liability with the Town's Attorney will also be maintained.

VIII. COMPLAINT CATEGORIES

A. The type and nature of a complaint shall determine whether it can be handled and resolved as an Administrative Inquiry or more formally as an Internal Affairs case.

B. Not all complaints can be categorized automatically. All employees are required to exercise good judgment and common sense when they are made aware of a complaint. The following types of complaints are examples of those which are categorized as "formal" which will be handled as internal affairs cases or "informal", which may be resolved at the supervisory level as an administrative inquiry.

1. Formal complaint

   Allegations of:

   a. Brutality;

   b. Misuse of force;

   c. Breach of civil rights;

   d. Criminal misconduct;

   e. Any complaint which will likely result in disciplinary action.

2. Informal complaint Allegations of:

   a. Failure to take appropriate police action;

   b. Poor demeanor displayed by an employee;

   c. Tardiness;

d. Insubordination;

f. Property damage accident.

3. Complaints against the Department or its employees that are categorized as "formal" require immediate notification of the Chief of Police.

4. Complaints against the Department or its employees that are categorized as "informal" do not require the immediate notification of the Chief of Police.

IX. RECEIPT OF COMPLAINTS

A. Citizens will be supported in bring forward legitimate complaints about employee conduct. Their complaints will be received courteously and handled efficiently. All personnel will cooperate with the resolution of a citizen complaint as required by established procedures.

B. Complaints, despite their nature, can be lodged in person, by mail,or by phone any time.

C. Anonymous complaints will be accepted and will be investigated to the extent possible.

D. Every effort will be made to facilitate the convenient, courteous, and prompt receipt and processing of citizen complaints.

E. An employee of the Department, who interferes with, discourages, or delays the making of complaints will be subject to disciplinary action.

F. An employee receiving a citizen complaint through the U.S. mail or other mail service will place correspondence in a sealed envelope and forward it to the Chief of Police, who will determine investigative responsibility.

G. Complaints received by telephone, by a Police Clerk or other employee, will be courteously and promptly referred to the Chief or the supervisor on duty. If these officials are not available, the caller's name and phone number will be taken and advised that their call will be promptly returned.

H. The member receiving a complaint by telephone will immediately initiate a confidential memorandum to the Chief noting the date/time it was received, the date/time it was referred to the supervisor or the Chief and a brief description of the complaint.

I. Complaints will not normally be accepted more than 30 days after the alleged incident, except:

1. When the act complained of is alleged brutality, in which case a complaint will be accepted up to 90 days after the incident.

   NOTE: "A complaint against a law enforcement officer, alleging brutality in the execution of his duties, may not be investigated unless the complaint be duly sworn to by the aggrieved person, a member of the aggrieved person's immediate family, or by any person with firsthand knowledge obtained as a result of the presence at and observation of the alleged incident, or by the parent or guardian in the case of a minor child before an official authorized to administer oaths. An investigation which could lead to disciplinary action under this subtitle for brutality may not be initiated and an action may not be taken unless the complaint is files within 90 days of the alleged brutality." (Public Safety Article §3-104 (c) of the Annotated Code of Maryland) This does not preclude the Department from initiating an investigation to review the extent of the use of force used in effecting an arrest. (MSP v Resch 65 M D.APP 167, 499 A.2d 1303 1985)

2. When the act complained of is a criminal violation, in which case the Criminal Statute of Limitations will prevail.

3. When the com plaining person can show good cause for not making the complaint earlier.

X. RESPONSIBILITY FOR HANDLING COMPLAINTS

A. All employees of the Department are charged strictly with the responsibility for receiving courteously and willingly all complaints that may be lodged against the Department or its employees.

B. Any complaint regarding a Department member is to be referred initially to the Sergeant or the Chief of Police as appropriate. If those officials are not available, the person receiving the complaint shall explain to the complainant the Department's procedures for filing a complaint and receive the complaint to be forwarded to the appropriate official.

C. The person receiving a complaint will record in a preliminary written report any conditions bearing on the accuracy of credibility of a complainant.

1. The conditions include apparent evidence the complainant is under the influence of intoxicants or drugs, is suffering from a mental disorder, or other condition requiring medication.

2. Comment will also be made on the physical condition of the complainant, if appropriate, specifically noting any visible marks or injuries relative to the allegation. The visible marks or injuries shall also be documented by Polaroid photographs taken by the receiving employee and attached to the preliminary report.

3. A copy of the written complaint of the incident and photo copies of all associated police reports, charging documents, etc., will be provided to the Chief of Police or his designee by 0830 hours the following work day. Original reports will be forwarded via the normal chain of command.

D. Employees shall make every effort to resolve all complaints fairly and equitably. All complaints shall be documented properly by the investigating supervisor and referred to the Chief of Police. The written memorandum shall summarize the circumstances surrounding the complaint, the names, addresses, and phone numbers of the persons involved, and the disposition or recommended follow-up actions.

E. In the event the complaint cannot be resolved to the satisfaction of the complainant by the employee's supervisor or the complaint involves alleged serious Departmental rules and regulations violation(s) or criminal misconduct by the employee, the supervisor shall refer the complaint to the Chief of Police through the chain of command.

F. A complaint may be referred directly to the Chief of Police if there is reasonable cause to believe an individual in the chain of command is materially involved in the complaint.

XI. PROCEDURES

A. The Chief of Police is responsible for:

1. Reviewing complaints and determining whether the matter will be investigated as an Administrative Inquiry case or as an Internal Affairs case.

2. Assigning the person who will conduct the investigation under the provisions of the Law Enforcement Officers' Bill of Rights as provided in Public Safety Article §3-104 of the Annotated Code of Maryland as amended.

3. Ensuring that the Investigator invokes the provisions of the Law Enforcement Officers' Bill of Rights and the Internal Affairs procedures, if the Administrative Inquiry reveals a serious violation which may result in disciplinary action.

4. Maintaining the appropriate confidentiality of the investigation.

5. Providing the investigating officer with the reporting requirements for the case. Normally, an investigation must be complete within 30 days with status reports provided every 7 days to the Chief of Police. An extension may be granted by the Chief of Police in cases in which extenuating circumstances exist.

6. Determining whether an accused officer will be reassigned, relieved from duty, or suspended pending disposition of the case.

7. Determining the final disciplinary action based on the investigation, and if applicable the recommendations of a trial board in accordance with the Law Enforcement Officers' Bill of Rights.

B. Administrative inquiry procedures

1. Complaints where it is probable that no formal disciplinary punitive action will be taken, i.e., first tardiness, PDA-minor negligence, etc., will usually be assigned to the employee's immediate supervisor.

2. The investigating officer will prepare and deliver written notice to the employee or employees against whom a complaint is made at the earliest time there is reasonable cause to believe a violation of rule, regulation, or procedure occurred.

3. Every employee will cooperate fully with the investigating officer(s), answering fully and truthfully any question about the incident under investigation. An employee can be ordered to answer. Failure to respond or to respond fully and truthfully is grounds for disciplinary action up to and including dismissal.

4. Written statements will be taken from an accused officer, from complainants and witnesses when they are helpful or desirable in arriving at sound conclusions. Statements need not be in the form of questions and answers. They may be in the form of a report. They may be tape recorded.

5. The investigator of an Administrative Inquiry will forward the completed investigation to the Chief of Police. The investigator may recommend the type of non-disciplinary action to be taken to the Chief of Police who will make the final determination of non- disciplinary action in accordance with the Law Enforcement Officers' Bill of Rights.

C. Internal affairs procedures

1. Internal Affairs procedures will be followed in any complaint where it is probable that disciplinary action will be involved.

2. The investigating officer will prepare and deliver written notice to the employee or employees against whom a complaint is made at the earliest time there is reasonable cause to believe a violation of rule, regulation, or procedure occurred.

3. Every employee will cooperate fully with the investigating officer(s), answering fully and truthfully any question pertaining to the incident under investigation. An employee can be ordered to answer. Failure to respond or to respond fully and truthfully is grounds for disciplinary action up to and including dismissal.

4. Written statements will be taken from an accused officer, from complainants and witnesses when they are helpful or desirable in arriving at sound conclusions. Statements need not be in the form of questions and answers. They may be in the form of a report. They may be recorded.

5. At the time employees are notified that they are the subject of an Internal Affairs investigation, the investigating officer will provide the employee with a written notice of allegations and of the employee's rights and responsibilities.

6. In addition to interviews of the complainant and employee, the investigator may require other activities. These activities will be in accordance with the Law Enforcement Officers' Bill of Rights as provided in Public Safety Article §3-104 (a).

> "This subtitle does not prevent any law enforcement agency from requiring a law enforcement officer under investigation to submit to blood alcohol tests, blood, breath or urine tests for controlled dangerous substances, polygraph examinations or interrogations which specifically relate to the subject matter of the investigation. This subtitle does not prevent a law enforcement agency from commencing any action which

may lead to a punitive measure as a result of a law enforcement officer's refusal to submit to a blood alcohol test, blood, breath or urine tests for controlled dangerous substances, polygraph examination or interrogation, after having been ordered to do so by the law enforcement agency. The results of any blood alcohol tests, blood, breath or urine test for controlled dangerous substances, polygraph examination or interrogation, as may be required by the law enforcement agency under this subparagraph are not admissible or discoverable in any criminal proceedings against the law enforcement officer when the law enforcement officer has been ordered to submit thereto. The results of a polygraph examination may not be used as evidence in any administrative hearing when the law enforcement officer has been ordered to submit to a polygraph examination by the law enforcement agency unless the agency and the law enforcement officer agree to the admission of the results at the administrative hearing."

7. Other medical and laboratory examinations may be administered. Psychiatric and psychological examinations may be ordered if there is a question concerning fitness for duty. The costs of the examinations will be paid by the City.

8. Photographs may be taken of employees for use in a photo line-up in the conduct of investigations. Employees may also be required to stand in a line-up for viewing by citizens for the purpose of identifying an employee who is the subject of an investigation.

9. "A law enforcement officer may not be required or requested to disclose any item of his property, income, assets, source of income, debts, or personal or domestic expenditures (including those of any member of his family or household) unless that information is necessary in investigating a possible conflict of interest with respect to the performance of his official duties, or unless such disclosure is required by State or Federal law." Law Enforcement Officers' Bill of Rights, Public Safety Article §3-103 (c) of the Annotated Code of Maryland as amended.

10. If an employee is under arrest or is likely to be placed under arrest as a result of the investigation, the employee will be informed of his/her Constitutional rights when the investigation reaches an accusatory stage and may result in a criminal proceeding.

11. The Chief of Police will be advised by the investigating officer of any new information in an investigation which may require:

a. Reassigning an accused officer to ensure the officer receives closer supervision or separation from the public or other officers;

b. Relief from duty or immediate suspension of an accused officer;

c. Charges under the criminal law or traffic article of the Annotated Code of Maryland.

D. Arrest warrants/charging document

1. When it is necessary to ask for an arrest warrant/chargi ng document for an employee of the Department, the Chief of Police will be notified without delay.

2. If a complainant seeks a warrant/charging document, the Sergeant and/or the Chief will consult with the complainant and ask for a delay to allow a Department investigation.

   If the complainant declines to permit a delay, the Chief of Police will ask the State's Attorney for a delay to allow the Department investigation.

3. If the warrant/charging document has already been issued, the employee having the warrant/charging document will notify the Sergeant, who will notify the Chief of Police and State's Attorney before executing the warrant/charging document.

XII. INVESTIGATIVE FINDINGS

A. When an investigation has concluded, a "conclusion of fact" for each allegation will be clearly stated and will identify the following concerns when applicable:

1. Proper conduct;

2. Improper conduct;

3. Policy failure;

4. Insufficient evidence;

5. Unfounded complaint.

B. Based on recommendations and the results of the investigation, the Chief of Police will classify completed investigations of personnel complaints as:

1. Unfounded;

2. Exonerated;

3. Not Sustained;

4. Sustained.

XIII. EMERGENCY SUSPENSION

A. Emergency suspension is a compulsory leave authorized by the Chief of Police or in his absence, the Sergeant. An emergency suspension is intended for use in providing time to investigate, establish facts, and reach a decision concerning an employee's actions in those cases where it is determined the employee should not continue work pending a decision. This provision is authorized with the caution that much thought and deliberation is given before taking such action. The existing facts and circumstances should be weighed carefully.

B. Emergency suspension may be a temporary administrative action due to an employee's physical or psychological fitness for duty, or an action pending disposition of an Internal Affairs investigation.

C. The Sergeant and/or the Chief, after a preliminary inquiry, have full authority to and will place an employee in their command on official leave and suspend his police powers when that employee is:

1. Charged with a criminal offense;

2. Charged with operating a motor vehicle while under the influence of alcohol or drugs.

   This action is taken to completely remove the employee from contact with the public and is not punitive.

D. The senior supervisor and/or the Chief, after a preliminary inquiry, have full authority to and will place an employee in their command on official leave when that employee causes or is responsible for, whether accidental or deliberate:

1. The taking of a human life;

2. The serious injury of a person.

This action is not punitive and has two purposes:

a. To remove the officer from unnecessary contact with the public to allow him/her sufficient time to recover from the incident.

b. To provide the Department sufficient time to conduct a preliminary investigation.

E. The senior supervisor and/or the Chief, after a preliminary inquiry, have full authority to and will place an employee in their command on official leave when that employee has been involved in a traumatic incident. These incidents are:

1. When the actions of a Department employee, whether accidental or deliberate, result in the death or serious injury of a person.

2. When members are present at the death or serious injury of a Department employee.

F. Once an employee is placed on official leave and the Chief of Police is notified of the incident, the Chief of Police or his designee shall determine if an emergency suspension is warranted.

1. Public Safety Article §3-112, of the Annotated Code of Maryland as amended.

"(b) Emergency suspensions with pay may be imposed by the Chief when it appears that the action is in the best interest of the public and the law enforcement agency.

(1) If the officer is suspended with pay, the chief may suspend the police powers of the officer and reassign the officer to restricted duties pending a determination by a court of competent jurisdiction with respect to any criminal violation or final determination by an administrative hearing board as to any departmental violation.

(2) Any person so suspended shall be entitled to a prompt hearing.

(c)Emergency suspension of police powers without pay may be imposed by the Chief if a law enforcement officer has been charged with the commission of a felony.

(3) Any person so suspended shall be entitled to a prompt hearing."

2. If the Chief or his designee imposes suspension, he shall notify the employee promptly in writing of that decision and inform him that he is entitled to a prompt hearing.

3. If the employee requests a hearing, the Chief will ensure that a hearing is scheduled as soon as possible and that the employee is notified in writing of the date and time of that hearing.

G. The following procedure shall be followed when it becomes necessary to suspend an employee:

1. Any suspension must be fully documented, before implementation, stating:

a. Beginning date;

b. The reasons for the suspension;

c. Description of action to be taken regarding the suspension;

d. The timetable for taking additional action.

2. The documentation shall be signed by the employee's supervisor and the Chief of Police.

H. An employee who refuses to obey a direct order issued in conformance with the Department's written rules and regulations may similarly be relieved from duty by the Sergeant and/or senior officer on duty who will recommend discipline to the Chief of Police.

I. Employees who are relieved/suspended from duty as a temporary administrative measure will be placed on official leave.

1. Officers placed on suspension or placed on official leave pending serious disciplinary action shall deliver their shields, cap plate, service weapon, and police identification cards and folder to the Sergeant at the end of their last active tour of duty.
2. Upon surrendering these items, the employee is relieved of any future responsibilities for direct enforcement action until he returns to duty. Authority to carry a personally owned firearm, as a police officer, is also rescinded.

J. The suspension of any employee shall be concluded within a reasonable time, considering all circumstances that have made the suspension necessary.

XIV. DISPOSITION OF RECORDS/FINDINGS

A. The Chief of Police will notify the complainant in writing as to the disposition of the case. If the notification to the complainant will be delayed more than 30 calendar days, an interim report will be sent.

B. Completed investigations will be maintained in Internal Affairs files in a secure locked file in the Chief s office.

C. Internal Affairs files are confidential files subject to examination only with the express prior permission of the Chief of Police. Internal Affairs files will be surrendered for examination by persons or authorities outside the Police Department only in response to appropriate orders of a court with jurisdiction.

D. Nothing in this order will prevent the Chief of Police from issuing such summary reports of incidents or a summary of an incident as may be required to inform the community.

E. Annually, by January 31, the Chief of Police will review this file and publish a statistical summary of the types and numbers of complaints.

F. Copies of the statistical summary will be made available to employees and the media.

XV. EXPUNGEMENT OF RECORDS/FINDINGS

A. Public Safety Article §3-110 of the Annotated Code of Maryland states: "A law enforcement officer, upon written request, may have any record of a formal complaint made against him expunged from any file if:

   1. The law enforcement agency investigating the complaint has exonerated the officer of all charges in the complaint, or determined that the charges were not sustained or unfounded; and

   2. 3 years have passed since the findings by the law enforcement agency."

B. The file of a case resulting in a "not guilty" finding at a hearing board will also be expunged at the officer's request.

C. If an officer wishes to have his record(s) expunged, he must forward a memorandum directly to the Chief of Police.

D. If the statutory requirements for expungement are met, the Chief of Police will:

1. Expunge the file;

2. Notify the officer within thirty (30) days by returning directly to him a copy of his memorandum marked with the date the expungement was completed.

E. If the expungement requirements are not met, the Chief of Police will:

1. Notify the officer by returning a copy of his memorandum within thirty (30) days and indicating the expungement request will not be granted.

2. The reasons for the expungement request denial will be outlined in the memorandum.

F. In both situations, the original of the expungement request (with the action taken indicated on it) will be placed in the case file.

G. The method of expungement will be destruction (shredding) except in the following circumstances:

1. The file contains names of two or more accused officers and charges against one or more of the officers were sustained. The entire file will then be placed in limited access. Any reference to those officers who were exonerated, or who had charges placed that were unfounded or not sustained will be obliterated (marked over).

2. Entries in the Internal Affairs log will be obliterated.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **THE DISCIPLINARY PROCESS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The goal of the Cottage City Police Department's disciplinary system is to protect the integrity of the Department. In order for the system to work effectively, supervisory personnel will ensure that those Department members who they supervise comply with lawful orders they receive, and with established policies, procedures, rules and regulations.

The Department's disciplinary process will not be solely punitive in nature, but will also contain provisions for the use of counseling as a function of discipline, and remedial training as a function of discipline, when either or both are deemed appropriate for the infraction committed or the particular circumstances.

Any conflict or discrepancy between the Department's policies and procedures and the Law Enforcement Officers' Bill of Rights (LEOBR) will be resolved in favor or the LEOBR.

II. COUNSELING AS A FUNCTION OF DISCIPLINE

A. Verbal Counseling

1. Occasionally, a minor infraction is committed for which counseling may be more appropriate as a function of discipline than the placing of formal Administrative charges.

2. Because appropriate counseling is not only educational, but also serves as a function of discipline, supervisory personnel should strive to correct

deficiencies through counseling (verbally or by using a Department Record of Counseling form) whenever the infraction is minor and it is believed by the supervisor that such counseling will have a positive impact.

3. Whenever possible, supervisors will counsel subordinates in private.

B. Supervisor's Remedial Action Form

1. The intent of the Supervisor's Remedial Action form is to provide supervisors with an instrument to document counseling and recommended corrective action for minor infractions.

2. The form is designed for use as a management tool in those cases initiated by a supervisor where counseling and corrective action are necessary and appropriate, but for which an entry into an employee's Personnel File is not necessary.

3. Instances when a supervisor may consider using the form include, but are not limited to:

   a. Employee tardiness (not repeated);

   b. Disruptive behavior in the office;

   c. Failure to make timely radio responses;

   d. Improper parking or driving a police vehicle; or,

   e. Other minor infractions that should be immediately pointed out and corrected.

4. The form may also be used, at the discretion of the employee's supervisor, for minor citizen-generated complaints where, after initial inquiry, the supervisor determines the incident does not warrant taking formal disciplinary action, yet feels the incident should be documented and the behavior corrected through a positive supervisory approach.

5. For the form to be an effective supervisory tool, the supervisor must determine, after an initial inquiry (after listening to the complainant, through personal observation, or listening to comments from other employees, etc.) whether the incident, even if true, should be handled through the formal disciplinary process (or through the use of the Remedial Action Form.

This decision must be made prior to asking the officer for an explanation of the incident.

6. If the complaint comes from a citizen, the supervisor should advise the complainant that the complaint will be documented and investigated.

7. Completed in a timely manner, the form will provide a complete record of the incident including disposition from the supervisor.

8. When completed, the form will consist of one (1) original and one (1) copy.

    a. The original should be retained by the supervisor as part of his/her supervisory files for one (1) year and then destroyed.

    b. The copy should be given to the employee.

    c. No copies are to be placed in the employee's Personnel File or, and under no circumstances will the form be completed without the employee being given the opportunity to review and make written comments concerning the incident, and sign the form.

C. The Record of Counseling Form

1. Because this form is an official record that will be inserted into and employee's file for a period of one (1) year (from the date of the incident), supervisors completing this form will be sensitive to the rights afforded and officer pursuant to the LEOBR.

2. A supervisor may complete this form instead of the Remedial Action Form, and when completed, the form will be discussed with the employee counseled, who will be requested to sign it before it is placed into the employee's file.

D. Supervisory Authority

1. When supervisors personally observe employee misconduct, they have the authority to exercise limited disciplinary action. Supervisors may counsel, issue verbal or written reprimands, issue emergency suspensions with pay, and offer recommendations for other violations/infractions.

2. It is recognized that some problems of a minor nature may be corrected through counseling or some other means, i.e., remedial training, etc.

Supervisors are permitted and encouraged to exercise their discretion in a fair and impartial manner in the determination of appropriate actions.

3. If the offense is of a more serious nature, the supervisor may conduct an investigation in accordance with the LEOBR and make a recommendation to the Chief. The Chief of Police may, if he does not agree with the findings of the investigator, choose one of several courses of action:

    - The Chief may review the case with the investigator to point out deficiencies of supportive facts.
    - The Chief may direct the investigator to continue the investigation.
    - He may require portions of the report to be rewritten because of non-supportive critical statements.
    - The Chief may issue his own comments or modifications to a disciplinary action recommendation or investigative report.

4. Each supervisor shall maintain an Employee Documentation File for each subordinate for the purpose of documenting commendations, performance and discipline. The information contained within this file is open to employee review.

III. TRAINING AS A FUNCTION OF DISCIPLINE

Remedial Training

A. Because infractions are sometimes committed unintentionally due to a member's unfamiliarity with a Department rule or procedure, supervisors will strive to identify those instances when training would be more appropriate as a function as discipline than the formal placing of charges.

B. Depending upon the nature of the infraction committed, the Department may elect to utilize training in conjunction with formal disciplinary action.

C. "Training" can be anything from a discussion held with the employee on a particular topic to a formal course of instruction. Because supervisors work closely with their subordinates and generally know their capabilities better, supervisors are usually the best judges of when a subordinate would benefit from remedial training.

D. When a supervisor elects to utilize training as a function of discipline, the supervisor should:

1. Explain the infraction committed and the expected behavior;

2. Review the rule, policy, or procedure that was violated;

3. Consider discussing the infraction with all officers (without naming the offender); and if necessary,

4. Recommend the need for further or more in-depth remedial training to the Chief.

IV. TAKING PUNITIVE ACTION

A. Procedures and Criteria

1. Only the Chief of Police (or person acting in the Chief's absence) will have the authority to administer discipline and/or suspend an officer from duty with or without pay.

2. Throughout these procedures, the rights of the individual police officer and citizen shall be acknowledged and shall not be compromised.

3. Where applicable, all administrative disciplinary procedures shall be consistent with the provisions of Public Safety Article §3-103 of the Annotated Code of Maryland (the LEOBR).

B. Required Action by Department Members

1. Each member of the Department shall assume the obligations of their rank and perform their duties accordingly in the investigation of complaints or allegations of misconduct.

2. Untruthfulness committed by any member of the Police Department is a very serious transgression and any member found guilty may be subject to dismissal, or other punishment as may be adjudged.

C. Summary Punishment

1. Consistent with the provisions of the LEOBR, summary punishment may be imposed for minor violations of the Department rules and regulation when:

    a. The facts which constitute the minor violation are not in dispute;

    b. The officer waives the hearing provided under Public Safety Article §3-107 of the LEOBR; and,

    c. The officer accepts the punishment imposed by the Chief of Police.

2. Summary punishment may not exceed three (3) days suspension without pay or a fine of $1SO.OO.

3. The offer of summary punishment will be presented to the officer in-writing and he/she will have the option of accepting or not accepting it.

4. If an officer is offered summary punishment imposed pursuant to the LEOBR and refuses, the Chief of Police may convene a one-member or more hearing board and the hearing board shall have only the authority to recommend the sanctions as provided by the LEOBR for summary punishment.

5. If a single member hearing board is convened, that member need not be of the same rank as the officer for whom the board was convened; however, all other provision of the LEOBR shall apply.

D. Punishment Exceeding Summary Punishment Limits

1. If the Chief of Police decides that an appropriate punishment would exceed the limits of summary punishment, or the facts constituting the offense are in dispute, the Chief of Police will convene a hearing board of not less than three (3) members to hear the complaint(s) against the officer.

2. Hearing board members may be selected from this Department or from another law enforcement agency, provided:

    a. None of the officers to serve on the board have had any part in the investigation or interrogation of the officer for whom the board was convened; and,

b. Officers to serve on the board that are from another law enforcement agency have been approved by the Chief of the other agency.

3. At least one (1) board member shall be of the same rank as the officer for whom the board was convened.

V. EMERG ENCY SUSPENSION

A. With Pay

1. Emergency suspension with pay may be imposed by the Chief of Police when it appears that the action is in the best interests of the public and the Department.

2. If an officer is suspended with pay, the Chief of Police may also suspend the officer's powers and reassign the officer to restricted duties pending the outcome of any pending criminal charges or final determination by an administrative hearing board as to any Departmental violation(s).

3. Any officer so suspended shall be entitled to a prompt hearing.

B. Without Pay

1. The Chief of Police may suspend an officer without pay if the officer has been charged with the commission of a felony.

2. Any officer so suspended shall be entitled to a prompt hearing. (Public Safety Article §3-112 (c) (1) - LEOBR)

VI. MAINTENANCE OF DISCIPLINARY RECORDS

Maintained by the Chief of Police

A. Because of their sensitivity and confidentiality, all records of a disciplinary nature will be maintained in a secure file by the Chief of Police.

B. The records will be maintained in the file until such time as they are expunged pursuant to the provisions of the LEOBR Public Safety Article §3-110.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **DISMISSAL OF DEPARTMENT MEMBER**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department does not take lightly the issue of dismissing one of its members,and before a decision is made to dismiss a Department member, careful consideration will be given to the facts and circumstances which resulted in this type of action.

II. PROCEDURES

A. In accordance with the LEOBR and after an Administrative Hearing Board "Guilty" Finding,(specifically Public Safety Article §3-108 (d) (5) (ii) before the Chief of Police dismisses an officer, the Chief will review the officer's files and permit the officer to be heard.

B. If the Chief of Police subsequently dismisses the officer, the officer will be provided with the information described in Section Ill of this General Order.

C. If the Chief of Police is considering recommending to the Commission the dismissal of an officer for poor performance (non-LEOBR), before the Chief makes that recommendation, he will review the officer's files and permit the officer to be heard.

D. After a hearing with the officer, if the Chief decides to dismiss an officer for poor performance, the officer will be provided with the information described in Section III of this General Order.

III. INFORMATION PROVIDED UPON DISMISSAL

To Sworn and Non-Sworn Members

If employee misconduct or poor performance results in dismissal, the following information will be provided to the employee:

A. A statement citing the reason(s) for dismissal.

B. The effective date of the dismissal.

C. A statement of the status of fringe and retirement benefits after dismissal.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **GRIEVANCE PROCEDURES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Grievance Procedures for members of the Cottage City Police Department are defined in the Cottage City Code of Ordinances. Police officers in the State of Maryland are also entitled to certain rights which are identified in the Law Enforcement Officers' Bill of Rights (LEOBR)(Annotated Code of Maryland, Public Safety Article §3-103. Any conflict between the Cottage City Code and the LEOBR will be resolved in favor of the LEOBR.

The Chief of Police is responsible for the coordination of grievance procedures. Members of the police department will comply with those procedures which are outlined below.

II. COMPLAINTS CONCERNING STATUS OR CONDITIONS.

All complaints other than layoffs, suspensions, demotions or dismissals which any employee may have because of any action affecting his status or conditions of employment shall be handled in accordance with the following:

A. The employee shall discuss the complaint with his immediate supervisor to effect a settlement.

B. A complaint not so settled shall be presented in writing by the employee to the Chief of Police. The employee may appear before the Chief in his own behalf.

C. The Chief of Police shall write his disposition of the complaint and send a copy to the employee within five (5) working days after receipt of the written complaint, or the appearance of the employee, whichever is later.

III. APPEALS BY EMPLOYEES.

Any employee who has been suspended, demoted, laid-off or dismissed who wishes to appeal the decision of the Commission or who claims to have been discriminated against in the course of his employment on account of race, creed, color, sex, religion, age, disability, or national origin may file an appeal in writing to the Commission and may request a hearing thereon. Such appeal shall state in detail the pertinent facts relative to the action which he is appealing and shall be signed by the employee and filed with the Commission within five (5) days after receipt by the employee of the notice of such suspension, demotion, layoff, dismissal or the discriminatory action.

IV. APPEAL PROCEDURES.

A. If requested at the time the appeal is filed, the employee shall be entitled to a hearing before the Commission.

B. The hearing shall be scheduled within thirty (30) days of receipt of the notice of appeal, but may be postponed or continued, in the discretion of the Commission.

C. Notice of the time and place of the hearing shall be given promptly by the Chairman of the Commission to the employee at least five (5) days prior to the date of the hearing. Notice to the employee shall be sufficient if it is sent by mail, postage prepaid, addressed to the employee at his last- known post office address.

V. HEARING PROCEDURES.

A. The hearing shall be conducted in an orderly manner with a view toward the presentation of all material facts so that a fair and impartial decision may be made. The Personnel Commission shall have full authority at all times to maintain orderly procedure and to limit the hearing to relevant facts. In order to protect the privacy of the employee and fellow employees, the Commission may exclude the public from the hearing.

B. The employee and the City Manager may be represented by counsel.

C. All of the evidence that the employee wishes to have made part of the record must be presented at the hearing.

D. The Commission may admit any probative evidence that reasonable and prudent individuals commonly accept in the conduct of their affairs and give such weight to the evidence as the Commission deems appropriate.

E. The Commission may exclude evidence that is incompetent, irrelevant, immaterial or unduly repetitious.

F. The employee and the Commission are each entitled to:

1. Call witnesses;

2. Offer evidence, including rebuttal evidence;

3. Cross-examine any witness that the other calls; and,

4. Present summation and argument.

G. The Commission may receive documentary evidence in the form of copies or excerpts or by incorporation by reference.

H. The Commission may take official notice of a fact that is judicially noticeable or within the specialized knowledge of the Commission.

I. The Commission may use its experience and specialized knowledge in the evaluation of evidence.

J. Insofar as it is administratively practical, the employee may request the presence of Town employees as witnesses in his behalf.

K. All testimony shall be under oath or affirmation given by a person duly authorized to administer oaths within Maryland.

L. A tape recording or other verbatim record of the hearing shall be made. The record shall be transcribed if the employee or Commission so requests. If the employee requests the transcription of the proceedings, the employee shall pay the costs thereof prior to such transcription.

VI. DECISION OF THE PERSONNEL COMMISSION.

A. Promptly after the conclusion of the hearing, the Commission shall render a written opinion in which findings of fact are made and which shall contain the decision of the Commission with respect to the action from which the appeal was taken. The Commission shall have the power to affirm, reverse or modify the action. The opinion shall be filed at the Town Office and shall be delivered to the employee.

   Delivery to the employee shall be effective as of the date of mailing if mailed postage prepaid, to the employee's last-known address or as of the date of delivery if hand-delivered. A copy shall be forwarded to the Board of Managers.

B. The decision of the Commission may be appealed to the Circuit Court for Prince George's County, Maryland in accordance with the Maryland Rules of Procedures governing judicial review of administrative agency decisions. Any request for judicial review of the Personnel Commission's decision must be filed within thirty (30) days of the date the Personnel Commission's decision is mailed or hand-delivered to the employee.

C. The Town Clerk is responsible for maintenance and control of grievance records. The Town Clerk's Office will conduct an annual analysis of all grievances.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PHYSICAL/MENTAL FITNESS AND EXAMS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The medical examination program is intended to ensure that each employee/candidate is physically able to perform the duties and responsibilities of a police employee with the least possible risk to safety. The Department's physical requirements are in compliance with the Americans with Disabilities Act (ADA).

II. PRE-EMPLOYMENT EXAMINATIONS

It is the policy of Cottage City that candidates shall be tested and found both physically and emotionally fit to perform the duties of a police officer.

A. The physical examination will be conducted by a licensed physician of the Town's choosing, using nondiscriminatory procedures. This examination will include a drug screening test for controlled and dangerous substances as prescribed by Maryland Police and Correctional Training guidelines.

B. The process will include an emotional stability and psychological fitness examination that will be conducted and assessed by a qualified professional of the Town's choosing.

C. Results of the physical and psychological examinations are confidential and are kept on file.

D. All examinations required by the selection process are provided at no cost to the perspective employee.

E. Under the Americans with Disabilities Act (ADA), no employer can conduct a medical examination or make inquiries of a job applicant concerning the nature or severity of a disability unless an offer of employment (which can be conditioned upon the successful completion of the medical or other selection process) has been made and a similar examination is required of all new employees.

111. FITNESS

In order for Department employees to fulfill the duties and responsibilities of their respective positions, they must be physically and mentally able to perform all of the tasks they may be called upon to perform during the course of their tour of duty, or even in an "off-duty" status, if the need arises.

For the purpose of competently dealing with the personnel needs of the Department, there are herein established three (3) categories of fitness. The critical criteria for determination of the categories is the ability of an individual to perform the full scope of duties and responsibilities that the individual was hired to perform.

A. Full Duty

The employee is able to fully perform all duties and meet all responsibilities required of the position to which the employee was appointed.

B. Limited Duty

An employee will be placed in a limited duty status when he or she is temporarily incapacitated due to an on-duty injury such that they cannot perform all of the duties of their assignment without presenting an unreasonable risk to the health or safety of themselves, other employees, and/or the public.

1. The employee will submit a physician's certification to the Chief of Police describing the employee's condition that warrants being placed in the limited duty status.

2. An employee in a limited duty status may be temporarily assigned to a position which has assigned duties and responsibilities consistent with his or her medical restriction.

3. Limited duty status may be denied if there are no assignments available for the employee to perform.

4. Before the employee's return to full duty, he or she may be required to successfully complete a physical examination, to ensure the employee's fitness for duty, pursuant to the provisions of the Employee Manual.

C. Disability

Disability will be handled in accordance with the Worker's Compensation Law(s) and/or Cottage City Personnel Regulations.

IV. SPECIAL MEDICAL EXAMINATIONS

Whenever it appears that a Cottage City employee has a condition which adversely affects his or her ability to perform his or her duties, or the well- being of either the public or other employees, or uses sick leave in a manner which appears excessive, the supervisor may require that the employee be examined (at no cost to the employee) by a Town-appointed physician who shall report his or her findings. The supervisor shall take whatever action deemed appropriate in consideration of the findings of the Town-appointed physician. An employee who is required to discontinue work may not return to work until authorized. The leave status of the employee during this period shall be determined by the supervisor pursuant to applicable provisions of the Cottage City Personnel Regulations and these regulations.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **INSPECTIONS**

NEW <u>REVISED</u> RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department will use the inspection process to evaluate the quality of the Department's operations, ensure that the Department's goals are being pursued, identify the need for additional resources, and to ensure that control is maintained throughout the Department.

II. LINE INSPECTIONS

Procedures

A. Line inspections will be conducted as an on-going process by the supervisors and the Chief of Police.

B. When conducting line inspections, the supervisors will be responsible for, among other things:

1. Monthly inspection of subordinates and at various times during the tour of duty for cleanliness and readiness for duty;

2. Monthly, and at unannounced times, inspection of the equipment subordinates use, ensuring that no unauthorized equipment, or equipment for which subordinates have not received training, is carried or used;

3. Daily observation of subordinates as they perform their duties, and to ensure officer safety and quality of service;

4. Daily review and approval of reports and forms;

5. Conducting random inspections of Department vehicles; and,

6. Conducting random inspections of Department manuals.

C. The inspection process will include the responsibility of the supervisors or Chief of Police to take immediate action indicated by the inspection, which would include recognition for exemplary performance and corrective action for deficiencies.

D. Where significant deficiencies exist, a Counseling Record or Supervisor's Remedial Action Form will be completed to document them.

- If the inspection has revealed that a piece of Department-owned equipment has been lost or stolen, or damaged through negligence, the supervisor will require the subordinate to complete an Inter-Office Memorandum, via the chain-of- command describing the loss, theft, or damage and/or complete the appropriate Town or PGPD Event Report.

E. Quarterly, the Lieutenant will conduct an inspection of the Department- owned property and equipment in storage to ensure its state of operational readiness.

- The Lieutenant will maintain an inspection record as documentation of the inspection.

F. Monthly, the Lieutenant will inspect officers' Department-issued weapons.

G. Periodically, all training records will be inspected for accuracy and completeness.

H. The Accreditation Manager will ensure that all reports and evaluations required by the accreditation process are completed and submitted pursuant to the standards to which they pertain.

I. Monthly, the Sergeant will inspect all Departmental vehicles.

III. FOLLOW-UP TO ENSURE THAT CORRECTIVE ACTION HAS BEEN TAKEN

A. Procedures for Follow-up

Follow-up procedures to ensure that corrective action has been taken will include, but are not limited to:

1. A subsequent or follow-up inspection to determine if a deficiency has been corrected;

2. Periodic announced or unannounced follow-up inspections to ensure that the deficiency remains in compliance; and,

3. Referring uncorrected deficiencies and subsequent violations to the Chief of Police for punitive action.

B. Inspection Reports

A written report in the form of a detailed memorandum to the Chief of Police will document any deficiencies revealed by the inspection, and will make recommendations for their improvement or correction.

C. Follow-up inspections will require a written report.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **UNIFORMS AND EQUIPMENT**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. The Department will issue uniforms and equipment to all officers. Officers issued uniforms and equipment will be responsible for their cleanliness, maintaining them in a state of operational readiness, and for their general upkeep. The Department will provide cleaning for all uniforms that the Department issues to its officers and for those Department approved articles of clothing worn in conjunction with the uniform.

B. Department supervisory personnel will ensure that all Department members are appropriately attired and equipped for their tour of duty.

II. LOST/DAMAGED UNIFORMS OR EQUIPMENT

Department members shall immediately report to their supervisor via an Inter-Office Memorandum, any loss of or damage to Departmental property assigned to or used by them.

A. The supervisor will be notified of any defects or hazardous conditions present in any Department equipment or property.

B. An employee may be required to reimburse the Department, replace an item at their own expense, and/or be subject to disciplinary action if an article of clothing or piece of equipment issued to the employee is lost, damaged, or cannot be accounted for through the employee's negligence.

III. UNIFORM ISSUANCE

A. As soon as practical after a new employee has been hired, the Sergeant will be responsible for coordinating the issuance of new and/or used uniforms and equipment.

1. The Sergeant will be responsible for maintaining a record relating to each piece of equipment, including weapons, approved for use by Department members, and to whom the equipment is issued.

2. Department records will reflect an item's description, caliber, model number, serial number, and/or any other descriptive information.

3. Department-owned clothing and equipment in storage will be maintained in a state of operational readiness by the Sergeant.

4. An officer needing an article of clothing or piece of equipment will complete and submit to the Sergeant, an Individual Equipment and Clothing Record (also used to return items to the Sergeant) along with an Inter-Office Memo stating the need for the item.

5. Prior to June 15 of each year, the Sergeant will conduct an inventory of all controlled property to ensure accountability. Discrepancies between the actual inventory and the property schedules maintained will be reported to the Chief.

B. The Department uniform will be worn by all on-duty personnel, unless the Chief of Police or his designee authorizes the wearing of civilian attire.

1. The wearing of combinations of uniform items not prescribed in this general order or others is prohibited.

2. The wearing of the Department uniform, or any part thereof, is authorized when the employee is on actual duty, traveling to and from work, at Department functions when its wear is prescribed, or at other times as directed by the Chief of Police or his designee.

3. Stops made while in partial uniform traveling to and from work will be limited to the obtaining of persona l household necessities and shall not include the purchase or consumption of alcoholic beverages.

4. Employees are required to surrender all Department property in their Possession upon separation from the Department. A failure to return non-expend able items may cause the individual to reimburse the Department for the fair market value of the article(s).

5. No decoration or insignia shall be worn on the Department uniform by any employee of this Department unless authorized by the Chief of Police.

6. Employees of the Department are prohibited from wearing uniform items or using equipment that is not issued by the Department or approved by the Chief of Police.

7. When the uniform is worn by an officer, the uniform shirt will always be worn regardless if a Department approved turtleneck or sweater is also worn.

8. Officers will not testify in court while wearing a sweater. A uniform shirt and tie shall be worn, or the uniform of the day. Suitable civilian attire, suit and tie, sport-jacket and tie, dress, or blouse with skirt or slacks is Acceptable.

9. The issued nameplate will be worn on the outer-most garment centered above the flap of the right breast pocket.

10. When in uniform, all officers will wear a plain-toe black leather or simulated leather shoe. Combat-style boots may also be worn and shall be black i n color with a plain toe. Plain black socks or dark blue socks will be worn with the uniform unless a physician's excuse states otherwise. White socks may be worn with the combat-style boots provided they do not show when sitting down or with the legs crossed.

11. Black rubber boots or rubbers are permissible during adverse weather conditions, searches, and disaster type situations.

12. The issued duty belt will be worn directly over the waist belt, will fit snugly, and will be kept in place with the issued belt keepers or Velcro fasteners. The following items will be carried on the duty belt in a way that promotes safety, convenience, and easy access:

    a. The issued weapon and holster will be worn on the carrier's strong-hand side;

    b. Handcuffs in a case or secure cuff strap;

c. Portable radio and holder;

d. Impact weapon (asp expandable baton);

e. .40 cal. magazines in suitable pouches;

f. O.C. spray.

13. The Department patch will be worn on the left sleeves of the uniform shirt and duty jacket. The patch will be centered and sewn 1/2 inch below the shoulder seam.

IV. ISSUED/APPROVED EQUIPMENT

A. The following equipment and uniforms are issued to Cottage City Officers:

- Cottage City Code of Ordinances
- Cottage City Employee Manual
- CCPD General Order Manual
- Laptop computer
- ASP (upon certification)
- ASP holder
- Belt, Sa m Browne
- CCPD Badge and cap badge
- CCPD Identification Card
- Handcuffs
- Handcuffs Case
- .40 cal. Magazines (3)
- Magazine Pouch
- OC Spray
- OC Spray Holder
- Pistol, .40 caliber Glock
- Radio Holder
- Radio, Portable
- Vehicle/Facility Keys
- Cruiser Jacket, , black
- Gloves, Bike Patrol only
- Hat, Pershing Style, black
- Helmet, Bike Patrol only
- Protective Vest, Ballistic
- Protective Vest Covers (2)
- Raincoat, reversible

- Shirts, Bike Patrol, gray (2)
- Shirts, Long Sleeve, gray (5)
- Shirts, Short Sleeve, gray (5)
- Shorts, Bike Patrol only
- Tie, black (1)
- Trousers, black (4)
- Trousers, BDU, black, Bike Patrol

B. All leather gear will be free from dirt and grime and all brass items will be highly polished.

C. In addition to undergarments and shoes, the only personal equipment/apparel that is authorized to be worn with the uniform is the Leatherman tool.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **BODY ARMOR**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Minimizing or eliminating the risk of serious personal injury or death to an officer is one of the most critical concerns of the Cottage City Police Department and this government. One of the most tested, and proven successful, devices available to aid in ensuring the safety of an officer is body armor; therefore, the Department will provide each member of the department with body armor that will afford a reasonable level of protection consistent with the level of ballistic projectile threat that might normally be encountered by an officer engaged in routine uniform field duties.

An offer to provide and/or the provision of body armor by the Department and a refusal on the part of a member of the Department to either accept the body armor or wear provided body armor will not release the member of the Department from the mandatory procedures government the wearing of body armor. In addition, such an offer to provide and/or a provision of body armor by the Department will be sufficient, by itself, regardless of the action(s) of a member of the Department, to prove that such body armor was made available to every officer of the Department.

II. PROCEDURES

A. Body armor should be worn by every member of the Department engaged in any field assignment, whether in uniform or plainclothes. An officer may elect to wear the body armor provided by the Department or he/she may elect to wear his/her personally-owned body armor that provides at least the same, or greater, level of ballistic projectile threat protection as that afforded by the body armor provided by the Department. Personally-owned body armor worn by an

officer while engaged in any Department field assignment must be approved, in advance, by the Chief of Police or his/her designee.

B. Body armor, whether provided by the Department or personally-owned by an officer, must be immediately available for every officer on duty in any assignment. "Immediately available" shall be interpreted as either being worn by an officer or being in such close proximity to an officer that the body armor can be put on immediately. "Close proximity" to an officer may be defined as either in a patrol vehicle trunk or passenger compartment, depending upon the specific assignment and physical location of an officer.

C. The body armor provided by the Department will be specifically designed for the sex of the officer wearing the body armor.

D. The body armor provided by the Department or personally-owned by an officer, will be replaced every five (5) years based upon the manufacturer's specific instructions and/or warranty regarding its span of effectiveness.

E. The Chief of Police may, at his/her discretion, determine that the wearing of body armor shall.be mandatory for any, or every, member of the Department engaged in any field assignment, whether in uniform or plainclothes. In addition, the Chief of Police may, at his/her discretion, determine those specific circumstances, situations, or assignments in which the wearing of body armor shall be mandatory.

F. Body armor shall be worn by every member of the Department involved in the service of a search and/or arrest warrant, whether or not an officer is a member of an entry team or serving in an assisting capacity, regardless of the offense for which the search and/or arrest warrant is being served.

G. Body armor should be worn by every member of the Department involved in a tactical field situation in which a reasonable threat of great bodily injury or death to an officer exists, or may develop. Those tactical field situations may include, but are not limited to:

1. Violent crimes/situations in progress;

2. Barricade and/or hostage situations; and

3. Field situations in which an officer has been advised that a weapon reasonably capable of inflicting great bodily injury or death, e.g. a firearm or knife, is present or in which an officer reasonably believes that such a weapon may reasonably be present, e.g. armed robbery in progress.

H. Body armor shall be worn in any field situation in which any on-scene field commander or incident manager, whether from Cottage City Police Department or any other police agency, who has supervisory responsibility over a member of the Department determines that the wearing of body armor shall be mandatory.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **OFF DUTY EMPLOYMENT**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Chief of Police must ensure the continued efficiency and effectiveness of the department while simultaneously reducing or eliminating conflicts of interest. To this end, the Chief of Police shall manage according to whatever reasonable controls he/she deems necessary to restrict or regulate the conduct of employees. It shall be the policy of the department, therefore, to prohibit off-duty employment of employees when such employment may impair the member's efficiency of or conflict with their duties and responsibilities.

II. DEFINITIONS

For the purposes of this order, employment shall be defined as any work performed or services provided for compensation, including self-employment.

A. Police-related employment is defined as any employment which may entail the use of the member's police powers granted by the State of Maryland and the Town of Cottage City.

B. Members in their probationary period are prohibited from engaging in off-duty employment.

II. GENERAL INFORMATION

Employees who are directed to report to work overtime, or are directed to report to work on their day(s) off, will do so regardless of the fact that secondary employment has been approved. Off-duty employment should not become additional full-time employment.

A. Members shall be required to fully complete a Secondary Employment Agreement prior to commencing their part-time employment.

B. Members may be employed as part-time police officers in another Maryland jurisdiction provided:

1. All provisions enumerated below in Sections IV and V below are complied with.

2. The officer is reminded that he or she is subject to recall and overtime assignments by the Cottage City Police Department.

3. The employing jurisdiction provides full police liability insurance.

4. The employing jurisdiction provides suitable Workman's Compensation insurance.

5. The employing jurisdiction complies with all C.O.M.A.R. requirements and files the necessary paperwork with the Maryland Police and Correctional Training Commission and the officer receives a certification card for that jurisdiction.

6. The officer does not use his or her issued police uniform, police badge, certification card and identification or police take-home vehicle during the course of the part- time employment.

7. The officer may, if approved by the employing jurisdiction, carry their issued Cottage City Police firearm.

8. The officer wears either their issued soft body armor while engaged in part-time employment with another jurisdiction or wears one issued to them by the employing jurisdiction.

IV. PROCEDURES

Prior to engaging in any off-duty employment or business activity members of the department shall submit a written request through channels to the Chief of Police for approval to engage in off-duty employment (Attachment). The request shall contain the member's name and date of the request. It shall also contain the following information and are subject to the following regulations and conditions:

A. The supervisor shall review the request and make recommendations to the Chief of Police for approval or disapproval.

B. Indicate the full name and trading name, if applicable, as well as the corporate address and the address of the property where the member will be working.

C. The name and phone number of the member's on-premises supervisor.

D. The request will state the nature of business conducted on the premises.
   1. It shall include a full description of the member's duties.
   2. The maximum number of hours per week to be worked.
   3. The effective date of employment, and expiration date, if applicable.
   4. The type of equipment the member will be utilizing.

E. Certification by the employing agency or business of general liability insurance of a minimum amount required by the Commissioners of the Town of Cottage City, and naming the Town of Cottage City as an Additional Insured.

F. Members shall be in a full-duty status and not on limited or non-contact duty or sick leave. Members who are returning from a sick leave status are required to work a full duty shift prior to commencing any off-duty employment. They shall possess their full police powers.

G. Members who are required to appear in court as a result of any action taken while engaged in part-time employment shall not be paid for any such court appearance by the Town of Cottage City Police Department. Any payment for court time shall be the responsibility of the employing business or agency.

V. PROHIBITIONS

Off-duty employment is a privilege that requires the member to display the same ethical conduct as when on-duty. Employment shall at no time constitute a conflict of interest. With this in mind, the following prohibitions and restrictions are placed.

A. Police related off-duty employment shall not exceed twenty (20) hours per calendar week.

B. Non police related off-duty employment shall not exceed thirty (30) hours per calendar week.

C. Members who work a 12 hour regular police shift may not work any off-duty employment in the 8 hours prior to the beginning of their regular tour of dut

D. Members shall only be approved for one off-duty job at a time.

E. Members are prohibited from employment, whether police related or not, by any firm connected with the towing or storage of vehicles, as a bill collector, process server, taxicab driver, licensed tour guide, personal bodyguard, private investigator or bartender.

F. Member's off-duty employment shall not be conditioned upon the member's use of or access to police, court, motor vehicle, or criminal records of any type or for any reason.

G. Members shall not serve as an employment agent for police related jobs.

H. Members are prohibited from engaging in employment where alcoholic beverages are sold for consumption, as the primary source of revenue, on the premises.

I. Members working off-duty employment outside the corporate ·limits of the Town of Cottage City shall not wear the issued police uniform shirt/jacket or trousers except with the express permission of the Chief of Police.

J. The minimum salary requirement for members employed in police-relate off-duty employment shall not be less than the current hourly starting rate for a Cottage City police officer.

K. The Chief of Police shall periodically review the conditions of employment with the Member to ensure compliance with these guidelines. Should the conditions of the work not meet these guidelines, or the work is not in the best interest of the Town or the police department, the Chief may revoke the approval for the off-duty employment.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **GROOMING AND PERSONAL APPEARANCE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Officers of the Cottage City Police Department shall be well-groomed and present a neat, professional appearance while on duty.

II. PURPOSE

This General Order establishes grooming and personal appearance guidelines for on-duty personnel.

III. GENERAL INFORMATION

Citizens enjoy great freedom in the way they dress and groom, but the decision to join and serve the Cottage City Police Department entails certain sacrifices on the part of the officer. One of these sacrifices is the freedom to dress and groom with no concern other than one's own personal preference.

The regulations in this General Order strike a fair balance between the rights of the officers and the legitimate needs of the Department. In the regulations, distinction is sometimes drawn between the grooming required for males and that required for females. This does not reflect any difference in the degree to which it is imperative that female or male officers are well- groomed. Rather, it reflects acceptance of the fact that the public expects different grooming standards to be observed by the two sexes, and it is this public expectation which is central to the recognition of the respect of the officer, cooperation from the public, as well as the absence of antagonism.

This grooming and personal appearance regulation serves two functions: it facilitates instant recognition and fosters quick, respectful cooperation by the public; and, it causes officers to project a "neutral" image, thereby minimizing public antagonism from everyday contacts, whether or not cooperation or recognition is needed.

The importance of the first function stems from the fact that it is, on occasion, vital to public safety as well as the safety of all officers that the public be able to recognize, instantly and without doubt, an officer as representing legitimate authority. In some cases, hesitation in either seeking assistance from an officer or cooperating with an officer can be a matter of life or death.

Moreover, the Police Department's job is made significantly easier if the public feels minimal hostility toward it. Hostility may result not only from abrasive personal contact, but also from mere occasional glimpses of officers whose appearance suggests that the officers might be less than evenhanded in their treatment of different segments of the public. Thus, the second function of this regulation, the assurance of impartiality, is essential to the Department.

IV. APPEARANCE

A. All Personnel

At all times when on duty, unless expressly authorized by the Chief of Police or his designee, all Department members shall be well-groomed and clean in their person.

1. Hands

   Fingernails shall be trimmed not to exceed 1/4" from the end of the finger and free of dirt. Female employees may wear conservative polish or coating on their fingernails.

2. Eyebrows

   Eyebrows shall be well-groomed to remain within the area defined by the natural hairline.

3. Jewelry

   Personal jewelry shall be held to a minimum. Bracelets and visible necklaces will not be worn with the uniform, with the exception of medical alert type bracelets.

4. Hair

   Hair will not be of a style, length, or artificial color which is offensive to the general public.

5. Sunglasses may be worn. The frames must be a conservative color. Gaudy or colorful frames and lenses are prohibited. Sunglass strap holders are prohibited. Sunglasses shall be removed when speaking to the public or traffic violators.

B. Male Officers

1. Hair

   Hair shall be combed or brushed in such a manner that it does not protrude over two inches in a perpendicular line from the scalp and shall be gradually tapered to the sides in such a manner that the outer portion of the ear is visible and not covered by hair when viewed for the front, side, and rear. Hair shall be evenly trimmed at all times. Hair in the back of the head shall be trimmed in such a manner that it does not extend over the shirt or uniform collar while standing in normal posture. While the officer is on duty, his hair shall not be worn in braids, plaits, pigtails, ponytails, or drawn together and pinned.

2. Sideburns

   Sideburns shall not extend below a horizontal line drawn from the lowest portion of the ear. They must be trimmed in such a manner that the ear is visible from the front and that the width of the sideburns does not exceed the area defined by the natural hairline.

3. Mustaches

   A clean-shaved appearance is required, except that mustaches are permitted. Mustaches must be trimmed so that the upper lip of the officer is visible when viewed from the front. Mustaches must be trimmed so that they do not extend beyond W' from a perpendicular line drawn at the corner of the mouth. Mustaches must also be trimmed in such a manner that they do not extend over W' below the horizontal line formed by the corners of the mouth. Mustaches must not be waxed or otherwise treated to extend them beyond the natural hairline.

4. Other Facial Hair

   All other facial hair such as beards, chin, neck hair, or lower lip whiskers, shall be shaved and trimmed to the lowest point.

5. Male personnel may not wear earrings.

C. Female Officers

1. Hair shall be arranged in such a manner that it does not extend below the bottom edge of the collar. Hair styles used in accomplishing this goal shall permit the proper wearing of the uniform hat. Wigs or hairpieces of a color close to the normal hair color may be worn if they conform to the guidelines of this regulation.

2. No ribbons or ornaments shall be worn in the hair except for neat, inconspicuous bobby pins or conservative barrettes.

3. Female officers may wear one pair of small, plain, button-type earrings.

4. Make-up will be kept to a minimum.

D. Other Public Safety Employees

1. Public Safety Employees, who are not, because of their assignment, required to wear a uniform, will dress in a manner which reflects a professional appearance.

2. Grooming standards for these employees will be the same as those for uniformed police personnel.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **AWARDS AND COMMENDATIONS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of this Department to recognize significant achievements of all employees and outstanding contributions to Cottage City, the police department, and the community as a whole. Praiseworthy and commendable effort can be recognized in a variety of ways including verbal supervisory comments, written supervisory comments, and notations on performance evaluations, wrifren commendations, merit pay increases, and awards.
Exceptional acts by any employee should be clearly and promptly brought to the attention of the Chief.

II. AWARDS

A. Merit Increase

The Commissioners, upon recommendation of the Chief of Police, may grant to an employee a special in-grade increase or cash bonus for outstanding performance.

B. Certificate for Outstanding Police Service

This certificate is awarded by the Chief of Police to an individual officer, citizen, or citizen's group involved in law enforcement to recognize an exceptional act or service to the public, to the Town, or to the Cottage City police department.

C. Nominations for awards outside of the police department hall be submitted by memorandum to the Commission.

III. LETTERS AND MEMORANDUM OF COMMENDATION

When positive feedback concerning an employee's performance is received from individuals outside the Department, or is initiated within the Department, the information and thanks will be passed to the employee and the employee's supervisor. When positive comments are received in writing in the Chief's office, a written acknowledgment thanking the individual will be sent. A copy will be placed in the employee's personnel file.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **IN-SERVICE, ADVANCED, SPECIALIZED AND ROLL CALL TRAINING**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. All officers will complete an annual retraining program (hereinafter referred to as In-Service Training), inclusive of legal updates and firearms re-qualification.

B. Officers mandated by Maryland Police and Correctional Training Commission regulations, shall receive at least eighteen (18) hours of In- Service Training every calendar year, to maintain their certification as police officers in the State of Maryland.

C. Officers are encouraged to attend as much training as possible (taking into account minimum staffing requirements), and may exceed the State- mandated eighteen (18) hours.

II. IN-SERVICE TRAINING

Lieutenant and Below

A. All police officers at or below the rank of Lieutenant shall be provided with an approved in-service training program of 18 hours every calendar year.

B. In-Service Training is not required during the first calendar year of employment if entrance-level training was received during this time.

C. In-Service Training is not required during the first calendar year of employment if a Certificate of Comparative Compliance is received during this time.

D. As part of their In-Service Training these officers shall be required to Qualify with any and all Department approved weapons they carry on and off-duty. At this time, they will also receive training in the Department's Use of Force policies.

III. WEAPONS TRAINING

A. At least annually, officers will be responsible for attending weapons proficiency training relating to all Department-approved weapons. This proficiency training will be monitored by a MPCTC certified weapons instructor at an approved Range.

B. Upon completion of weapons proficiency training, the Chief will update Department training records to document the training and the officer's proficiency.

C. Any officer failing to satisfactorily demonstrate proficiency with a weapon will be required to complete a remedial training program established by the MPCTC Certified weapons instructor.

D. If the weapon is a firearm, the officer's remedial training will be subject to the provision of the Maryland Police and Correctional Training Commission Regulations.

1. If an officer cannot satisfactorily demonstrate proficiency with the Department-issued firearm after remedial training, the Chief will be notified to determine the need to re-assign the officer to other duties. The officer will not be permitted to carry the weapon until additional training is received and proficiency demonstrated to the PGPD instructor certified on that particular weapon.

2. If the weapon for which an officer cannot demonstrate satisfactory proficiency is not a firearm, the officer will not be permitted to carry the weapon until additional training is received and proficiency demonstrated to the appropriate certified instructor.

IV. ADVANCED/SPECIALIZED TRAINING

A. All personnel are encouraged to enroll in training of an advanced or specialized nature, either sponsored by this Department or by another agency.

B. Any member interested in attending advanced training will submit a memorandum to the Chief via his/her chain-of-command, detailing the training and/or attaching the training brochure to the memorandum.

C. Some of the criteria that may be used to determine attendance at the requested training may include:

1. Budget constraints,

2. Maintaining adequate staffing levels during the requestor's absence.

3. Proficiency displayed by the requestor in that area of advanced training.

4. The need and/or appropriateness for the advanced training,

5. The requestor's suitability for the advanced training,

6. The requestor's prior performance evaluation,

7. The requestor's knowledge/experience of the subject matter, and

8. The requestor's compliance with all applicable PGPDTC requirements.

D. The following officers are mandated by Maryland Police and Correctional Training Commission (MPCTC) regulations to attend and successfully complete advanced training:

1. First-Line Supervisors,

2. First-Line Administrators,

3. Classroom Instructors,

4. Firearms Instructors,

5. First-Responder Instructors,

6. Radar/Laser Instructors,

7. D.A.R.E. Program Instructors,

8. Police Motorcycle Operators,

9. Police Bicycle Operators,

10. Accident Reconstructionist,

11. Truck Inspectors,

12. Drug Offense Investigators,

13. NCIC and CJIS Computer Terminal Operators, and

14. Shift I.D. Officers.

E. Advanced or specialized training provided to the above-listed officers will include the following:

1. The development and/or enhancement of the skills, knowledge, and abilities particular to the specialization.

2. Management, administration, supervision, personnel policies, and support services of the function or component.

3. Supervised on-the-job training

V. ROLL-CALL TRAINING

A. Roll-Call for officers will consist of a pre-shift contact with officers coming off their shift. This form of roll-call will take place just prior to the beginning of every shift, every day of the week.

B. Roll-Call will be conducted in an informal but orderly manner with the intent of briefing on-coming officers regarding:

1. Daily patrol activities (including contract areas),

2. Making officers aware of unusual situations and special attention areas,

3. Informing officers of hazards that other officers have encountered (house checks, etc.),

4. Making officers aware of directed patrol activities (usually found on the Department Memo Clipboard - required reading daily),

5. Making officers aware of wanted persons or stolen vehicles that may be within our jurisdiction,

6. Notifying officers of shift schedules or changes in assignment,

7. Informing officers of new directives, especially of operational type directives, i.e. pursuit, deadly force issues (new policies placed in officer's individual mailbox),

8. Providing officers with selective roll-call training (video, legal updates, training notes.

C. Roll-Call should be conducted in such a manner that officers can exchange information with officers from the on-coming shift so that communication, coordination, and cooperation exist among all Department personnel including communications personnel.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **HARASSMENT IN THE WORKPLACE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

To maintain a healthy work environment and to provide procedures for reporting, investigating and resolving complaints of harassment, sexual or otherwise.

II. POLICY

It is the policy of Cottage City that employees have the right to work in an environment free of all forms of harassment. The City does not condone, and will not tolerate harassment in any form. Harassment is generally defined as that behavior which creates a work environment that a reasonable person would find "hostile or abusive". Therefore, the city shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment, sexual or otherwise.

III. PROHIBITED ACTIVITY

A. No employees shall either explicitly or implicitly ridicule, mock, deride or belittle any person.

B. Employees shall not make offensive or derogatory comments based on race, color, age, sex, religion, national origin, marital status, or sexual preference, either directly or indirectly to another person. Such harassment is a prohibited form of discrimination under state and federal employment law and is also considered misconduct subject to disciplinary action by the Town.

C. Certain types of rude remarks, negative stereotyping, threatening, intimidating or hostile acts and written or graphic material that denigrates a protected group.

D. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly as a term or condition of employment; or,

2. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or,

3. Such conduct has the purpose or effect of reasonably interfering with an employee's work performance or creating an intimidation, hostile, or offensive working environment.

4. Sexual harassment includes but is not limited to:

a. Offensive sexual flirtations, advances, or propositions;

b. Verbal abuse of a sexual nature;

c. Sexually graphic verbal commentaries about an individual's appearance or body;

d. The display of sexually suggestive or graphic objects or pictures;

e. Offering or giving anything in exchange for a sexual favor.

IV. RESPONSIBILITIES

A. Each supervisor will be responsible for preventing acts of harassment. This responsibility includes:

1. Monitoring the unit work environment for signs that harassment may be occurring;

2. Counseling all employees on the types of behavior prohibited, and City procedure for reporting and resolving complaints of harassment;

3. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved persons are within his/her line of supervision; and,

4. Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment, pending investigation.

B. Each supervisor has the responsibility to assist any employee of the City, who comes to that supervisor with a complaint of harassment, in documenting and filing a complaint with the City Manager's office.

C. Each employee of the City is responsible for assisting in the prevention of harassment through the following acts:

1. Refraining from participation in, or encouragement of, actions that could be perceived as harassment;

2. Reporting acts of harassment to a supervisor; and,

3. Encouraging any employee, who confides that he/she is being harassed, to report these acts to a supervisor.

D. Failure to take action to stop known harassment shall be grounds for discipline.

V. COMPLAINT PROCEDURES

A. Employees encountering harassment shall tell the person that their actions are unwelcome and offensive. The employee shall document all incidents of harassment to provide the fullest basis for investigation.

B. Any employee who believes that he/she is being harassed will report the incident(s) to the supervisor as soon as possible so that steps may be taken to protect the employee from further harassment, and appropriate investigative and disciplinary measures may be initiated.

1. Where this is not practical, or if the harasser is the victim employee's supervisor, the victim employee may instead file a harassment complaint with another supervisor, the Chief.

2. If the harasser if the Chief of Police, the victim employee may file a harassment complaint with the Commission.

3. The supervisor or other person to whom a complaint is given shall meet with the employee and document the specific incidents, the person(s) performing or participating in the harassment, and the dates on which it occurred.

4. The town employee taking the complaint shall expeditiously deliver the complaint to the Chief.

C. The Chief shall be responsible for the investigation of any complaint alleging harassment.

1. The Chief shall immediately notify the prosecutor's office if the complaint contains evidence of criminal activity, such as batter, rape or attempted rape.

2. The investigation shall include a determination whether other employees are being harassed by the person, and whether other employees participated in, condoned, or encouraged the harassment.

3. The Chief shall inform the parties involved of the outcome of the investigation.

4. A file of harassment complaints will be kept in a secure location.

D. There shall be no retaliation against any employee for filing a harassment complaint, or assisting, testifying, or participating in the investigation of such a complaint.

E. Complainants or employees accused of harassment may file a complaint/appeal in accordance with Town procedures when they disagree with the investigation or disposition of a harassment claim.

F. This pol icy does not preclude any employee from filing a complaint with an appropriate state or federal agency.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **LINE OF DUTY DEATHS OR SERIOUS INJURIES TO EMPLOYEES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It shall be the policy of the Cottage City Police Department to promptly notify and provide assistance to the immediate family of any Cottage City police employee who dies or serious injury is the result of felonious or accidental circumstance.

Consistent with that assistance, the Department, at an appropriate time for the surviving family, will make the family aware of survivor benefits, as well as provide both tangible and intangible emotional support during this traumatic period.

The Department further realizes and understands that the actual funeral arrangements will properly reflect the wishes of the deceased member's family and that any conflict that arises will be decided in favor of the family's wishes.

II. CREDITS

Much of the content of this policy was printed with permission from Concerns of Police Survivors, Incorporated, based on a publication titled, "Support Services to Surviving Families of Line-of-Duty Death."

III. PROCEDURES FOR EMERGENCY NOTIFICATIONS

A. Prior to Making the Notification

1. The Department's Emergency Notification List for the particular employee will be consulted to determine whom, and in which order a particular notification will be made, in accordance with the member's wishes that completed the form.

2. The member's name will not be released to the media (on or off the record) until the appropriate notifications of those living in the area are made.

3. If there is knowledge of a medical problem with someone on the emergency notification list, medical personnel should be dispatched to the residence to coincide with the emergency notification.

4. Notification will always be made in person by the Chief of Police or the Lieutenant.

B. General Guidelines

1. Unless the situation dictates otherwise, the notification will never be made on the doorstep of those being notified.

2. Everyone at the residence should be asked to enter the residence and to sit down.

3. The person(s) being notified will be informed slowly and clearly of the information pertaining to the incident.

   - When conveying the information, the officer's name should be used during the notification.

   - If specifics of the incident are known, those being notified must be given as much information as possible.

   - If the injury is potentially fatal, those notified will not be given a false sense of hope. If it is possible for the family to visit the member prior to his/her death, they most certainly should be afforded that opportunity.

4. If the person responsible for the emergency notification has been seriously affected, he/she should understand that showing emotions is perfectly

acceptable and reactions by those being notified may include hysteria, anger, fainting, physical violence, shock, etc.

5. If those being notified want to go to the hospital, they should be transported via police vehicle, as it is highly recommended that they not drive themselves.

    - Should there be serious resistance and those being notified insist on driving, an officer should accompany them in their vehicle.

    - If small children are home du ring the notification, the notifying officer(s) must be cognizant of the fact that babysitting needs may have to be arranged.

6. Once the family is enroute to the hospital, pol ice communications should be notified so that information (along with an E.T.A.) can be relayed to officers who may be at the hospital.

7. Additionally, a severely injured officer's parents will be afforded the courtesy of personal notification if they live in the area.

C. Assisting the Next-of-kin, etc. at the Hospital

1. This will be a priority of the Department and the Department will communicate with hospital staff in order to arrange for appropriate waiting facilities for the family and a separate area for fellow officers.

2. The officer-in-charge at the hospital should ensure that medical personnel relay pertinent information to the family on the member's condition on a timely basis.

3. These same medical personnel should make the family aware of hospital polices about visitation with the injured member.

    - Concerns of Police Survivors recommend that officers at the hospital should not be overly protective of the family.

4. As soon as the family arrives at the hospital, the Chief of Police, or designee, will ensure that the family is updated on the incident as soon as possible.

5. The Chief of Police, or designee, will make every effort to be present the entire time the family is at the hospital, unless called away, at which time, a

representative will be appointed to arrange whatever assistance the family may need at the time.

6. The people who made the initial notification should be among those at the hospital.

7. Arrangements should be made for transportation of the family back to their residence.

D. Line of duty death notifications

1. If a Cottage City police officer has died in the line of duty, the Prince George's County Police Chaplain will be notified, regardless of the hour and will accompany the Chief or designee to assist with the notification.

   - The Police Chaplain can be reached by contacting the following numbers:

     - WORK: 301-948-5536,

   - If there is no response, request communications to contact the Police Chaplain

2. It is suggested that words such as "died" or "dead" be used, rather than "gone away" or "passed away".

3. Additionally, the deceased officer's parents will be afforded the courtesy of personal notification if they live in the area.

4. If immediate survivor(s)/family members are out-of-town, or do not reside in the area, the Department will request personal death notification from the law enforcement agency in the jurisdiction in which the survivor(s) is located.

5. The officer-in-charge at the hospital should ensure that medical personnel assist with the notification.

6. These same medical personnel should make the family aware of hospital policies about viewing the body following demise, and explain why an autopsy is needed.

7. Idle promises should not be made to the family at this time (i.e., "We'll promote him/her posthumously", "We'll retire his/her badge").

E. Support for the Family during the Wake and Funeral

1. The Chief of Police or his/her designee will, with the approval of the family, appoint a "liaison officer" to assist the family throughout the wake and funeral.

This appointment is a critical assignment and:

- The liaison officer should know the deceased member and be aware of the family relationships;
- The officer should not be so emotionally involved with the loss that he/she would become ineffective; and,
- The liaison officer must know that this is not a decision- making position, but that this is a "facilitator" role between the family and the department.

2. The appointment will require the liaison officer to:

- Ensure that the needs of the family come before the wishes of the Department;
- Meet with the family and tell them what his/her responsibilities will be during this time;
- Meet with the family concerning funeral arrangements (if any), since most officers have not pre-arranged their wishes for the handling of their own funeral, family will most likely need to decide all aspects of the funeral;
- The family should be made aware of what the Department can offer in the way of assistance if the family decides to have a "law enforcement funeral;"
- Know all information concerning the death and continuing investigation to answer family questions;
- Provide as much assistance as possible and oversee arrangements for travel and lodging for out-of-town family members;
- Be constantly available throughout this traumatic time;

- Ascertain what police fraternal/labor organization involvement will be, if any, and what financial assistance they are willing to provide for out-of-town family travel, feeding the funeral attendees following the burial, etc.;

- See that the surviving parent(s) are afforded recognition and will have proper placement arranged for them during the funeral and funeral procession;

- See that the family is briefed on the funeral procedure (i.e., "21-gun-salute", presenting of the flag, playing of "taps", etc.);

- Assist family members in securing adequate babysitting help for their needs, if necessary;

- Accommodate all possible family requests for assistance for communicating those desires to the Chief of Police;

- Suggest the family avail themselves of a telephone answering machine, and assist in securing one, (if they do not have one already) to screen calls to the residence;

- Coordinate efforts with the family minister, Police Chaplain, F.O.P., Funeral Director, and Cemetery Director regarding funeral arrangements;

- Compile information concerning the funeral arrangements and any other pertinent information needed to complete the teletype notification as follows:

    - Name of deceased,
    - Date/Time of death,
    - Funeral arrangements (to include if service is private or formal, police funeral to include F.O.P. services),
    - Expressions of sympathy in lieu of flowers,
    - Uniform to be worn,

- Authorize mourning ribbons for a thirty-day period for line-of- duty deaths;

- Complete an itinerary for the day of the funeral services;

- Brief the Chief of Police concerning all funeral arrangements;
- Determine the location of the officer's personal property (i.e., Evidence Room), being particularly attentive to wedding rings and religious medals;
- If the family desires a burial in uniform, obtain or designate an officer to obtain a uniform and all accouterments and deliver them to the funeral home;
- Consider a casket watch;
- Determine if the family wishes a flag presentation by the Chief of Police and notify the Chief;
- Obtain an American Flag, which can usually be obtained from the funeral home;
- Ensure that mourning bunting is erected at the Police facility;
- Maintain a roster of all departments sending personnel to the funeral and assist with accommodations;
- Arrange for funeral escort service with PGPD;
- Arrange for an ambulance to be present at the cemetery;
- Assist the family and visiting departments with transportation after the funeral; and
- Acknowledge visiting or assisting departments with letters of appreciation.

3. The family will be made aware of, and have access to, other public safety survivors or other support groups, such as:

- Concerns of Police Survivors 301-599-0445
- Compassionate Friends 202-244-1026

F. Relations With the Media and Release of Information

1. While the Department recognizes the importance of providing the public, via the media, with accurate and complete information, and will involve the media during this crisis situation, the Department will withhold certain information concerning a member's serious injuries or death in the following circumstances:

    - If a survivor has not been notified, and/or

    - If the premature release of certain information would/could hamper the investigation into the incident.

2. If an investigation is being conducted by an outside agency (such as PGPD Homicide, etc.), the release of information by this Department will be coordinated with their investigators.

G. Benefits Information Provided to Surviving Family

1. Another responsibility of the "liaison officer" will be to meet with the family concerning information about benefits to which the surviving family may be entitled.

2. The liaison officer will meet with the Cottage City Office Manager as soon as possible to gather information on behalf of the family, or will arrange a meeting between the family and the Office Manager for this purpose.

H. Long-Term Contact With Family Maintained

The Department, through its liaison officer, or as directed by the Chief of Police, will maintain contact with the surviving family by, among other things:

1. Frequently communicating with survivors to reiterate the Department's interest and support for the family;

2. Assisting the surviving family with the completion of applicable forms and papers;

3. Providing words of encouragement to the family;

4. Accompanying survivors to Court appearances, as necessary; and,

5. Assisting the family with problems of which the Department is best-equipped to handle.

IV. PERSONNEL SUPPORT SERVICES

A. In addition to the types of leave and benefits provided by the City and the Department to support its employees, the Department will provide support services to its employees that will include, and may not be limited to:

1. Ensuring that information is provided pertaining to employee benefits;

2. Keeping employees informed via newsletters, publications, and other methods about newly-enacted or revised laws, City policies, Department policies, and other issues that impact them;

3. Providing counseling, as necessary and appropriate, regarding retirement options, savings plan options, assistance with personal problems, etc.;

4. Assisting and supporting the surviving family of a Department member seriously injured or killed in the line-of-duty; and,

5. Involving itself to the extent necessary and appropriate to assist one of its members with a sudden, unforeseen event in which the employee and his/her family would benefit.

6. Advising the family of the role of police associations (FOP, HEROES, COPS, etc.) and the nature of support programs that they sponsor for law enforcement survivors.

B. The City has an agreement with a licensed Psychologist knowledgeable in police affairs and the nature of law enforcement to which employees can avail themselves.

An employee desirous of speaking with this Psychologist should contact the Chief or Sergeant for information.

C. Employees may also consult the Prince George's County Police Chaplain.

V. BENEFITS/CLAIMS

There are federal and state benefits to which beneficiaries of officers killed in the line of duty are entitled. The following is provided so that the liaison officer can initiate contacts as soon as possible after an officer's death.

A. Federal: contact the office and request claim forms and a list of necessary documents to be returned with the claim.

   U.S. Department of Justice
   Bureau of Justice Assistance
   Public Safety Officers Benefits Program
   810 7th St. N.W. Room 4221
   Washington, D.C. 20531

B. State: will fax or mail a list of documents necessary to file a claim.

   Department of Public Safety and Correctional Services
   Plaza Office Center, Suite 310
   6776 Reisterstown Road
   Baltimore, MD 21215-2341

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **MEDIA RELATIONS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

One of the first and most fundamental considerations of the nation's founders in drafting the Bill of Rights was to provide for a free press as an essential element of the First Amendment to the Constitution. They realized that a well-informed citizenry is vital to the effective functioning of a democracy. Police operations profoundly affect the public and, therefore, arouse substantial public interest. The police should make every reasonable effort to serve the needs of the media in informing the public about crimes or other police problems. This should be done with an attitude of openness and frankness whenever possible. The media should have access at the lowest level in a department to personnel who are fully informed about the subject of a press inquiry. Further, they should be told whatever that will not impinge on a person's right to a fair trial, impede a criminal investigation, imperil human life, or seriously endanger the security of the public.

In all other matters dealing with the media on current news, every member of the department should make every reasonable effort consistent with accomplishing the police task in providing the media representatives with full and accurate material.

II. PURPOSE

The purpose of this directive is to provide guidelines as to types of information which may be released to media representatives, to specify some types of which may not be released, to identify who may release information, and to establish procedures for media relationships with the department.

PROCEDURES

A. General:

1. The department is committed to informing the community and the news media of events within the public domain that are handled by or involve the department.

2. The public information function includes:

   a. Assisting news personnel in covering routine news stories and at the scenes of incidents.
   b. Responding to news media inquiries, in person or telephonically.
   c. Preparing and distributing news releases.
   d. Arranging for news conferences as required or requested.
   e. Releasing information about victims, witnesses, and suspects as allowed by law provided that the release of the information does not compromise any investigation.
   f. Coordinating and authorizing the release of information concerning confidential departmental investigations and operations.

3. All employees of the department have individual responsibilities concerning the release of information.

4. The chief of police will function as the primary contact for information

5. Dissemination to the community and media.

6. Inquiries concerning departmental policies, procedures, practices or relationships with other criminal justice agencies will be referred to the chief of police. Similarly, the chief of police will coordinate all responses to inquiries or release of information pertaining to departmental involvement with other public agencies (e.g. fire department, medical examiner, State's Attorney).

7. The chief of police shall coordinate responses to inquiries and release of information concerning confidential departmental investigations and operations.

B. Information that is not releasable.

1. The following information will not be released due to 6TH Amendment, statutory or other restrictions.

2. The identity of victims of sex related crimes.

3. The identity of any suspect for whom a warrant or summons has not been issued or an indictment returned.

4. The existence of any criminal record or any information concerning the character or reputation of the accused or remarks that tend to establish the defendant as a professional criminal.

5. The existence or contents of any confession, admission, or statement of the accused.

6. The performance of any examination or test by the accused or the refusal or failure to submit to an examination or test.

7. The identity of any actual or potential witnesses to crimes, other than the victims as mentioned above, or comments on the expected testimony or credibility of any witness.

8. Any opinions as to the innocence or guilt of the accused, the merits of the case, the possibility of any plea or negotiations or the value of any evidence.

9. The identity of any juvenile arrested who has not been certified by the Circuit Court and an adult.

10. The names of deceased persons before the notification of next of kin.

11. Information relating to motor vehicle accident reports specifically prohibited by Maryland Law.

12. Comments which suggest that the defendant has aided in the investigation.

13. Information concerning the planning of raids, the execution of search warrants or other specialized enforcement efforts.

C. Release of information pertaining to juveniles.

1. Criminal Offense - Normally, juvenile's name, address, or other distinctly unique information which would serve to identify a juvenile SHALL NOT be released. The age, sex, place of residence and details of the offense

MAY be released. Under certain circumstances, a judge may authorize the release of identity information

2. Traffic violations, except for those listed below which are classified as misdemeanor crimes, any information including name, address, etc., is fully releasable.

3. Accidents in which traffic charges are or may be placed as a result of an accident investigation, juvenile identity information will be withheld.

4. Any traffic offense which is a mandatory court appearance and cannot be prepaid, and therefore classified as a misdemeanor or for which the juvenile has been indicted the juvenile's identity SHALL NOT be released.

5. The identity of juvenile victims of sex crimes SHALL NOT be released.

D. Crime or Incident information release

1. Crime or incident information to be released to the media upon request includes:

2. The type of crime or event and when and where it occurred, to include a brief synopsis of known facts concerning the incident.

3. The identity of the victim(s) or the name of the person who reported the crime. If the victim or complainant requests that his or her name not be used in the media, this request will be given to the media. The media are obligated to honor this request.

4. Information concerning property loss, physical injuries or deaths - provided the next of kin have been notified.

5. Information concerning the type or length of investigation.

6. Information concerning the existence and physical description of suspects may be released.

7. If a warrant has been executed then the name, address and description will be released. If a warrant has been issued but not executed and the officer believes that the public may provide information to assist in locating the person, this information may be released.

E. Release of individual arrest information

After the arrest of a person other than a juvenile, the following may be released upon request to the media:

1. The arrestee's name, age, residence and other factual background information.

2. The nature of the charge upon which the arrest was made.

3. The identity of the investigative agency of the police department and any assisting agencies.

4. The circumstances surrounding the arrest, including the place of arrest and the identity of the arresting officer(s).

5. The custody status, if known.

6. The date(s) of various court hearings.

7. Photographs of the defendant(s) without the police identification data may be furnished if readily available in current files.

F. Names of police officers

The names of police officers providing information to the media may be given to the media and published, unless the officer(s) involved are in an undercover assignment. The addresses and telephone numbers of police personnel will not be released.

G. Media contacts and procedures

1. Normally, media representatives either visit the department in person or call seeking information about newsworthy items. Routinely, they should be referred to the chief of police.
2. As a rule, media representatives will not read the offense report since non- releasable information may be on the report (e.g. suspect information or the names of sex crime victims). Offense reports and accident reports should be carefully checked concerning the involvement of juveniles before releasing information.
3. At the scenes of major fires, natural disasters, or other catastrophic events, or at crime scenes, officers shall establish perimeters and control access. Any such limitations should be clearly explained to media

representatives, preferably in meetings before any emergencies arise, by sending editors and commissions' copies of this policy. News media representatives should not interfere with law enforcement operations at the scene of an incident. AS soon as possible, however, media representatives should be assisted in gaining access to the scene when it will not interfere with the law enforcement mission. Officers may deny access for legitimate investigative or safety reasons; additionally, they may not authorize the media to trespass onto private property. The media representative is responsible for obtaining any permission necessary once the law enforcement mission allows access to the scene on private property.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **OFFICER DISCRETION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. Cottage City officers shall be issued general orders to define the limits of individual authority, provide guidelines for the exercise of discretion,and address procedures that must be followed in certain circumstances. This policy is based on the fact that an officer is faced with a myriad of situations almost daily making it difficult for a law enforcement agency to make rules or write policies to address every conceivable situation.

B. The Department will provide for uniformity of decisions and action, and eliminate unnecessary discretion by establishing policies, procedures, and guidelines.

C. The General Orders contained in this manual are for this Department's use only. Therefore it is imperative that the exercise of discretion should be compatible with the "Rule of Law," Department policy, the "Laws of Arrest," and within the limits of the officer's authority as a sworn law enforcement officer.

II. SITUATIONS WHERE DISCRETION IS RESTRICTED OR ELIMINATED

A. Discretion Regulated or Restricted by Statute of General Order

1. Department policy generally gives officers guidelines to consider in exercising their discretion, except when a general order dictates a specific procedure for responding to and/or handling certain circumstances or situations. In those instances, discretion is either restricted or eliminated

since the general order will describe the individual officer's course of conduct or action.

2. Officers will be especially cognizant of those laws Which remove an officer's discretion regarding mandatory arrest, the placing of certain charges, etc., and in those instances, officers will comply with the applicable statute governing such conduct.

3. Any conflict between Department General Orders and applicable laws will be resolved in favor of applicable laws.

B. Exercising Discretion

1. Before the officer exercises discretion, he/she must consider relevant factors, the overall situation, and then, using knowledge previously gained, training, and good judgment, then make an appropriate decision.

2. The officer exercising such discretionary judgment will not normally be held to be totally wrong. by a supervisor, although the supervisor may point out factual errors or other alternatives which might have been more appropriate. It is from this learning experience that an officer's discretion improves and develops.

3. Since oftentimes an arrest may not solve or address an underlying problem, the Department encourages its officers to make referrals to public and private agencies that provide services of a varied nature to the community.

4. The officer making a referral is not relieved from his/her duties and responsibilities regarding the completion and submission of required reports, keeping the victim informed of the status of the case, and any follow up investigation.

5. Officers must be cognizant of the fact that frequently, a verbal or written warning to violators for very minor offenses may be sufficient and that the formal placing of charges either by way of citation or arrest should not be made unless the violation is deliberate and/or repeated.

6. There are some situations in which a minor crime is alleged i.e., simple assault, but not committed within the officer's presence or view, and/or an arrest does not fit the criteria listed in the "Laws of Arrest". I n those instances in which a lawful arrest cannot be made, an appropriate referral would be to the nearest District Court Commissioner's Office or the State's Attorney’s Office for Prince George's County.

Note: An officer referring a citizen to the District Court Commissioner to apply for a charging document for a crime committed in the Cottage City must obtain a Central Complaint Number (CCN) and write the appropriate Event Report.

7. If an arrest is made based upon probable cause and good faith, but the arresting officer shortly thereafter determines that the formal placing of charges would be inappropriate, the defend ant will be released, and the arresting officer shall submit the appropriate Event Report explaining the circumstances.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **USE OF FIREARMS/USE OF FORCE/DEADLY FORCE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this police department that police officers shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer or another.

An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's life, or in defense of any person in immediate danger of serious physical injury.

Cottage City police officers are authorized to carry weapons in accordance with State Law under CR § 4-203 (b) (1) (i). Non-sworn personnel are not permitted to carry and/or use weapons.

II. PURPOSE

The purpose of this General Order is to provide clear guidelines for Cottage City Police Officers when making decisions regarding the use of their firearms or the use of force. This policy was developed with serious consideration for the safety of both police officers and the public and with the knowledge that officers may make split-second decisions in life and death situations. This policy is the standard by which the actions of Cottage City Police Officers will be measured.

III. DEFINITIONS

A. Deadly Force - force intended to, or likely to, cause death or serious physical injury.

B. Non-deadly Force - force not intended to, or not likely to, cause death or serious physical injury.

C. Probable Cause - regarding deadly force, means facts and circumstances known to the police officer who would warrant a prudent and cautious person with the knowledge, training, and experience of the officer to believe that a suspect has committed a crime involving the infliction or threatened infliction of serious physical harm.

D. Reasonable Belief - when facts or circumstances the police officer knows, or should know, are such to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

E. Serious Physical Injury - bodily injury that:

1. Creates a substantial risk of death;

2. Causes serious, permanent disfigurement;

3. Results in long-term loss or impairment of any bodily member organ.

IV. PROCEDURE

A. Except for maintenance or during training, police officers shall not draw or exhibit their firearm unless circumstances create reasonable belief that it may be necessary to use the weapon in conformance with this policy.

B. Before using a firearm, and where feasible, police officers shall identify themselves and state their intent to shoot.

C. Authorized Use

Sworn police personnel are authorized to discharge a firearm in connection with the performance of official police duties only under the following circumstances:

1. At a suspect or fleeing felon where the affected sworn police officer has probable cause to believe that this suspect poses a threat of serious physical harm or death, either to the police officer or to others;

2. To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured;

3. A police officer may use deadly force in other jurisdictions only to defend himself or another person from what the sworn police officer has reasonable belief to perceive as an immediate threat of death or serious bodily injury;

4. At the pistol range for target practice or when authorized for training purposes or competitive sporting events; or,

5. As a last resort in an effort to summon aid.

D. Unauthorized Use

1. Deadly force will not be used when less force would be sufficient to affect an arrest or repel and assault.

2. Firing into buildings, doors, windows, or other openings is prohibited when the person lawfully fired upon is not clearly visible.

3. Sworn police personnel will not discharge a firearm at or from a moving vehicle except as a necessary measure of self-defense or defense of another when a suspect is using lethal force.

4. Warning shots are prohibited.

5. Firearms shall not be discharged when it appears likely that an innocent person may be injured.

V. AUTHORIZED WEAPONS

A. Police officers are authorized to use lethal and non-lethal weapons that are Department-approved and authorized for law enforcement responsibilities, on and off duty, in a manner consistent with the provisions of this general order.

Non-lethal weapons may be used as follows:

1. To protect the officer or another from physical harm;

2. To restrain or subdue a resistant individual; or,

3. To bring an unlawful or hazardous situation safely and effectively under control.

B. A police officer is not permitted to use a non-deadly weapon unless qualified and proficient in its use as determined by training procedures.

C. Prior to the issuance of a Department-owned weapon or firearm to an officer, the Department Quartermaster will ensure that it has been inspected by a qualified weapons instructor or armorer. This inspection will normally take place at the range prior to the officer's first qualification with the weapon. Any on-duty or off-duty weapon found to be unsafe or defective during supervisory or armorer inspections will be removed from service immediately until restored to proper operating condition.

D. Cottage City officers of all ranks will only carry an issued or departmentally approved weapon, to include side arms and ammunition, while on-duty and may carry an issued or approved weapon off-duty, providing they are acting in conformity with applicable Department General Orders, State Laws, and Cottage City Ordinances. The following weapons are authorized for on duty and off-duty use by Cottage City Police Officers:

1. Glock Model 23, 40 caliber semi-automatic pistol with 165 grain, copper jacketed hollow point ammunition.

2. 12 gauge pump-action shotgun, manufactured by Mossberg, Winchester or Remington, with No. 4 Buckshot ammunition.

3. Other weapons may be approved on a case-by-case basis. The caliber must be generally accepted for law enforcement use. Ammunition will be that which is recommended by the manufacturer for the weapon.

E. Off-duty officers who elect to carry a firearm shall also carry their police badge and credentials on their person. Off-duty weapons shall be carried in a concealed and safe manner and shall not be unnecessarily displayed to the public. Officers wishing to carry off-duty weapons must first register them with the Chief and the officers must have successfully passed a qualification course with the specific weapon approved by the Maryland Police and Correctional Training Commission.

F. Before an officer is authorized by the Department to carry a weapon, the Chief will ensure that the officer has been issued copies of and has been instructed in Department policies governing the use of force and the use of lethal and non-lethal weapons. The Chief will document the issuance of the weapon and policies on an appropriate form.

G. Officers wishing to use or carry a lethal or non-lethal weapon not issued by the Department may not do so unless:

1. They have submitted a memorandum via the chain of command to the Chief of Police requesting approval and the Chief has granted approval;

2. The officer has had the weapon inspected by the appropriate qualified weapons instructor or department armorer;

3. The officer has demonstrated to the instructor proficiency with the weapon; and,

4. The officer has complied with paragraph D, above.

H. Lethal and non-lethal weapons will be frequently inspected by the officer, to whom they are issued to ensure that they are in a state of operational readiness, and any weapon found to be malfunctioning, unsafe, or deficient will be promptly taken out of service and the Chief notified.

All weapons will be inspected periodically by the Chief or his/her designee.

I. The Department-issued weapon for all ranks shall be the Glock 23, 40 caliber semi-automatic pistol.

All ammunition for the Department-issued Glock will be 165 grain copper jacketed hollow point.

J. The Department approved expandable nightstick (ASP) and aluminum flashlight are authorized non-lethal impact weapons, the carrying and use of which are restricted to those officers who have successfully completed a Department-approved course of instruction in their use and who meet all certification and re-certification requirements.

K. The only "pepper spray" that Cottage City Officers are authorized to carry and use if necessary, is the Sabre Red Dot OC-10 Oleoresin Capsicum Pepper Spray.

VI. MEDICAL CARE

A. Officers will ensure the provision of appropriate medical aid after use of lethal or less-than lethal weapons, or other use of force. Appropriate "medical aid" may include increased observation by the officer to detect obvious changes in condition of the person; flushing chemical agents from the eyes, applying first aid, evaluation by paramedics, or for more serious or life threatening incidents, immediate aid by medical professionals.

B. Officers and supervisors are required to obtain medical evaluation as soon as practical for persons:

1. Who show signs of injury as a result of any use of force,

2. Who complain of any injury as a result of any use of force,

3. Who become unconscious either during or following any use of force, and,

4. When the officer or supervisor reasonably believes an individual is in need of a medical evaluation as a result of any use of force.

C. Officers will notify the Chief of all injuries complained of or sustained by subjects following any use of force.

VII. IN-SERVICE TRAINING ON DEPARTMENT AUTHORIZED WEAPONS

At least annually, all officers will receive In-Service training in the Department's use of force policies and demonstrate proficiency with any approved lethal and non-lethal weapon authorized for use. Weaponless control techniques which are included in the annual in-service use of force curriculum and taught by certified instructors during Annual In-Service Training are authorized, with the exception of neck restraints which have the potential for causing serious injury. The Chief will maintain a record on each Department-approved weapon and In-Service training.

A. The proficiency training will be monitored by an appropriate certified weapons instructor for the specific weapon being demonstrated. The instructor will notify the Department's Training Coordinator upon completion of the training in order to make a timely entry into the respective officer's training file.

B. If an officer fails to demonstrate a satisfactory level of proficiency, he/she will not be permitted to carry that particular weapon until the officer has successfully completed remedial training.

VIII. REPORT AND NOTIFICATION

A. An officer who discharges a firearm on or off duty, within or outside his jurisdiction, accidently or intentionally, except during training or practice at the range or while involved in approved hunting or sporting events, shall make an oral report to the on-duty supervisor as soon as practical, or in his/her absence, the Chief of Police and complete an Incident Report and a Use of Force Report as soon as circumstances permit.

B. If the discharge results in death or injury to another, or if the Chief feels there is negligence, or it is in the best interest of the department or the Town of Cottage City, the officer shall be placed on administrative duty until the department investigation is completed. The firearm involved may be taken for evidentiary purposes. The authority for a member to carry a firearm shall continue unless the officer's emotional state indicates he/she should be relieved of that

authority. The involved officer will follow the reporting procedures in Section VII., A.

C. Officers shall document the use of force when it is applied through the use of lethal or less than lethal weapons.

D. Officers shall document the use of weaponless physical force in accordance with department policy. The act of applying handcuffs for officer safety or when arresting an individual is not considered use of force for the purposes of this General Order. However, the fact that handcuffs were applied will be documented in the Event Report. When multiple employees are involved in the same use of force incident, the primary employee involved, will verbally report the incident to the supervisor and initiate a Use of Force Report prior to securing for the day/evening.

E. If there is a need, the Chief or the supervisor shall make the decision to notify a mental health professional and/or the States Attorney.

IX. USE OF FORCE REVIEW COMMITTEE

A. The Committee shall consist of three members:

1. Lieutenant, Cottage City Pol ice, Chairman

2. Supervisor, PGPD or other Municipal Pol ice Department

3. Officer, Cottage City Police Department

B. The Use of Force Committee shall review all assigned incidents of weapons discharge and use of force incidents involving personal injury and make a report to the Chief within 72 hours of the incident, Included · in the report will be findings whether:

1. Department rules, pol icy, or procedures were violated;

2. The relevant policy was clearly understandable and effective to cover the specific incident;

3. Department training is currently adequate.

C. The Chief of Police will conduct an annual analysis of use of force reports in order to identify patterns or trends that could indicate training needs and/or policy modifications.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **USE OF TASER**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of the Cottage City Police Department to utilize the minimum amount of force necessary to affect an arrest or subdue a violent or potentially violent individual. To that extent, the Department has authorized the use of the TASER ® as a non-lethal weapon.

Cottage City Police officers are permitted to carry non-lethal weapons in accordance with Maryland State Law under Criminal Law Procedures Subtitle 2, § 4-201. Non-sworn personnel are not permitted to carry and / or use non-lethal weapons. Only sworn personnel who are trained and certified may be issued and carry the TASER®

The TASER® is not intended to be used in place of a firearm when the use of deadly force is authorized.

II. DEFINITIONS

A. The TASER® is an electro-muscular disruption weapon that disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction.

B. Drive Stun is a secondary function of the TASER® that will stun a subject by making direct contact with the body after the air cartridge has been expended or removed.

C. The air cartridge is the replaceable cartridge which uses compressed nitrogen to propel two barbed probes on thin connecting wires sending a high voltage/low current signal into a subject.

D. The TASER ® has a data port that stores the date and time of each firing of the weapon and provides a complete and accurate documentation of its use.

III. PROCEDURES

A. The TASER ® may be used to control dangerous or violent subjects when deadly force does not appear to be justified and/or necessary. The TASER® may also be used to subdue a subject when other conventional non-lethal tactics such as the ASP® baton, O.C. spray or open hand tactics have been or will likely be Ineffective or there is reasonable expectation that it will be unsafe for officers to approach within physical contact range of the subject.

B. Only a properly functioning and charged TASER ® shall be carried on duty.

C. Officers who are trained and certified to carry the TASER® shall, at the beginning of each shift;

1. Remove the air cartridge from the front of the TASER® by squeezing the buttons on either side of the cartridge.

2. Insert a freshly charged battery pack into the base of the handgrip and check the TASER's® proper operation of the Laser by releasing the safety.

3. Squeeze the TASER's® trigger to check that the weapon produces a noticeable arc between the two metal contacts at the front.

D. Officers will carry the TASER® in an issued departmental holster. The holster will be worn on the duty belt opposite the side the member's service weapon is carried.

E. The TASER® may be deployed from up to 21 feet away from the subject when;

1. The suspect is punching or kicking;
2. Threatening to punch or kick;
3. Lesser force options have been or will be ineffective, or

4. The officer reasonably believes the subject is a credible threat.

F. Other deployment considerations include, but are not limited to;

1. An imminent threat to others;
2. The suspect is actively resisting;
3. The severity of the crime;
4. The suspect is attempting to evade arrest by fighting;
5. The suspect is pregnant or the officers believes the suspect is pregnant and a successful use of the TASER® may cause com plications from a secondary Injury or fall, and;
6. Consider using the legs as a target area if the suspect is wearing heavy or multiple layers of clothing.

G. When practical, the officer shall give a loud verbal warning to the subject and the other officers present that he/she will be firing the TASER®

1. The officer should deploy the TASER® at the subject's center of mass, avoiding such areas as the head, face, neck, groin areas or the breast area of females

2. Ensure the probes are removed from the subject's skin by a TASER® certified officer or trained medical personnel.

3. The use of the drive stun is discouraged except in situations where the probe deployment is not possible and the immediate application of the drive stun will bring a subject displaying active, aggressive or aggravated aggressive resistance safely under control. Multiple drive stuns are discouraged and must be justified and articulated on the Use of Force form. If the initial application is ineffective, the officer will reassess the situation and consider other available options.

4. The officer shall examine the arrestee for any injuries caused either directly or indirectly by the use of the TASER®. If any injuries are present or if the arrestee complains of an injury, whether visible or not, the arrestee shall be transported to a medical facility for treatment prior to being transported to the booking facility. If the arrestee shows visible signs of an injury but declines medical treatment, he/she shall be asked to sign a properly executed waiver of medical treatment. This form shall accompany the arrestee to the booking facility and be presented to the Department of Corrections personnel at the time of intake.

IV. RESPONSIBILITIES

A. Any officer who deploys a TASER®, whether the probes took effect or not shall immediately notify a supervisor of its use and complete a departmental Use of Force Report prior to the expiration of the officer's tour of duty.

B. If any injuries to the arrested person are present, whether or not caused by the use of the TASER® shall immediately or as soon as practicable, call for an ambulance or transport the arrestee to a medical facility for treatment.

C. As soon as possible, ensure that color photographs are taken of the arrestee's injuries or probe impact points and attach the photographs to the Use of Force Report.

D. Supervisors shall thoroughly investigate all uses of the TASER® to ensure its use conforms to department guidelines. A complete report with recommendations shall be prepared and submitted to the Chief of Police within 30 days.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **OPERATION OF POLICE VEHICLES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of the Cottage City Police Department that all personnel will operate emergency vehicles with due regard for the safety of themselves and the public. Whether the situation is routine or emergency, the operator's first concern is the safe operation of the vehicle and preserving operator and citizen safety. In emergency situations, a fast response is necessary; however, the need for urgency must always be balanced against the highest concern for vehicle operator and citizen safety. Officers will respond to calls consistent with the response code assigned to the incident by the Police Communications Dispatcher or a supervisor.

II. PURPOSE

The purpose of the General Order is to establish procedures for the operation of police vehicles, both under emergency conditions and normal patrol.

III. DEFINITIONS

A. Code 1Response (not routinely voiced)

Response in obedience to all traffic laws

B. Code 3 Response

Expedited response to a call for service using emergency lights and siren

C. Emergency Vehicle

As contained in the Annotated Code of Maryland, subsection 21-106 of the Transportation Articles:

(a) Circumstances for which privileges granted - Subject to the conditions stated in this section, the driver of an emergency vehicle registered in any state may exercise the privileges set forth in this section while:

(1) Responding to an emergency call;

(2) Pursuing a violator or suspected violator of the law; or

(3) Responding to, but not while returning from, a fire alarm.

(b) Enumeration of privileges - Under the circumstances stated in subsection (a) of this section, the driver of an emergency vehicle may:

(1) Park or stand without regard to the other provisions of this title;

(2) Pass a red or stop signal, a stop sign, or a yield sign, but only after slowing down as necessary for safety;

(3) Exceed any maximum speed limit, but only so long as the driver does not endanger life or property; and

(4) Disregard any traffic control device or regulation governing direction of movement or turning in a specified direction.

(c) Use of audible and visual signals required

(1) The privileges set forth in this section apply only while the emergency vehicle is using audible and visual signals that meet the requirements of s.s. 22-218 of this article, except that an emergency vehicle operated as a police vehicle need not be equipped with or display the visual signals.

(2) The driver of an emergency vehicle may not use flashing lights or a bell, siren, or exhaust whistle while returning from an emergency call or fire

alarm, except that fire apparatus carrying standing firemen may use flashing lights that are visible only to the rear.

(d) Driver not relieved from duty of care -This section does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons. (An. Code 1957, art. 66 1/2, s.s. 11-106; 1977, ch. 14, s.s 2; 1982, ch.815.)

D. MARNIS

Mutual Aid Radio Network Interface System; a radio patching link between units of two or more agencies through their radio systems

E. PMARS

Police Mutual Aid Radio System; a radio system providing direct agency- to-agency communications

IV. RESPONSE TO CALLS

A. Code 1

1. Code 1- A "Code 1",non-priority response is designated for most calls for service that do not require an expedited response, unless information is available to either communications personnel or field officers that a quicker response is necessary to prevent loss of life or serious injury, and to apprehend suspects.

2. Unless advised by police communications dispatcher or a supervisor otherwise, officers will respond to all calls for service "CODE 1."

3. Officers responding Code 1shall obey all laws and Department regulations.

4. The emergency equipment of a police vehicle responding Code 1 will not be activated for the purpose of responding to the call.

This does not apply to an officer who activates his/her vehicle's emergency equipment to make a traffic stop, or to assist a disabled motorist, or for another legitimate reason, while enroute to the Code 1 call.

5. If Police Communications or an officer receives additional information indicating the Code 1situation has escalated into one requiring an expedited

(Code 3) response, the information will be provided to the responding officers and the response code will be upgraded.

6. Similarly, if an officer is responding to an incident with a Code 1 response and has information, based on his/her knowledge of crime problems in a beat, suspects seen in the area, or familiarity with the suspect's modus operandi, etc., the officer may request a supervisor to upgrade the response code.

7. In order to avoid redundancy and waste "air-time," supervisors will continuously monitor the calls assigned to officers so that they can direct operations, modify response codes, if necessary, and make decisions concerning tactics and deployment.

8. Officers not assigned to the Code 1call should closely monitor the call as it is dispatched to determine if the nature of the call would warrant additional officers as back-up units (i.e., alarms, domestic disputes, disorderly conduct, 9-1-1 disconnect, etc.)

9. Officers responding as back-up units will not exceed the original Code 1response, unless:

    a. A police communications dispatcher or a supervisor upgrades the response code to 3,

    b. A higher response code is requested by an officer on the scene, or

    c. The officer does not respond to a check of his/her welfare and the supervisor authorizes a Code 3 response.

B. Code 3

1. A "Code 3" response will be designated for situations that require a quick, emergency response to the scene of an incident.

2. When officers respond to a Code 3 call, they are authorized to activate their vehicle's emergency lights and siren to warn other users of the road of their approach.

3. When responding Code 3, officers will drive with due care and caution and will not drive their vehicle at a speed that hinders the vehicle's safe operation.

4. Because this is a situation requiring an emergency response by pol ice (and possibly Fire/Rescue), responding officers will use the safest and most expeditious route to the scene.

5. If a call is dispatched Code 3 and an officer feels that such a response code is not justified under the circumstances, he/she will make police communications aware that they are responding Code 1so that other responding officers can be advised.

6. Likewise, supervisors have the option of reducing a response code if they feel that the Code 3 is not justified.

7. A Code 3 response will be designated for the following situations:

    a. Signal 13 - Officer in trouble, needs immediate help,

    b. Signal 64 - Homicide in progress or just occurred,

    c. Signal 65 - Rape/sex crime in progress or just occurred,

    d. Signal 84 - Robbery in progress or just occurred,

    e. Signal 60 - Aggravated assault in progress or just occurred,

    f. Signal 62 - Burglary/ Breaking & Entering in progress,

    g. Signal 15 - Fight in progress (depending on number involved, weapons, location, etc.),

    h. Signal 66 - Suicide attempt in progress,

    i. Felony fugitive/escape, when there is likelihood of apprehension,

    j. Kidnapping in progress or just occurred,

    k. Family fight in progress if battery/weapons are involved,

    L. Signal 9 or 9 F - Personal injury traffic accidents (exception - Fire/Rescue personnel or other police agencies on the scene and the situations does not warrant an emergency response, at which time, the response code will be reduced) and

m. Any other situation where additional information is available to communications personnel or officers that an emergency response would prevent loss of life or serious injury.

V. POLICE VEHICLES

A. Vehicles used for patrol are conspicuously marked and are readily identified as law enforcement vehicles.

B. Cottage City marked police vehicles include:

1. Exterior overhead mounted red and blue emergency lights;

2. The words Police and Cottage City on the doors;

3. The 9-1-1 emergency telephone number located on the rear bumper

4. The vehicle number and department's web address on the rear bumper/or trunk area;

5. The word "Police" clearly marked on the trunk;

6. Distinctive blue and gray striping down both sides;

7. A siren mounted in the overhead emergency light bar or inside of the front grill;

8. A mobile radio transceiver.

C. The department does not have vehicles designated solely as transport vehicles. Every patrol vehicle can be used to transport a prisoner. Some of the patrol vehicles, however, are equipped with security cages. These vehicles will be used for the transportation of prisoners when needed for additional security of officers or prisoners. Rea r compartments have been modified to minimize opportunities for exit without the aid of the transporting officer.

VI. GENERAL OPERATING PROCEDURES

A. Officers on routine patrol, responding Code 1to an assigned call, or otherwise operating in a non-emergency or off duty status, will obey all traffic laws.

B. When operating an emergency vehicle in a pursuit or on an emergency call, the primary concern of the operator of the vehicle must be the safety of other motorists, pedestrians and fellow officers. Although officers are given a qualified privilege by state law from observing traffic regulations while operating an emergency vehicle, they are not relieved of the responsibility of driving with due regard for the safely of all persons. Officers are not protected from the consequences of failing to exercise reasonable care under these circumstances despite the operation of Emergency equipment. (Refer to Section 21-106 of the Maryland Transportation Articles.)

C. Operators of police vehicles, while the vehicle is in motion, will not use a cellular telephone or similar device except for emergency use, without the use of a hands free device.

D. Operators of police vehicles are prohibited from smoking inside of the vehicle as all times.

E. Safety Equipment

1. All employees of the Department will use seat belts at all times when operating or riding in Cottage City motor vehicles. Officers will ensure that all passengers in the vehicle have buckled their seat belts prior to the vehicle being moved.

2. Prior to driving a Cottage City vehicle, employees will check the operation of all safety equipment (lights, seat belts, etc.) and all emergency equipment (siren, emergency lights, etc.). Employees discovering defects which may impair the safe operation of the vehicle will report the defect immediately to their supervisor.

The vehicle should not be operated until the deficiency has been corrected.

F. Passenger Restrictions

Employees operating a police vehicle will not permit persons other than authorized Department personnel to ride in the vehicle except in the performance of police duties or in conjunction with authorized Department programs such as the Ride-Along program.

G. Officers shall not operate police vehicles, (on or off duty), after having consumed any alcoholic beverages within the past six (6) hours.

H. Officers on "Sick" leave or "Workmen's Compensation" status shall not operate any police vehicle without the permission of the Chief of Police.

VII. VEHICLE ESCORTS

A. Ambulances and other emergency vehicles

Police officers will escort ambulances and/or other emergency vehicles in emergency situations under the following circumstances:

1. When an operator of an ambulance or fire apparatus is unfamiliar with the route to the destination;

2. When the emergency equipment of an ambulance or fire apparatus is inoperative.

B. Privately-owned vehicles

1. Officers will not escort privately-owned vehicles under emergency circumstances for several reasons:

   a. Most privately-owned vehicles are not equipped like a police vehicle;

   b. Most citizens are not as skillful as the escorting police officer at handling a vehicle under emergency conditions;

   c. By escorting a privately-owned vehicle, the officer needs to periodically take his/her eyes off the road to check on the vehicle behind the police vehicle. This diverts the officer's attention away from his/her emergency driving Responsibilities.

d. The privately-owned vehicle's operator will most likely be extremely upset, and may be in no condition to drive under emergency circumstances.

2. Due to the extreme danger that this type of escort poses not only to the escorting officer, but also to the occupants of the vehicle being escorted and other motorists, an officer confronting a situation in which an occupant in a privately-owned vehicle needs emergency medical assistance, will follow the following procedures:

   a. The officer will notify police communications to have an ambulance respond to the officer's locations and specify the nature of the illness or injury so that a Basic Life Support Unit (regular ambulance) or an Advanced Life Support Unit (paramedic unit) can respond.

   b. The officer will then provide emergency care as appropriate, which may include monitoring breathing, controlling bleeding, etc. until the arrival of rescue personnel.

   c. If an officer needs to perform CPR, this information must be communicated to communications so that an appropriate level of Fire/Rescue apparatus can be dispatched.

   d. The officer encountering this particular situation should advise communications that he/she has a "working code," and specify whether it is an infant, child, or adult.

   e. An officer is permitted to transfer the ill/injured occupant of the privately-owned vehicle to the police vehicle and drive the injured/ill occupant to the hospital, if time is of the essence, and/or the officer is within close proximity to the hospital.

   f. During this emergency situation, the police vehicle's emergency equipment will be activated.

   g. The officer will notify the on-duty supervisor and communications of the beginning and end of this type of transport.

   h. The officer will drive with due care, wear his/her seatbelt, and follow the appropriate traffic laws and Department policies and procedures.

C. Emergency deliveries

Emergency deliveries of blood, critically needed medication or other items may be made only with the authorization of a supervisor.

D. Other Escorts

Routine escorts, funerals, dignitaries, e.g., should be approved in advance by the on-duty supervisor or the Chief. Escorts for oversize vehicles, hazardous or unusual cargo, when prior approval is not possible will be handled by the senior officer depending on circumstances.

E. Notifications

In all incidents involving emergency escorts or deliveries, the officer will notify the police communications upon starting and completing the escort.

F. When conducting official business in neighboring jurisdictions, officers must first request authorization from a supervisor.

VIII. ASSISTING A PRIMARY UNIT

A. Units responding to an incident as a backup unit will not exceed the response code designated for the primary unit, unless authorized by a supervisor. If the response code is reduced by the primary unit, the backup unit must also reduce its response to Code 1. Backup units should also advise of their location prior to responding to ensure that the nearest unit(s) are the appropriate responders.

B. Whenever possible, at least two (2) officers should respond to the following types of situations:

1. The potential for, or actual assault on, an officer,

2. The possibility of an on-scene arrest being made,

3. Any crime in-progress,

4. A situation involving a fleeing suspect,

5. Domestic disputes,

6. Alarms,

7. 9-1-1disconnects,

8. Any other situation that a prudent officer believes would warrant additional officer(s) to preserve the peace and to protect each other.

IX. EMERGENCY RESPONSE

A. Operation of police vehicles under emergency circumstances requires the consideration of two basic issues.

1. A procedure must be developed to provide a quick response to emergency calls where lives are endangered or a serious crime is in progress.

2. Consideration must be given to the hazards involved in speedy response. Responding to an emergency call for service does not justify endangering motorists, pedestrians or fellow officers.

B. Maryland law does not relieve the operator of an emergency vehicle from driving with due regard for the safety of all persons. Operators of emergency vehicles may be held liable for negligence.

C. The supervisor or senior officer on duty will be held responsible for the urgency of response and thus have the authority to modify the response code on their own initiative or at the request of an officer. This permits the flexibility necessary to meet a variety of circumstances and designates authority and responsibility over police personnel.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PURSUIT**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. INTRODUCTION

The mission of the Cottage City Police Department includes, among other things, providing and maintaining a feeling of security and safety to person within the Town. Each incident in which the department becomes involved should be resolved in a fashion that maintains the positive level of confidence which the community has in the department.

This policy is designed to reduce potential dangers involved in any pursuit situation. Officers must recognize that the goal of a pursuit is a safe conclusion and not to "win" a contest with a suspect. When an officer attempts to pursue a vehicle, it must be in accordance with the restrictions outlined in section Ill, A and the approval criteria in Section Ill, B. However, the pursuing officer should do so only in circumstances where the benefits of apprehension or identification outweigh the risk to the public, the officer, the suspect, or passengers in the suspect's vehicle. The pursuing officer must terminate the pursuit when the risk of injury or damage to any person or property resulting from the continuation of the pursuit becomes greater than the risk of injury to any person or damage to any property that would result from the escape of the suspect.

Although state law gives police officers a qualified privilege from observing traffic regulations, officers are not relieved of the responsibility for driving with due regard for the safety of all persons. Officers must also recognize that the pursuit may cause the suspect to drive more erratically or at higher speeds in an effort to escape. Such conduct by a suspect increases the risk to the public and must be considered by the officer in deciding whether to continue a pursuit. No other police activity poses a greater risk to innocent citizens than that of a pursuit.

Officers must exercise sound judgment and discretion throughout a pursuit. The propriety of continuing a pursuit shall be continuously re-evaluated. This general order is intended to guide the decision making process.

II. PURSUIT DYNAMICS

"The majority of research and professional literature has concluded that pursuit creates a far greater risk than benefit to the officer, the public, and the suspect. The question is - Is it worth it?" What you do and how you do it may ultimately be reviewed by a jury.

- Fleeing suspects are usually traffic offenders - irrationally afraid of being stopped.
- Pursuit activity may cause the suspect to continue to operate at high speeds.
- Once the officers turn off their emergency equipment and reduce speed, the pursued vehicle usually slows.
- Police chases grow increasingly dangerous the longer they last. The longer the siren is on the more invincible and officer will feel.

III. DEFINITION

A pursuit is considered to have begun when an officer makes a vehicular attempt to apprehend the occupant(s) of a motor vehicle when the driver has been requested or signaled to stop and is resisting apprehension by maintaining or increasing the vehicle's speed or otherwise maneuvering his/her vehicle in a manner to elude the officer.
Under this definition, it is the suspect who initiates pursuit, and the officer must then make a series of decisions as to whether the pursuit shall continue or be terminated.
Closing in on a motorist who stops on being signaled by a pol ice officer is not a pursuit.
Following a vehicle when the pol ice vehicle is being operated in full compliance with all traffic laws and regulations (e.g. not speeding, stopping for stop signs and traffic signals, etc.) is not a pursuit.

IV. PURSUIT CIRCUMSTANCES

Police pursuit of a suspect is authorized only in certain circumstances set forth in Section IV, A and IV B. If these circumstances are present, the officer must take into account the factors set forth in Section IV, C. Even if the specified circumstances are present and the factors described in Section IV, C do not weigh against engaging in a pursuit, there are

circumstances under which pursuits shall not be maintained. There circumstances are set forth in Section IV, D.

A. Minimum Criteria

Pursuit of a vehicle is authorized only when the offense for which a suspect is being pursued is one or more of the following:

1. A felony has occurred or is occurring, or the officer has reason to believe a felony has occurred or is occurring, except motor vehicle theft as defined in CR § 7-105 (b).

2. Assault in the first degree. (CR § 3-202)

NOTE: The traffic charge of fleeing and eluding the police is not a pursuable offense.

B. Pursuit Approval

The officer must receive immediate approval from a Cottage City Police supervisor to continue a pursuit, if a Cottage City Police supervisor cannot be contacted for approval to continue the pursuit, the officer will discontinue the pursuit. Supervisory approval will be based on the following information:

1. The seriousness of the crime (be able to articulate, prior to the pursuit); and

2. Safety concerns, to include:

a. Location of the pursuit,

b. Time of day,

c. Amount of vehicular and pedestrian traffic in the area,

d. Weather conditions and lighting,

e. Road conditions,

f. Speed of the pursuit,

g. Inter-jurisdictional restrictions,

h. School zones and residential areas,

i. Safe distance, and

j. Never pursue with a ride-along, civilian or sworn.

If a supervisor cannot be contacted immediately for approval to continue the pursuit, the officer will discontinue the pursuit.

In addition to the minimum criteria set forth above, the officer must be able to articulate that permitting the suspect to continue to escape would be a greater danger to the community or the public in general than the risks inherent in a pursuit.

C. If the minim u m criteria set forth above are present, the officer shall consider the following factors in deciding whether or not to engage in a pursuit:

1. The safety of others on or near the roadway;

2. The safety of the occupants of the vehicle being pursued;

3. The officer's personal safety;

4. The type and seriousness of the offense committed;

5. The danger presented to the public if the suspect is not immediately apprehended;

6. The volume and speed of vehicular traffic;

7. The volume of pedestrian traffic;

8. The location of the pursuit;

9. The familiarity of the officer and/or supervisor with the area of pursuit;

10. The time of day or night;

11. Weather conditions;

12. Speeds involved in the pursuit;

13. The quality of radio communications between the pursuing unit, the dispatcher and the supervisor;

14. The capability of the police vehicle involved;

15. The availability of alternatives to pursuit;

16. The presence of a ride-along program participant.

D. When Not to Pursue

An officer shall not engage or continue in a pursuit if any of the following circumstances are present:

1. In the officer's judgment the risk of injury to any person (including the public, the occupants of the suspect vehicle or the police officer) outweighs the benefits of apprehension and/or identification.

2. If the officer's vehicle does not have properly operating emergency warning devices (emergency lights, sirens, headlights);

3. If the officer's supervisor or the dispatcher directs the officer not to engage in a pursuit;

4. If one (1) or more vehicles are already directly engaged in the pursuit; however, a Cottage City officer may proceed as a back-up, but not participate in the pursuit, if the pursuit enters the Cottage City boundaries or contract areas and the officer has been assigned that contract area at the time of the pursuit.

5. When prisoners or other civilians are passengers in the vehicle operated by the officer;

6. For the crime of Motor Vehicle Theft as defined in CR § 7-105 (b) (Unauthorized Use)

V. PURSUIT PROCEDURES

A. Safety is the primary consideration when engaging in the pursuit of another vehicle. Officers will not under any circumstances pursue at a speed so great as to render the vehicles uncontrollable thereby endangering the lives of others or themselves.

B. All safety restraints must be in use.

C. When in a pursuit situation, the pursuing officer shall start and maintain steady communication with the Police radio dispatcher. The officer will inform the dispatcher of the identity of the unit, the location, direction of travel, license number and description of the vehicle being pursued, number of occupants, driving behavior of the pursued vehicle and the charges against the suspect. The officer will keep the dispatcher informed of the location and direction of the pursuit and of any relevant new information.

D. Only marked police vehicles will engage in pursuits and emergency equipment (rooftop lights, siren and headlights) must be continuously activated throughout the pursuit. If more than one unit is involved in the pursuit, each unit shall use a different siren sound.

E. The pursuit shall be limited to the initial unit, unless exceptional circumstances warrant the use of additional units. Exceptional circumstances may be determined to exist only by a supervisor. The primary unit shall control tactical operations and will be responsible for broadcasting the radio communications. Under appropriate circumstances, units may position themselves at locations thought to be helpful and shall notify the dispatcher of their locations.

   If a second Cottage City unit is proceeding as a back-up, that unit shall immediately notify the dispatcher of its identity. Under no circumstances will the second Cottage City unit leave the Town unprotected by engaging in a pursuit or proceeding as a back-up. If the primary officer is a one officer unit, if in position the assisting unit may assume radio communications responsibility, allowing the primary unit to devote full attention to driving.

   1. The secondary unit will maintain a safe distance behind the primary unit, but close enough to render back-up and assistance if required.

   2. Secondary units will avoid intersecting the path on an on-coming, high, high-speed vehicle.

   3. If the primary unit becomes disables, the secondary unit may become the primary unit.

F. All pursuit units shall maintain an adequate distance to assure adequate reaction and braking time. While in congested traffic, the officer shall lower the driver's window far enough to hear other sirens and traffic warning signals.

G. Cottage City officers shall not engage in paralleling (driving abreast of a fleeing vehicle to eliminate directional changes).

H. Cottage City officers shall not engage in "rolling" roadblocks or any other type of roadblock during pursuits. Roadblocks involving Cottage City officers and Cottage City vehicles are strictly prohibited.

I. Cottage City officers shall not engage in ramming or the use of the P.I.T. maneuver, which is the intentional striking of a suspect vehicle by a police vehicle.

J. Cottage City officers shall not engage in pursuits if they have been directed by a supervisor or dispatcher not to engage in a pursuit.

K. Officers shall not discharge a firearm at or from a moving vehicle except as a necessary measure of self-defense or defense of another when a suspect is using lethal force. The use of deadly force must be justified and both of the following requirements must be met:

   1. There is a substantial likelihood that the projectile will not strike any person other than the suspect.

   2. The risk of the suspect vehicle going out of control after being it is less than the risk of the suspect not being captured immediately.

L. In the event any person is injured during the course of the pursuit, the involved officer(s) shall immediately provide, or make arrangement for providing, medical care. The care for human life is more important than the capture of a fleeing suspect in the vast majority of situations. If the pursuit must be continued to prevent additional deaths or injuries, the pursuing officer(s) must make arrangements via radio to provide the victim(s) alternate care.

VI. TERMINATING PURSUIT

Because the decision to terminate a pursuit is based upon the analysis of the risk created by the pursuit compared to the benefits gained by an immediate apprehension, the officer's or supervisor's decision to terminate shall be respected. Due regard for the safety of other includes consideration of the risk created by the suspect's driving as well as that of the officer. Therefore, there will be no peer criticism or negative discipline imposed for the decision to terminate a pursuit.

Pursuit shall be terminated in the following situations:

A. Situations in which a pursuit is prohibited as previously described in this general order;

B. When the evaluation of legal, procedural and environmental factors preclude a pursuit, including but not limited to the consideration of the totality of circumstances and the creation of unreasonable hazards;

C. The pursuit of a motorcycle, motorized bicycle, all-terrain vehicle, semi, or tanker shall be terminated if the driver of the vehicle is engaging in evasive tactics (e.g. disregarding stop signs, dangerous or continuous lane changes, excessive speeds, etc.) unless the situation would otherwise allow the use of deadly force or, that if the perpetrator is not immediately apprehended, it is likely that another person may suffer death or serious bodily injury.

D. Situations in which the officer knows or reasonably should know that the potential for harm to persons or property arising from the pursuit outweighs the potential harm threatened by the escaping suspect;

E. Situations in which the suspect is not suspected of a life-threatening crime or violation and the suspect attempts to evade in a reckless manner;

F. Situations in which there is a malfunction of police equipment or the police vehicle.

G. Situations in which a supervisor recommends or orders termination of the pursuit;

H. Situations in which the suspect is identified and the failure to apprehend the suspect during the pursuit poses no immediate threat of death or serious injury to another person;

I. The distance between the pursuing officer and the suspect is so great that further pursuit is futile;

J. The pursuing officer loses visual contact with the violator for an extended period of time.

VII. SUPERVISOR'S RESPONSIBILITY

A. The supervisor shall monitor all pursuits to ensure compliance with this policy by police personnel.

B. The supervisor shall order the pursuit stopped when he or she:

1. Determines that any condition listed in the terminations section of this general order exists; or,

2. Believes the pursuit should be terminated based on the facts and

3. information available to the supervisor.

C. The supervisor must recognize that the pursuing officer's judgment may be affected by adrenaline rush or the excitement of the moment. The supervisor shall provide a calm analysis of the situation and shall order the pursuit terminated if its continuance cannot be clearly justified.

D. The supervisor shall review all pursuits after termination, including audio tapes, as an administrative review, and prepare an Incident Report concerning same. All reports of pursuits will be reviewed by the Chief of Police.

E. After reviewing the supervisor's report, the Chief or his designee shall provide a constructive critique of the incident to the officers involved.

VIII. DISPATCHERS' RESPONSIBILITY

Police Communications dispatchers shall have those responsibilities set forth in relevant PGPD regulations, policies, procedures and orders.

IX. PURSUITS ACROSS JURISDICTIONAL LINES (state, or county area boundaries).

A. Officers may pursue across a jurisdictional line only when the officer has probable cause to believe the crime committed was a violent felony (involved the infliction or threatened infliction of serious physical harm or death). Officials of the entered jurisdiction shall immediately be notified and requested to take over the pursuit.

B. Officers may arrest a person for a violent felony after a legal pursuit out of Maryland; however, they shall hold the individual for and relinquish the individual to the law enforcement agency of the entered jurisdiction. Custody of this individual should then be administratively processed through the entered jurisdiction with extradition procedures initiated by the offended jurisdiction.

C. The pursuit of misdemeanants into another county, state or the District of Columbia will not be allowed under any circumstances. In situations where the offense is one that continues to be committed in the foreign jurisdiction (i.e., D.W.I., carrying an illegal weapon, continuing theft) officers will terminate pursuit and transmit a description of the suspect. and/or vehicle, the charges, and direction of travel to communications personnel who will immediately relay the information to the police in the jurisdiction involved.

D. Vehicle Use in Foreign Jurisdictions

X. REPORTING PURSUIT ACTION

A. Responsibility

Whenever a Cottage City police officer and/or vehicle is involved in any type of pursuit situation, regardless of the duration, degree of involvement, who initiated the pursuit, and the outcome of the pursuit, the officer shall be responsible for reporting the incident to the Chief of Police.

B. Method of Reporting

Every Cottage City police officer involved in a pursuit situation shall report the pursuit on an Incident Report and complete a CCPD Pursuit Notification Form. This form shall be completed in addition to all other required reports or paperwork, and must be submitted to the supervisor for review prior to securing from the shift on which the pursuit situation took place.

C. The Lieutenant will evaluate the circumstances surrounding the pursuit and submit his critique to the Chief within 30 days of the pursuit. The Chief will conduct an administrative review of the pursuit. The Lieutenant's critique will include, if necessary, recommendations for training and discipline.

D. The Chief of Police will conduct an annual, documented analysis of pursuit reports for the purpose of identifying patterns or trends that indicate training needs and/or policy modifications.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **USE OF ROADBLOCKS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Due to the inherent dangers in the use of roadblocks (pursuit and non- pursuit situations), officers will refrain from setting up roadblocks for the purpose of apprehending suspects when it is apparent that innocent persons could be endangered. Roadblock techniques will not be employed by Cottage City Officers and no Cottage City vehicles or civilian vehicles will be used for a roadblock.

II. FORCIBLE STOPPING

A. Ramming Another Vehicle

The intentional striking of a suspect's vehicle by a police vehicle is prohibited.

B. Boxing-In A Vehicle/Use of Rolling Road Blocks

Police vehicles will not box-in a vehicle being pursued, nor will officers employ a "rolling roadblock" to attempt to stop a vehicle being pursued.

C. Cordon Roadblocks

1. A supervisor may authorize this type of roadblock in order to stop every vehicle on a particular roadway or parking lot entrance/exit.

2. This type of roadblock is generally established in conjunction with an investigation and depending upon the circumstances for which it is needed, allows for proper identification to be checked and non- suspect vehicles allowed to continue.

3. Officers participating in this type of roadblock will wear high-visibility clothing.

4. Officers will be courteous in their dealings with motorists and inform them why the roadblock has been established (without revealing any sensitive information).

5. Officers will not detain a motorist any longer than absolutely necessary.

III. ROADBLOCKS IN A FOREIGN JURISDICTION

A. A roadblock will not be established in a foreign jurisdiction (i.e., another county, state, D.C., etc.)

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **INSPECTION AND MAINTENANCE OF POLICE VEHICLES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department utilizes marked and unmarked police vehicles for general patrol, traffic enforcement, and to deter crime. Officers shall wear the vehicle's seat belt and shoulder harness while operating Department vehicles.

II. PURPOSE

The purpose of this General Order is to provide guidelines for the inspection and maintenance of Cottage City Police Department Vehicles.

III. PROCEDURES

A. All officers shall conduct a careful inspection of their assigned Cottage City Police Department vehicle for damage, unsafe conditions, defects, maintenance problems, and authorized equipment prior to and subsequent to each tour of duty utilizing CC Form S04. The 504 forms will be placed in the supervisor's mailbox. The supervisor will maintain 504's for two weeks unless discrepancies are noted in the remarks section. Once discrepancies have been addressed the forms may be destroyed. Any damage, unsafe conditions, etc. shall be brought to the attention of the supervisor and documented on the appropriate form. In the event the officer's assigned vehicle is unavailable, the contents of this general order shall apply to any Department vehicle the officer utilizes during his/her tour of duty.

B. The vehicle will be searched for unauthorized items at the beginning of the shift and immediately following the departure of any non-police personnel who occupied the vehicle, whether in custody or not.

C. Prior to securing the vehicle, the interior will be checked and all trash and personal items removed. Unsightly vehicles will be washed prior to being placed in service.

D. The supervisor will conduct vehicle inspections once each month and document his findings on the Vehicle Inspection Report CC Form 505. New vehicle damage will require a Cottage City Incident Report. The supervisor will ensure that corrective action has been taken.

E. If, in the opinion of the Chief of Police, vehicle damage resulted from abuse or neglect caused by an officer, disciplinary action may result.

IV. PATROL VEHICLE EQUIPMENT

A. The following equipment shall be carried in all marked Cottage City Police Department patrol vehicles:

1. Spare tire
2. Lug Wrench
3. Tire Jack
4. Broom
5. Ice Scraper
6. First Aid Kit (yellow box)
7. Roll-a-Tape
8. Shovel
9. CPR Mask
10. Hazmat Kit
11. CDS Evidence Storage Box
12. Fingerprint Kit
13. Slim Jim
14. Fire Extinguisher
15. Mini DC Area Map
16. Orange Flashlight Cone
17. Yellow Police Tape Roll
18. Rubbermaid Trunk Box
19. Hand Cleaner/sanitizer
20. Flares

V. REPAIRS TO POLICE VEHICLES

All requests for repairs to police vehicles shall be reported on CC Form 403 (Vehicle Repair Report). The form will be placed in the supervisor's mailbox in the operations area. The Chief of Police will authorize the repairs and arrangements will be made to take the vehicle to the appropriate repair facility for repairs.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **MOBILE VIDEO RECORDING**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of the Cottage City Police Department to use audio and video recording equipment for the purpose of collecting evidence which can be used in the prosecution of those who violate the law, enhance officer safety and review situations which result in personnel complaints.

For the purposes of this order, audio video recording equipment is defined as any recorder that uses a standard audio-video recording format and generally refers to in-car mounted cameras, microphones and equipment for recording, storing and transmitting images. It is the policy of this department that audio-video recording equipment is installed in all marked patrol vehicles and that the recording equipment is automatically activated at any time the vehicle's emergency equipment is activated.

II. PROCEDURES

A. Officers shall utilize only department issued audio-video recording equipment and tapes or digital video disks (DVD's) for law enforcement purposes.

B. Video tapes and DVD's provided by the department for evidentiary purposes will not be utilized for any purpose contrary to this policy.

C. Audio-video recording equipment installed in police vehicles shall be utilized to record all traffic stops.

D. Audio-video recording equipment installed in police vehicles may be utilized to record citizen contacts.

E. In accordance with Maryland law, officers shall advise all persons stopped for traffic or other violations that they are being audio and video recorded.

F. Officers shall, when they initially approach the violator, state clearly "I am Officer (your name). This traffic stop is being audio and video recorded ".

G. During traffic stops, officers will be required to activate the wireless microphone at all times when the recording equipment is in operation and the officer is in contact with the violator.

H. Officers may activate the audio-video recording equipment for safety reasons during citizen contacts or for potential evidentiary reasons. Officers shall advise the citizen that the encounter is being recorded.

I. Officers shall not turn off the audio-video recording equipment during a traffic stop, during a pursuit, or during any other time in which the vehicle's emergency equipment is activated. The only exception is if the police vehicle is parked and stationary while the officer is engaged in traffic control.

J. Officers shall not erase or re-use departmental audio-video tapes or DVD's.

K. Officers shall monitor the time expired on the recording equipment and, prior to the tape reaching its end or DVD reaching its capacity, notify a supervisor to have the video tape or DVD changed.

L. Audio-video tapes or DVD's shall only be removed from the recording equipment by a supervisor.

M. Audio-video recording tapes and DVD's shall be reviewed by supervisors periodically to ensure conformance with this directive and others, officer safety issues, and for training purposes.

N. All audio-video tapes and DVD's shall be clearly marked at the time of issuance with the officer's name/ID, unit number, date and time installed and when removed, the date and time of removal.

O. Audio-video tapes that are not held as evidence shall be securely stored in a locked cabinet and may be re-issued 6 months after being removed from a vehicle.

P. DVD's that are not being held as evidence shall be securely stored in a locked cabinet and shall not be re-issued.

Q. Audio-video tapes and DVD's that are removed and held as evidence shall be processed and secured in the evidence locker as any other piece of evidence.

III. RESPONSIBILITIES

A. All operators/users of audio-video recording equipment shall ensure proper care of the equipment as dictated by the manufacturer's instructions and training provided.

B. Officers shall ensure there is a fresh, charged battery in the wireless microphone at the start of each shift. A supply of the proper size batteries is available at all times.

C. Officers shall make sure the audio-video recording unit is turned on, properly functioning and ample space is available for recording at the beginning of each shift. Officers shall report any malfunction of the equipment immediately to their supervisor.

IV. RESPONSIBILITIES OF SUPERVISORY PERSONNEL

A. Supervisors will periodically check the audio-video recording equipment installed in the police vehicles to ensure they are functioning properly.

B. Supervisors will remove and replace audio-video tapes and DVD's that are nearing the limits of recording capacity. Audio-video tapes that will not be kept as evidence shall be rewound and secured for later re-issue after 6 months. DVD's will be stored indefinitely but not be re-issued.

C. Supervisors will submit any audio-video tape or DVD that is evidence into the temporary evidence locker with the accompanying evidence forms.

D. Supervisors will report any malfunctioning of the equipment to the Chief of Police who will make necessary arrangements to have the equipment serviced, repaired or replaced.

V. REQUESTS FOR COPIES OF AUDIO-VIDEO TAPES OR DVD's

Audio-video tapes and/or DVD's will not be made available for public viewing.

A. All requests for copies of recorded audio-video tapes/DVD from other law enforcement agencies or individuals with specific interests will be directed to the Chief of Police.

B. Copies of recorded material for other law enforcement agencies will be made on tapes/DVD provided by the requesting agency.

C. Copies of audio-video tapes or DVD's by individuals or the private sector will be granted on a case-by-case basis. No material will be released until it has been reviewed by the Chief of Police and it has been determined that the image or images or audio is not currently of evidentiary value.

D. Tapes or DVD's that are not evidence will only record the specific incident or time frame specified by the requester. There is a $25 fee required for copying this material payable to the Cottage City Police Department. Pre-viewing by the requester is not possible prior to payment of the associated fee.

E. When an officer is notified of an impending court case in which an audio-video tape/DVD is evidence, shall, as soon as possible, notify the Chief of Police or Lieutenant so the item can be retrieved from the evidence vault. If the evidence will only be screened by the prosecutor for possible use, a copy of the incident or the time frame will be recorded and provided. This ensures the original tape/DVD is intact and remains in the evidence vault until its use is required in court.

F. Upon receipt of a Motion for Discovery, authorized by a proper judicial authority ordering a copy of the recording, the department will comply with the court order by producing a copy of the audio-video tape or DVD. However, the copy will reflect only the incident or time frame in question. There will be no charge for court ordered or State's Attorney's copies of tapes/DVD's.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **CRIME PREVENTION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department is committed to the principle of crime prevention as a primary function of the Department and as a fundamental responsibility of every individual employee. To be effective, crime prevention must present a pro-active, integrated, and coordinated response by every member of the Department to both the realities of crime and citizens' perceptions and misconceptions about crime. The goal s of the crime prevention efforts by the Department are to educate citizens and merchants to become more conscious of crime prevention/crime reduction techniques and activities they may engage in individually, in groups, or in concert with the Department. The Department seeks to increase the community's understanding of our activities as police officers, to increase the community's confidence in the Department, and to encourage a more active and broader participation by the community in our shared goals of crime prevention and effective, professional law enforcement.

The Department is committed, through its crime prevention efforts, to reducing every citizen's fear and/or misconceptions of crime and preserving the quality of life with Cottage City.

This General Order further defines the philosophy of the Department and every employee regarding crime prevention and establishes the mechanics of the Department's crime prevention programs.

II. GENERAL PROCDURES

A. Crime prevention is the primary function of this Department and seeks to create in the minds of Cottage City residents and business persons an awareness of the roles they can individually and collectively play in the reduction and/or prevention of crime. After developing that consciousness, the Department seeks to encourage individual, group, neighborhood, and community programs and activities to achieve the common goal of a reduction or prevention of crime.

B. All personnel have responsibilities for achieving the Department's established crime prevention program objectives.

C. Every employee of the Department is responsible for:

1. Providing basic crime prevention information to victims at crime scenes;

2. Pro-actively assessing possible crime prevention measures at every call for service and with every citizen or business contact;

3. Informing citizens of the crime prevention/crime reduction programs available through the Department or nay other relevant source and encouraging citizen participation in those programs.

4. Being cognizant of, and responding in an appropriate manner to, violations of the Cottage City Code of Ordinances that negatively impact the quality of life in the community.

D. The initiative and abilities in crime prevention/crime reduction demonstrated by an employee of the Department may be one of the factors considered by supervisory officer(s) when the employee's performance is evaluated.

III. CRIME PREVENTION PROGRAM PRIORITIES

A. The majority of crime within Cottage City involves property crime; therefore, the focus of the Department's crime prevention programs will be to implement program(s) targeting property crime. If future crime analysis reveals a significant change in the pattern of predominant property crime, the focus of the Department's crime prevention program(s) will be reviewed and shifted to reflect more necessary and appropriate responses to the changing crime statistics and patterns.

B. The Department will become pro-actively involved in any activities, functions, or meetings in which the objective is crime prevention/crime reduction.

C. While on routine neighborhood patrol, every employee of the Department is responsible for pro-actively assessing possible crime prevention measures at every call for service and with every citizen or business contact.

D. The Department seeks to encourage and include crime prevention/crime reduction objectives and input into the development and/or revision of any applicable sections of the Cottage City Code of Ordinances, building codes, zoning codes, and fire codes and residential building permits issued by Cottage City.

E. Every member of the Department encountering a potential problem impacting crime prevention/crime reduction in Cottage City will either work towards a solution to the problem or notify and assist the appropriate agency having the necessary resources and jurisdiction over the problem.

F. The Department will provide the citizens of Cottage City with accurate and timely information regarding crime patterns and specific crimes that impact the public safety through any appropriate media, including broadcast media, metropolitan area print media, brochures, and the local newsletter.

IV. CRI ME PREVENTION PROGRAM MECHANISMS

A. Residential and commercial security surveys will be conducted at the request of residents and business owners by trained police officers.

B. The formation and growth of Neighborhood Watch programs will be encouraged and assisted by every member of the Department. The Department will assist a Neighborhood Watch by encouraging, supporting, and cooperating fully with the activities, programs, and information exchange of the Neighborhood Watch and the Neighborhood Watch "Block Captains."

1. In any Neighborhood Watch program in which the majority of participants in the area express a desire for the posting of Neighborhood Watch signs, the area is eligible to request the posting of such signs at the geographic boundaries of its area. The Neighborhood Watch signs are budgeted items and funding for the signs will be acquired through the normal financial mechanisms of the Cottage City budget process.

2. A member of the Department, designated by the Chief of Police, shall be responsible for maintaining regular contact, as a liaison, with an established Neighborhood Watch program to ensure the sharing of relevant information, the coordination of Neighborhood Watch programs with the Department, and the continued growth of the Neighborhood Watch membership. The liaison officer shall be responsible for providing the Chief of Police a written report on the status and activities of the Neighborhood Watch program on a semi- annual basis, or within any time frame determined by the Chief of Police.

C. Upon request, City police officers will provide house checks for City residents when they are away from their homes for more than twenty- four (24) hours. See General Order 5-45.

D. The Department will encourage the use of engraving tools by residents to mark personal property for future identification and will provide such engraving tools to any resident within a reasonable period of time and without financial obligation incurred by the resident.

E. The Chief of Police will assign a member of the Department the responsibility of proactively responding to graffiti and "tagging" activities with the jurisdictional boundaries of the Department. The responsibilities of this officer may include, but are not limited to :

1. Identifying and assisting in the prosecution of subjects involved in graffiti and "tagging";

2. Interacting with subjects involved in graffiti and "tagging";

3. Public education and awareness programs;

4. Maintaining intelligence files on graffiti and "tagging" activities and subjects; and

5. Establishing liaison with other public agencies that share the common goal of suppressing graffiti and "tagging" activities. The graffiti/"tagging" abatement officer will provide a written report on his/her activities to the Chief of Police at least once per year, unless more frequent written reports are requested by the Chief of Police.

F. The Department will actively encourage citizen participation in a Ride Along program so that a greater level of understanding and communication may be developed between the officers of the Department and the community they serve. See General Order 5-13.

G. A "Bicycle Safety Program," which may include a "Bicycle Rodeo," will be developed and coordinated by a member of the Department designated by the Chief of Police.

H. Officer presentations at resident homes to individuals and/or groups and tours of the Department's facilities and vehicles will be encouraged to address the community's perceptions and/or misperceptions about crime and the role of law enforcement and the police officer in the community.

V. CRIME PREVENTION OFFICER

A. A member of the Department will be designated by the Chief of Police as responsible for the coordination and development of all the Department's crime prevention efforts. The community servicers/ crime prevention duties of this officer will be in addition to the regular duties of a patrol officer. The delegation of community services/crime prevention duties to this officer will not result in additional financial compensation and will not be construed as either a promotional or tenured assignment. The community services/crime prevention assignment and its duties and obligations will remain at the discretion of the Chief of Police.

B. The duties, responsibilities, and obligations of the community services/crime prevention assignment may include, but are not limited to:

1. Neighborhood Watch liaison;

2. Business Watch liaison;

3. Citizen education and awareness programs;

4. Coordination of home and business security surveys;

5. Developing, maintaining, and presenting any problems related to crime prevention, home and personal security and safety, citizen education and awareness, or any programs or presentations determined to be appropriate by the Chief of Police;

6. Distributing literature to individual residents or neighborhood groups and information to the community through media sources regarding crime prevention and community safety and security;

7. Personally attending, or ensuring Department representation, at community meetings on crime prevention;

8. Providing input regarding crime prevention/crime reduction into the development and/or revision of any applicable building codes, zoning codes, fire codes, and building permits;

9. Maintaining liaison with other local, state, and national public and private crime prevention programs to facilitate the exchange of information, make recommendations for improvements or change and to learn new concepts of crime prevention that may be utilized effectively by the Department; and,

10. Presenting, or ensuring the presentation, of any relevant crime prevention programs to individual citizens, citizen groups, business groups, civic organizations, schools, etc. either within the jurisdictional boundaries of the Department, or outside those jurisdictional boundaries with the prior approval of the Chief of Police.

VI. EVALUATION OF CRIME PREVENTION PROGRAMS

A. Any officer of the Department delegated by the Chief of Police the responsibility for developing or coordinating a crime prevention program or presentation shall submit a written report to the Chief of Police, through the chain of command, detailing the location, date, time, and nature of the presentation, the number of participants, and an analysis of how the presentation was received by the audience. The evaluation shall include recommendations as to whether a program or presentation should be modified, left unchanged, or discontinued.

B. Unless requested more frequently by the Chief of Police, in December of each year, the member of the Department delegated the responsibilities of the community service/crime prevention assignment shall submit a written report to the Chief of Police evaluating the effectiveness of all existing crime prevention programs. The written report may include recommendations for changes or improvements in existing crime prevention programs or the inclusion of new crime prevention programs and suggestions for crime prevention goals and objectives for the succeeding calendar year.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **COMMUNITY RELATIONS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department is committed to the principle that cooperation and positive interaction between the community and every member of the Department is a critical element in achieving the Department's goal of establishing close ties with and responding to the needs of the community. Positive community relations represent a unity of purpose between the members of the Department and the community towards a common goal of preserving the peace through equitable law enforcement. The goal of the community relations effort is to establish a strong, lasting trust and mutual respect between the community and the members of the Department based upon the fair, unprejudiced, hones, professional and sensitive conduct of each member of the Department. Achieving this goal will create an environment in which every member of the Department is able to perform his/her duties with the support and understanding of the community.

The Cottage City Police Department will not condone or tolerate behavior, practices, or attitudes by any member of the department that may contribute, or exacerbate community problems, tensions, or grievances. Any such behavior, practices, or attitudes will be subject to reasonable and appropriate administrative and/or criminal sanctions.

The City Police Department views its mission of providing law enforcement/police services to the community in the same manner as any successful private organization would be dedicated to providing effective, fair, and professional customer service. All of the individuals within the community are the customers for whom the Department is committed to a strengthened and increased level of satisfaction.

II. PURPOSE

This General Order defines the philosophy of the Department and every employee regarding community relations and establishes the mechanics of the Department's community relations effort.

III. GENERAL PROCEDURES

A. Community relations efforts of the department will identify and address any problems arising between the Department as an agency, or any of its employees, and any and all segments or individuals within the communities served by the Cottage City Police Department. The Department's community relations programs will establish formal relationships with community groups to learn of the issues and concerns impacting those groups so that pro-active responses can be developed before those issues and concerns become the problem realities of criminal activity. Community relations efforts must focus on increasing the community's understanding and trust in the Department as a law enforcement agency, the current and proposed Departmental activities and programs, and the individual officers. In a similar manner, the community relations efforts of the Department will strive to increase every employee's understanding of the community's needs and concerns and every employee's fair, unprejudiced, professional and sensitive conduct towards all individuals within the community.

B. Every member of the Department will be considered an integral part of the Department's mission to achieve its community involvement objectives. As such, every employee of the Department is responsible for promoting and assisting in the attainment of those objectives through fair and impartial conduct.

C. In each and every contact between a member of the Department and a member of the community, the guiding principle shall be to treat the individual contacted with respect for his/her dignity. Prejudices and personal feelings and attitudes will not be allowed to negatively impact a contact between a member of the community and an employee of the Department.

D. The Chief of Police will retain overall responsibility for the Department's community involvement programs.

E. A member of the Department will be designated by the Chief of Police as responsible for the coordination and development of all the Department's day-to-day community involvement operations as defined by the Chief of Police. The community relations duties of this designated officer will be in addition to the regular duties of a patrol officer. The delegation of community relations duties to this officer will not result in additional financial

compensation and will not be construed as either a promotional or tenured assignment. The community relations assignment and its duties and obligations will remain at the discretion of the Chief of Police.

IV. COMMUNITY INVOLVEMENT PROGRAMS/ACTIVITIES

All contacts, both official and unofficial, between a member of the Department and an individual or group in the community are within the scope of the Department's community involvement program. Under the direction of the community relations officer, or at his/her direction, the Department's structured community involvement efforts will include, but are not limited to, the following activities:

A. Formal participation in, and liaison with, civic, social, business, or other public and community groups by encouraging members of the Department to become involved with these groups, by encouraging these groups to invite members of the Department to group functions to make presentations, and by actively soliciting involvement by these groups with the Department. Such community groups might include Neighborhood Watch units.

B. Presentation of programs to community groups and organizations addressing crime prevention or other Departmental programs, objectives, activities, development, successes, or problems.

C. Publicizing the Department's programs, objectives, activities, development, or successes through planned media press releases, interviews, and or video productions, including the local newsletter.

D. Soliciting and gathering citizen/community input regarding the Department's policies, practices, and procedures at any opportunity and conveying that information to the Department's administrative staff, including the Chief of Police, so that the information, recommendations, and suggestions can be reviewed to develop and improve the Department's policies, procedures, and responsiveness to the community's needs.

E. Determining community satisfaction with the police services provided by the Department by analyzing "feedback" received in community group meetings and activities, by reviewing both inquiries and complaints received from the community, and by conducting follow-up surveys and interviews of both individuals and community groups.

F. An administrative or supervisory member of the Department, at the discretion of the Chief of Police, shall conduct a random audit of at least one citizen contact and/or radio call response by each member of the Department on a quarterly basis.

The audit may be conducted in person, by mail, by telephone, or in conjunction with other law enforcement related matters. The focus of the audit should be the level of the employee's competence, including any written work product, his/her behavior and attitude, and the general level of satisfaction and confidence created by the employee. The results of the random audit may be considered by supervisory officer(s) when the employee's performance is evaluated.

V. RESOLUTION OF PROBLEMS IN THE COMMUNITY

A. The Department recognizes the critical and sensitive nature of relations between the community and the police. The Department is committed to proactively responding to any actions, practices, and attitudes by its employees that may contribute to, or exacerbate, problems, tensions, or grievances within the community. A proactive and sensitive response to the early signs of such actions, practices, and attitudes that negatively impact the community may mitigate, or prevent, the development of greater problems within the community.

B. Any Department employee, who becomes aware of concerns within the community or from an individual regarding police activities or services in general, or the specific actions, practices, or attitude of an individual employee, shall advise a supervisor of those concerns within a reasonable period of time. Depending upon the urgency or severity of the information received by a supervisor, he/she will advise the Chief of Police of the information within a reasonable period of time.

C. All levels of training are critical factors in positive community relations. As such, any and all sources of community or individual input, recommendations, and suggestions, a review of internal administrative investigations of employee conduct, consultations with those involved in the internal administrative investigations, and if deemed reasonably necessary by the Chief of Police, input from community groups formed in an advisory capacity, will be considered in evaluating the need(s) for new or remedial training for employees and any development or modification of Departmental policies, practices, procedures or programs.

VI. EVALUATION OF COMMUNITY RELATIONS EFFORTS

A. Flexibility is a key element in a successful community relations program; therefore, a structured and regularly scheduled evaluation of the Department's community relations

activities and programs and their effectiveness is essential. On a quarterly basis, the member of the Department designated by the Chief of Police as responsible for the Department's community relations efforts will complete a written report to the Chief of Police evaluating the Department's community relations efforts and the community's satisfaction with the Department's performance. The survey may be conducted in person or by mail or telephone. It may be conducted with other law enforcement related matters. The evaluation will consider information obtained through community groups and individual citizen contacts and surveys, complaints, requests, inquiries, recommendations, and suggestions. The evaluation may include, but is not limited to: {CALEA 45.2.2)

1. A description of the current overall safety and security concerns of the community;
2. A description of specific citizen safety and security concerns;
3. An analysis of citizen perception of the level of employee competence;
4. An analysis of employee behavior and attitude and their impact upon community relations efforts;
5. An analysis of the community's satisfaction with existing Department community relations programs and activities;
6. A description of potential problems that may impact the safety and security of the community or the ability of the Department to effectively, sensitively, and impartially provide police services to the community; and
7. A statement of recommendation(s) for changes or improvements in the Department and its community relations programs and activities based upon an analysis of the previously identified concerns and problems within the community.

B. After reviewing the evaluation of the Department's community relations efforts, the Department will take reasonably appropriate action to modify, expand, or reduce its community involvement activities to reflect the needs of the community.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **RIDE-ALONG PROGRAM**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy and a goal of the Cottage City Police Department to continue to improve communications between the police and the community. The citizen Ride-Along program is one method used in pursuit of this goal.

II. PURPOSE

Allowing citizens to Ride-Along with officers of the Cottage City Police Department enable the citizen to become better acquainted with the duties and responsibilities of the police. The purpose of this General Order is to provide guidelines for a safe and meaningful Ride-Along experience.

III. PROCEDURES

A. Eligibility

1. The following persons are eligible to participate in the Police Ride- Along Program:

   a. Cottage City residents sixteen {16) years of age or older;

   b. Applicants for Cottage City police positions;

   c. Visiting law enforcement personnel;

d. Cottage City employees;

e. A relative of an active or retired Cottage City Police employee;

f. Professionals and students in the field of Criminal Justice, the Social Sciences, or a related field;

g. Members of the news media and local government officials; and,

h. Members of the PG Fire Rescue Department.

2. The Chief of Police may authorize participation by any individual who does not fall within the eligibility requirements if it is determined that participation in the Ride-Along program would benefit both the individual and the Department.

B. Prior to participation, a Ride-Along candidate must complete the Ride- Along application in its entirety.

C. Participation in this program is restricted to four hours, every six months unless otherwise approved by the Lieutenant or Chief of Police.

D. An Offense/Incident report will be initiated regarding any injury to a Ride- Along participant and the Sergeant will be advised as soon as practical.

E. Civilian participants will not be armed. Certified off-duty police officers may be armed provided that their weapon is carried in compliance with the rules and regulations of their agency and is kept concealed.

IV. ADMINISTRATIVE PROCEDURES

A. Applications

1. Once completed, the form is forwarded to the Sergeant for review.

2. Disapproved applicants will be notified of the reason for disapproval.

3. A copy of an approved application will be forwarded to the appropriate officer.

4. The application will then be filed.

B. Assignment

1. The Lieutenant will contact the applicant to schedule a mutually convenient date and time.

2. Upon completion of the Ride-Along, the copy of the application will be forwarded to the Lieutenant for review and subsequent filing.

V. RESPONSIBILITIES

A. Citizen participants must be appropriately dressed and conduct themselves in a responsible manner during the Ride-Along.

B. Prior to the beginning of the Ride-Along, the host officer will conduct a brief orientation which should include the following:

1. Safety equipment orientation (fire extinguisher, flares, etc.)

2. Police radio use protocol in the event the Ride-Along must use it.

3. Ride-Along safety protocol

a. The Ride-Along will remain in the police vehicle unless permission is granted for him/her to accompany the officer.

b. Ride-Along participants must use seat belts at all times.

c. Certain police calls (including code 3 responses) are considered inherently dangerous and the Ride-Along may be dropped off at a safe place. After the call is completed, the officer will ensure that the Ride-Along is picked up.

4. On the scene protocol

Questions concern ng a specific incident may be discussed after it has been completed.

C. Rid e-Along participants will not:

1. Accompany any officer inside a victim's home without the approval of the victim;

2. Interfere in any way with the officer's handling of a situation;

3. Accompany an officer during a vehicular pursuit;

4. Participate in arrests, investigative stops, and other similar law enforcement activities;

5. Divulge any confidential information or circumstances which they may hear or see du ring the ride-along; and,

6. Consume any alcohol for at least six (6) hours prior to the scheduled start of the ride-along.

D. Revocation of Ride-Along authority

1. The host officer has the authority to revoke a participant's authorization at any time if the participant's conduct or attire is not in the best interest of the Department. The officer may also revoke authorization if the Ride-Along would present a danger to a citizen, the Ride-Along participant, or hinder or endanger the officer in their performance of duty.

2. The host officer will document the circumstances surrounding any revocation of Authorization, and forward the report to the Sergeant.

E. The host officer will be responsible for the completion of the reverse side of the application form, including the participant's comments. Both positive and negative comments should be solicited from the participant.

If there is a problem which merits an immediate call or follow-up action, the Lieutenant will be notified.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **INCIDENT REPORTING**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. Written police reports and documentation concerning police activities are essential in meeting the management, operational, informational, and budgetary need of the Cottage City Police Department. Officers of the Department must be aware of and properly complete all required reports and paperwork as prescribed. This General Order establishes procedures concerning how police information is to be received, recorded, and documented.

B. In accordance with the Cottage City Police Department's Memorandum of Understanding with the PGPD, and the Field Report Manual, a report shall be written for every verified event except those indicated by an asterisk (*) on the Event Code Classification located on the back of the issued PGC Map Book.

C. Officers of this Department will initiate a Cottage City Incident Report on all dispatched calls or events discovered on patrol in accordance with this General Order.

II. PROCEDURES

A. Required Reporting

1. Reporting is required of every incident listed below that is alleged to have occurred in the Cottage City limits.

2. As per existing Cottage City policy, if a citizen calls the station reporting a "true emergency," in Cottage City, the call taker will take the necessary information to handle the call immediately by dispatching an officer or taking whatever action is necessary Communications will be notified of the nature and location of the incident and the unit{s) responding.

3. If a citizen calls the station to report an emergency outside the Town, he/she will be asked to immediately call 9-1-1, since the 9-1-1 lines are enhanced with caller I.D. and location I.D. and the 9-1-1center call-takers can keep the caller on the line until the police arrive.

   If a caller refuses to call 9-1-1, or cannot call 9-1-1 for whatever reason, even after Cottage City personnel have requested the caller to do so, and it appears that the caller has a true emergency, station personnel will keep the caller on the line while 9-1-1 is called by other station personnel and information relayed to the 9-1-1call-taker.

4. If a caller blurts-out an address and hangs-u p on station personnel before a referral can be made to 9-1-1, the phone number will be immediately and forwarded to the dispatcher.

5. If a citizen calls the station with a non-emergency report of a crime/incident, information will be obtained from the caller and an officer dispatched to the scene.

6. If an officer who has been dispatched to a citizen report of a Part 1 or a serious Part II offense verifies that such offense occurred, a report shall be completed and submitted by the officer in accordance with the PGPD field Report Manual.

7. If a citizen calls the station to complain about a situation or occurrence, station personnel will document the complaint accordingly using the most appropriate means, which may include, and may not be limited to:

   a. Dispatching or having an officer to the scene of the occurrence;

   b. Completing an Inter-Office Memorandum documenting the citizen's complaint or concern;

   c. Completing a DPW Work Order form for work to be completed by them.

8. When an officer is dispatched or assigned to investigate an incident, an entry will be made in the Shift Log.

9. If a citizen requests that his/her dwelling be checked by police d u ring the time the citizen is away, a House Check Form will be initiated by the call-taker. Refer to General Order 5-45 House Checks for further details.

10. Criminal and non-criminal cases initiated by Department employees will be reported/recorded on appropriate forms, which may include:

    a. Event Reports or other official reports used during the normal course of police duties to document a criminal or non-criminal incident;

    b. Supplement Reports to document and describe any follow-up investigation done on a particular case by an officer;

    c. Criminal/Civil Citations will be used as official charging documents to document and charge adults and/or juveniles with alleged criminal and civil violations when the penalty does not exceed a fine of $500 and/or the period of incarceration is less than 90 days.

    d. M.A.A.R.S. Reports for traffic accidents based upon criteria set forth i n this General Order Manual.

    e. Cottage City DPW Work Order Forms to document a hazardous condition needing the attention of Public Works personnel.

11. If an adult is arrested pursuant to a criminal Arrest Warrant, criminal Bench Warrant, or pursuant to the "Laws of Arrest" and a Statement of Charges is completed by the arresting officer, the following report(s) is/are required:

    a. Arrest Warrant requires an Arrest Repo, Supplement report if original report has already been written, fingerprint cards and photographs.

    b. Criminal Bench Warrant requires the same processing.

    c. Statement of Charges by the arresting officer requires the same processing.

    d. Traffic Bench Warrant requires no Arrest Report but the arresting officer must complete the "Return of Service" area of the warrant to certify service. A photocopy of this document must be made for the station files and the officer must initiate a Cottage City Incident Report to document the arrest.

e. If a defendant is served with a District Court Criminal Summons (DCS), the serving officer must complete the "Warrant/DCS Control Sheet," and write and PGPD Supplement Report, which will document the service. The serving officer will also complete the "Return of Service" (cepi) area of the DCS and its District Court cover sheet to be forwarded to the District Court Commissioner's Office.

III. FIELD REPORTS

A. Officers will utilize the following reports and shall complete them pursuant to the provisions and procedures listed in the PGPD Field Report Manual, M.A.A.R.S. Manual, Citation Manual, and the CCPD General Order Manual.

1. M.A.A.R.S. Report (MSP)
2. Arrest Report (PGPD)
3. Event Report (PGPD format)
4. Missing Person/Runaway Report (MSP)
5. Vehicle Report (CCPD)
6. Continuation Report (CCPD)
7. Supplement Report (CCPD)
8. Driving While Intoxicated Arrest Report {PGPD)
9. State's Attorney's Witness Information Report (PGPD)
10. State's Attorney's Evidence Information Report (PGPD)
11. Incident Report (CCPD)
12. Vehicle Impound Report (CCPD)
13. Hit and Run Follow-Up Report {CCPD)
14. Request For Latent Evidence Exam (PGPD)

15. Advice of Rights Form (PGPD) 16. Ride-Along Application {CCPD) 17. Use of Force Report (CCPD)

B. Report/Incident Case Numbers

1. Each PGPD case/incident will be assigned a CCN via the computer system that runs sequentially from the start of the calendar year and each number will be unique. All Cottage City incident reports will be assigned a County Incident number using the calendar year and the Julia n calendar day/date.

2. These numbering systems ensure that no two incidents will be assigned identical numbers.

3. The Police clerk will maintain a computerized Police Incident Report Log which identifies those incidents for which a police report was written.

C. Completion of Reports

1. Unless a particular area or section of a report is not applicable, all areas of reports will be completed by reporting officers.

2. Reporting officers will fill in completely those spaces on the report form that are applicable to the event/incident being reported.

3. Report narratives will be accurate and will describe exactly what happened, if known to the writer.

4. Officers will not state personal opinions in their reports, but may state how they reasonably believe, based on available facts and circumstances, how a crime was committed or an accident occurred.

D. Submission of Reports

Generally, officers shall complete their reports prior to the end of their tour of duty and place them in the designated report box for supervisory approval.

1. All PGPD Reports, those with a CCN, will be completed and submitted in their entirety prior to the reporting officer's day off.

2. Cottage City Incident Reports may be held until the officer's next tour of duty.

E. Supervisory Approval of Reports

1. The supervisor will review completed reports to determine that the preliminary investigation is satisfactory and that the narrative is clear and all-inclusive.

2. The supervisor will also review for legibility, correctness, and adherence to the Field Report Manual and Cottage City Genera l Orders.

3. The supervisor will indicate his review and approval by signing his name on the report to indicate approval; entering the date in the area provided at the bottom of the report; and checking the CCN to ensure correctness.

4. All incomplete, illegible, inaccurate or otherwise unacceptable reports will be returned to the officer who wrote them for revisions, corrections, etc.

5. Using the Shift Activity Log, the supervisor will ensure that all required reports are submitted.

F. Follow-u p Reports

Follow-up reports will be turned in to the supervisor for review and approval within ten (10} days from the date assigned.

G. Distribution of Reports

1. All reports with a PGPD CCN will be routed to the District Station by the supervisor, via inter-office mail for distribution to the appropriate section for follow-u p. Reports routed to specialized units by the supervisor will be properly noted in accordance with the PG PD Field Report Manual; e.g. Auto Theft Report: the investigator's copy will be tagged to be forwarded to the PG PD Auto Theft Unit.

2. The supervisor, on a case-by-case basis, will distribute reports to outside agencies, FBI, Secrete Service, ATF, etc. for cases that fall within the outside agencies jurisdiction and/or control. Requests from any law enforcement agency for copies of official police reports will be honored.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **FIELD INTERVIEWS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Officers must understand the legal basis and authority for conducting field interviews. Officers are encouraged to use this investigative tool consistent with Constitutional requirements and Department policy. Field interviews when documented properly, can contribute greatly to crime analysis and serve as a source of information as well as a means of developing suspects and witnesses.

II. FACTORS / CONSIDERATIONS

A. Reasonable suspicion is the key element on which an officer should base his/her action when deciding whether a field interview is appropriate. The following factors should also be considered:

1. Is it a public place or a place the officer has a right to be?

2. Does it appear that the person may commit, is committing, or has committed a crime?

3. Is the person reasonably suspected of carrying a concealed weapon and with it intends to do bodily harm?

B. Field interviews do not have to meet the aforementioned criteria in order for an officer to conduct such an interview, but officers should be aware that:

1. Some citizens are sensitive to any interaction with police and an over- aggressive approach by the officer may result in a lack of important support from the person to be interviewed.

2. The person to be interviewed is under no obligation to answer questions and may remain silent.

3. Unusual or suspicious actions may trigger a field interview because felony arrests are made consistently by officers who are quick to recognize something suspicious in the actions or the appearance of a person or vehicle.

4. A person not fitting the place or time should be questioned.

C. As many field interviews result in an arrest, the field interview location must be selected with care. Officers should give consideration to lighting, officer and bystander safety, and possible escape routes.

1. When an officer first approaches a person to be interviewed, he/she must provide the greatest possible element of surprise either by vehicle or by foot.

2. Officers should have, prior to approaching a person for the purpose of conducting an interview, a "decided-upon plan-of-action" in the event violence erupts.

III. DOCUMENTATION

Officers will document field interviews by completing an Incident Report form and inserting all required information and placing a narrative on the space provided.

A. Completed field interviews will be placed in the Report review box for supervisory approval prior to the end of the officer's shift for that day.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **TRAFFIC LAW ENFORCEMENT**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. Traffic law enforcement involves police activities which relate to observing, detecting, and preventing traffic law violations and taking the appropriate action under the circumstances. One goal of traffic law enforcement is to facilitate the safe and expeditious flow of vehicular and pedestrian traffic through the public's voluntary compliance with traffic regulations.

B. Enforcement action involves not only citations and physical arrests, but also includes an officer's discretionary and judicious use of verbal and/or written earnings to traffic violators that may help prevent the commission or repetition of minor violations.

C. Overzealous traffic law enforcement without considerations for the violator's familiarity with the specific legal requirements of a traffic law or without regard for the specific circumstances, degree, or severity of the violation fosters unnecessary and counterproductive disrespect for the legal system. Such overzealous traffic law enforcement strains the relationship between the Department and the community. Traffic law enforcement must not be punitive, person, or simply a source of revenue. Traffic law enforcement should be viewed as an educational means towards a reduction in traffic accidents. The ultimate goal of traffic law enforcement is the prevention of traffic law violations, the favorable altering of a violator's future driving habits, and the resultant reduction of traffic accidents.

II. PROCEDURES

A. Warnings may be verbally issued to a violator whenever a traffic or parking violation has been committed. A warning by its nature, is intended to educate the violator and not be punitive, and when properly issued, can be more effective than any other type of enforcement action.

B. When processing an abandoned vehicle, one copy of a Warning Notice will be affixed to the vehicle along with an Abandoned Auto Sticker.

   An exception to this policy would be in the event a stolen check reveals the abandoned vehicle to be stolen, or if the officer has the vehicle towed for a parking violation.

C. A verbal warning may be issued to a violator either in lieu of, or in addition to, the placing of formal charges by way of a traffic citation.

D. Traffic Citations should be issued to violators who jeopardize the safe and efficient flow of traffic including hazardous moving violations or operating unsafe and/or improperly equipped vehicles.

   1. The Maryland Uniform Complaint and Citation shall be issued to a violator under the authority of the Maryland Transportation Article, Section 26-201.

   2. When a motorist, bicyclist, or pedestrian (adult or juvenile) is issued a traffic citation, the issuing officer will indicate only one charge or offense on the citation, either by circling the appropriate one or by writing the appropriate charge in the space provided.

   3. Officers will not assign court dates, as these are set by the Maryland Automated Traffic system's computer in Annapolis.

   4. Unless the recipient does not want the citation explained since it is an official charging document, and because the person charged has a right to know specifically what he/she is charged with, issuing officers will provide information about the citation, including, but not limited to:

      - Whether the violation is a "Must Appear"

- Whether, and how, the recipient can pay the fine in person or by mail, or request a court date to enter a plea.

5. To comply with the provisions of the Maryland Transportation Article, Section 26-203, issuing officers will request the recipient to sign the citation.

6. Providing officer safety is not compromised, and the flow of traffic is not un necessarily impeded, officers should try to answer any questions about the citation or violation that the recipient has, especially those regarding the number of points, if any, that will be assessed by the M.V.A. upon payment or conviction.

7. Issuing officers will not deviate from the District Court Fine Schedule or pre-set fines.

8. If there are witnesses to an offense for which a motorist is issued a citation, the issuing officer must check the "Witness" block on the front of the citation to alert the District Court to the fact that witnesses need to be mailed summonses to appear.

9. Traffic citations issued to juveniles that charge violations for which any of the penalties are incarcerable if committed by adults, will be marked with the word "Juvenile" on the face of the citation to alert transmittal personnel to forward the citation to the Department of Juvenile Services.
   Traffic citations issued to juveniles that do not charge incarcerable offenses if committed by adults, will be forwarded to the District Court.

10. Non-residents should be treated no differently than residents regarding the receiving of a warning versus a citation versus being physically arrested.

11. Maryland Legislators may be issued traffic citations for offenses committed while they are enroute to, and returning from, legislative sessions.

12. Military personnel, for the purposes of this General Order, includes members of the armed forces, i.e., Army, Navy, Air Force, Marines, Coast Guard, National Guard, and reservists who are on active duty.

    a. Military personnel are exempt from certain licensing and registration requirements under TA 16-102 through 115, and TA 13-402.1.

    b. Members of the military may be issued citations, and notification of the Liaison Officer at the Armed Forces Headquarters Division is at the officer's discretion.

c. If a member of the military is injured to the extent that hospitalization is required or killed, the Liaison Officer should be notified by the investigating officer.

E. Physical arrests for traffic violations will be made in accordance with the provisions of TA 26-202, "Power of Arrest."

Officers making physical arrests for traffic violations will use only the force necessary to accomplish lawful objectives, and arrests shall be made in the same manner as, and without more force than in misdemeanor cases.

F. In general, a police officer may arrest a person without a warrant for a violation of the Maryland Vehicle Law. This includes any rule or regulation adopted under the vehicle law or for a violation of any traffic law or ordinance of any local authority of this State, if:

1. The person has committed or is committing the violation within the view or presence of the officer, and the violation is any of the following:

   - Violation of Title 21-1411 or Title 22-409 of the Transportation Article relating to vehicles transporting hazardous material; or,

   - A violation of Title 24-111or Title 24-111.1of the TA relating to the failure or refusal to submit a vehicle to a weighing or to remove excess weight from it.

2. The person has committed or is committing the violation within the view or presence of the officer, and either:

   - The person does not furnish satisfactory evidence of identity; or,

   - The officer has reasonable grounds to believe that the person will disregard a traffic citation.

3. The officer has probable cause to believe that the person has committed the violation and the violation is any of the following:

   - Driving or attempting to drive while intoxicated, while under the influence of alcohol, or in violation of an alcohol restriction;
   - Driving or attempting to drive while under the influence of any drug, any combination of drugs, or any combination of drugs and alcohol or while under the influence of any controlled dangerous substance;

- Failure to stop, give information, or render reasonable assistance as required by TA 20-102 and TA 20-104 in the event of an accident resulting in bodily injury to or death of any person;

- Driving or attempting to d rive a motor vehicle while the driver's license or privilege to d rive is suspended or revoked;

- Failure to stop or give information as required by TA 20-103 through TA 20-105, in the event of an accident resulting in damage to a vehicle or property;

- Any offense that caused or contributed to an accident resulting in bodily injury to or death of any person;

- Fleeing or attempting to elude a police officer.

4. The person is a non-resident and the officer has probable cause to believe that the person has committed the violation and it contributed to an accident.

5. The officer has probable cause to believe that the person has committed the violation, and, subject to the procedures set forth in TA 26-203, the person is issued a traffic citation and refuses to acknowledge its receipt by signature.

G. An adult physically arrested for a traffic offense shall be taken without delay before a Court Commissioner, unless the arresting officer, in his/her discretion, releases the individual upon the individual's written promise to appear for trial.

When a physical arrest is made and the violator is taken before the Court Commissioner, the traffic citation(s) issued to the violator must be accompanied by a completed "Statement of Probable Cause -Arrest on Traffic/Natural Resources Citations," (District Court Form DC/CR4), for presentation to the Commissioner.

H.A juvenile may be taken into custody for a traffic offense; however, he/she will not be transported to the Court Commissioner.

1. Juveniles will be transported to a processing facility and their parent/guardian contacted and advised of the circumstances under which the juvenile was taken into custody.

2. If a juvenile's parent/guardian refuses to accept custody, the arresting officer will notify the Department of Juvenile Services during business hours or contact police communications and have them page the on-call Intake Officer after business hours.

H. When a traffic-related physical arrest is made involving a member of the military; the arresting officer should notify the Liaison Officer of the nearest Armed Forces Investigative Headquarters Division. This does not apply to the issuance of a traffic citation that did not result in a physical arrest.

III. TRAFFIC CITATION ACCOUNTABILITY

A. To ensure security and accountability, State Traffic Citation Books will be securely stored in a locked cabinet in the evidence room. The Chief and the Lieutenant will have keys to the cabinet.

B. To maintain security of issued citations, before the end of the issuing officer's tour of Duty; he/she will turn in all citations issued during that tour of duty. The citations will be placed in the mailbox marked "citations" located in the Report Room.

C. Station personnel will administratively process issued citations by:

1. Entering the information on the citation into the Citation Master Index.

2. Listing all issued citation on a District Court Citation Transmittal Sheet and submitting the sheet and the citations to the District Court.

3. Filing the "Station Copy" of the citation in station files located in the Operations Area.

D. After a traffic citation is adjudicated or otherwise disposed of, the Maryland District Court Traffic System will send the Police Department a computer printout listing disposition information.

1. Station personnel will enter the dispositions into the Citation Master Index.

2. A copy of the printout will be maintained in the station files cabinet.

E. Lost or stolen citations will be entered into the Citation Master Index in the same manner as if they had been issued.

1. Since the Maryland Uniform Complaint and Citation is a formal charging document, an Event Report will be written by the Officer from whom the citations were stolen/lost for documentation purposes.

2. The supervisor will then forward a copy of the report, along with a letter to the Motor Vehicle Administration advising of the loss or theft.

F. There are 2 types of "voids" -one that can be handled administratively in cooperation with the State's Attorney's Office, and one that must be handled in open court.

1. If an officer makes an error while writing a citation and the #5 copy has been given to the violator, the citation must follow normal procedures and be disposed of in open court.

2. If an officer makes an error while writing a citation and the #5 copy has not been given to the violator, this citation may be "administratively voided" by turning in all copies and forwarding a Memorandum to the State's Attorney's Office with an explanation for the issuance and voidance of the citation. The supervisor or in his absence, the Chief of Police, will endorse the memorandum.

3. A second copy of the memorandum will be attached to the citation transmittal form and forwarded to the District Court.

IV. SUSPENDED/REVOKED DRIVERS

A. A driver whose license or privilege is found to be suspended or revoked may, in the officer's discretion, be issued a citation or be physically arrested.

B. Officers should consider the driver's overall driving record and nature of the suspension or revocation, i.e., FTA, points, etc., in deciding the appropriateness of the citation in lieu of making an arrest.

C. A driver may be arrested, pursuant to TA 26-202, if he/she is driving or attempting to drive a motor vehicle while their license or privilege is suspended or revoked.

1. In the event the M.V.A. computer is out of service and/or the violator's exact license status cannot be determined, the violator could be cited for a violation of TA 16-112, charging him/her with failing to possess/display his/her license upon demand (providing they did not in fact produce it).

2. If everything else appears to be in order, the violator should be released and the officer should attempt to determine the violator's correct status at a later time.

3. If during the course of the officer's follow-up investigation, it is determined that the violator's license is suspended/revoked, the officer has options to consider:

   - Locate the violator and have him/her respond to the station and issue a citation for suspended/revoked, or

   - Respond to the Commissioner's Office to apply for a charging document.

V. SPEED ENFORCEMENT

Excessive speed is one of the leading causes of traffic accidents that result in fatalities and cause serious injuries. The Department is particularly concerned with motorists who willfully disobey the laws pertaining to speed limits; therefore, it will be a priority of the Department to aggressively enforce violations of speed limits in the Town. Officers enforcing speed violations should consider these, among other factors:

A. How much over the posted speed limit was the vehicle traveling? As a general guideline, vehicles should be stopped for traveling more than 10 mph above the speed limit on Bladensburg Road.

B. Was the vehicle speeding through a residential area?

C. The adequacy of speed limit signs in the area where the violation was committed;

D. The degree of hazard caused by the violation; (negligence vs. recklessness)

E. Did the violation cause or contribute to an accident?

F. Is the area in which the vehicle was speeding an area that was targeted for selective enforcement because of citizen requests for extra enforcement, previous accident history, etc.?

VI. RECOMMENDING DRIVERS TO MVA FOR RE-EXAMINATION

A. During the course of patrol, accident investigation, or other activities in which officers are engaged, officers will look for motorists whose driving behavior leads the officer to reasonably believe that the motorist is incapable of operating a vehicle in a state, reasonable, and ordinary manner because of incompetency, physical or mental disability, disease, or other conditions.

B. The following procedures will be used when an officer discovers such a driver and wishes to request that the MVA re-examine the driver's abilities to operate a vehicle safely.

1. An MVA "Request for Re-Examination" form will be completed in detail by the officer, pursuant to TA 16-207.

2. The officer must be specific as to what actions of the driver led the officer to the impression that there was a need for re-examination.

3. When completed, the form will be signed by the officer and submitted with the officer's citations before the end of the officer's tour of duty, and then signed by the Chief of Police.

4. If citations were issued and/or an accident or other report was written in conjunction with the completion of the form, photocopies will be attached to assist the MVA.

5. The information that is contained in the Request for Re-Examination of Driver form will be entered into the Master Name Index.

VII. PEDESTRIAN AND BICYCLE VIOLATIONS

A. In conjunction with enforcement efforts, the Department will make available to citizens, literature, pamphlets, books, and hand-outs to educate the community and to try to achieve voluntary compliance with those laws and ordinances pertaining to pedestrians and bicyclists.

B. By law, pedestrians (TA 21-501) and bicyclists (TA 21-1202}, must obey the traffic laws. When deciding the proper level of enforcement, Warning versus Citation, officers will adhere to the following policy:

1. In the officer's best judgment and discretion, pedestrian and bicycle traffic violator's should be issued warnings, verbal and written, unless their behavior was flagrant or they exhibited a willful disregard for their safety and/or that of others.

2. If the violation was flagrant or repeated, the officer should consider issuing a traffic citation appropriately charging the violator.

C. The Prince George's County Code applies in Cottage City and requires children 16 years of age or younger to wear a bicycle helmet while riding or being carried on a bicycle, including bicycles with "training wheels."

D. Parents/guardians must not knowingly permit their children to ride a bicycle without a helmet approved by the Snell Memorial foundation or the American National Standards Institute.

1. The law applies to bicycles ridden on public streets, rights-of-ways, and bicycle paths.

2. A fine for a violation of the Code may be waived for a first violation if proof is shown that a bicycle helmet has been obtained since the violation was issued. The fine might not be waived for a second or subsequent offense.

E. The Police Department will assist City residents in registering their bikes.

VIII. OFF-ROAD VEHICLE VIOLATIONS

Traffic enforcement of Off-Road Vehicles, including Dirt Bikes, Snowmobiles and Mopeds will be handled as follows:

A. An officer observing an off-road vehicle that cannot be legally operated on the public roadways in violation of the law shall take appropriate enforcement action: verbal/written warning, and/or traffic citation.

B. Enforcement action should be such that it ensures compliance with vehicle registration laws and other applicable laws concerning the operation of off-road vehicles on publicly-owned trails, parks, or property.

C. Officers will use the Maryland Uniform Complaint and Citation to charge a violation of the traffic laws pertaining to the operation of bicycles.

D. Officers may use the Criminal/Civil Citation to charge violations of Article 27, section 578, pertaining to the operation of off-road vehicles on private property, or may make a physical arrest if the violation is committed in their presence or view.

IX. ENFORCEMENT OF VEHICLE EQUIPMENT VIOLATIONS

Officers may enforce vehicle equipment violations by way of a Safety Equipment Repair Order or traffic citation.

A. If the vehicle the officer intends to cite has equipment or a lack thereof, which tends to seriously hamper the safe operation of the vehicle, the officer should consider having it towed in accordance with Department towing and impound policies.

B. To comply with the provisions of TA 23-105, officers shall stop the driver of any vehicle registered in Maryland that apparently does not meet the requirements of Title 23 of the TA, or those established in TA 24-106. (e), and issue the driver a Safety Equipment Repair Order.

X. PUBLIC CARRIER/COMMERCIAL VEHICLE VIOLATIONS

A. When taking enforcement action against the operator of a bus, tractor- trailer, and/or other commercial vehicles, the officer must remember that these vehicles are for the most part over-sized, and require more room than a standard-sized vehicle, and also require a special license, considerable training, and more skill to operate and maneuver safely. Officers should consider:

1. The nature and severity of the violation committed,

2. Whether disobedience to a sign that prohibited commercial vehicles or buses was willful or inadvertent,

3. Whether the vehicle was operated in a reckless manner, and

4. Requests for enforcement from citizens or others about the vehicles.

B. Commercial Vehicle Inspectors are available both on-duty and for call-out purposes. Officers should use the following guidelines when deciding whether to call for an on-duty Truck Inspector:

1. A truck or bus is involved in a serious accident;

2. A truck or bus appears to be unsafe to the degree that it should be placed out of service;

3. A truck or bus is involved in an accident where a mechanical defect appears to have caused/contributed to the accident;

4. A truck or bus driver is in possession or under the influence of alcohol and/or drugs; or,

5. For any incident or situation in which expert assistance would help to resolve the situations.

C. The call-out of off-duty PGPD Truck Inspectors via police communications will only be authorized by PG PD supervisor, if a truck or bus:

1. Is involved in a serious personal injury or fatal accident;

2. Appears to be unsafe and needs to be placed out-of-service immediately because continued operation would present a danger to the public;

3. Involves HAZMAT; or,

4. Should be inspected as the request of Fire/Rescue.

5. If a Cottage City or PGPD Truck Inspector is not available, or cannot be called-out, the officer will use his/her vest judgment, training, experience, and discretion regarding towing or ordering the driver to park the vehicle until such time that the vehicle's deficiencies are corrected.

XI. OTHER NON-HAZARDOUS VIOLATIONS

A. When dealing with a motorist, bicyclist, or pedestrian that has committed a non-hazardous violation, officers should consider issuing a verbal warning in lieu of the formal placing of charges.

B. An officer dealing with a motorist who has committed multiple violations may wish to issue citations for the more serious violations and issue verbal warnings for the less serious, although officers may charge all violations on citations.

XII. MULTIPLE VIOLATIONS

A. An officer charging a person with multiple traffic violations will complete one (1) citation per violation, and under no circumstances will a citation contain more than one (1) charge, wither written or circled.

B. To alert the District Court's Traffic Office and the M.V.A. that the driver was issued multiple citations; the issuing officer will indicate so in the "Related Citation" area of the citation.

- For example, if three (3) citations are issued to one driver arising from the same incident, the officer will write the serial number of the second citation in the "Related Citation" area of the first citation, and will write the serial n umber of the third citation in the "Related Citation" area of the second citation, and will write the first citation's serial number in the "Related Citation" area of the third citation.

XIII. ENFORCEMENT OF NEWLY-ENACTED LAWS OR REGULATIONS

A. Even though so-called "ignorance of the law" is no excuse, officers should consider a 10-day "grace period" before enforcing newly-erected signs or signals, depending upon the nature and severity of the violation.

B. Whenever possible, officers should issue only warnings to motorists in order to educate them about the placement of a new sign, or other traffic control device, or newly-established road surface markings.

C. During the 10-day "grace period," only serious or hazardous violations, especially those causing or contributing to an accident should be cited.

XIV. OTHER HAZARDOUS VIOLATIONS

Officers should aggressively enforce hazardous violations and should take into consideration the degree of hazard, location, time of day, traffic volume, previous accident history at the location, and/or if the area was targeted for extra patrol or selective enforcement.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **TRAFFIC ENFORCEMENT METHODS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. The Cottage City Pol ice Department will employ various techniques and practices designed to deter the tendencies of motorists to knowingly violate traffic laws. Based on the principle that the most effective deterrent to traffic law violations is visible patrol in a marked pol ice vehicle, and in the interest of maintaining a posture of prevention as opposed to apprehension, traffic law enforcement activities will be conducted accordingly.

B. The Department will encourage citizen comments, complaints, suggestions, and in put regarding traffic problems in their communities so that police resources and personnel can be assigned and coordinated appropriately.

C. Officers patrolling in police vehicles shall drive them in a manner that conforms to all traffic laws, and that demonstrates exemplary driving behavior. Extreme emergency conditions will be the only exception to this practice, but officers will still be expected to drive with due care.

II. PATROL TECHNIQUES

A. Visible Traffic Patrol

1. Visible traffic patrol will involve deploying officer's in-uniform, utilizing a marked police vehicle, to enforce the traffic laws within an assigned area. The only exception

will be at the express approval of the Chief of Police to use an unmarked vehicle in special circumstances.

2. When officers are not assigned to specific areas, they will patrol the entire City and will be alert for traffic violations or traffic complaints that come to their attention, and, using their best judgment, training and discretion, will take appropriate enforcement action, which could range from a verbal or written warning, to the issuance of a citation or a physical arrest if stricter measures are necessary.

3. If deemed appropriate, officers may be assigned to patrol a certain stretch of roadway (known as Line Patrol) to deter violations and/or to enforce traffic violations.

   - An example of Line Patrol would be to concentrate patrol along a certain stretch of Bladensburg Rd. in response to citizen complaints about speeding or other unsafe driving practices in that stretch, therefore it is more specific than Area Patrol.

4. The Department's selective enforcement program will encompass the various patrol techniques herein described.

5. Directed patrol efforts will be coordinated by the Sergeant and will involve the deployment of an officer(s) to conduct a specific type of enforcement in an area, on a line patrol, or at a specific location depending on the nature of the hazard or violations that warrant this type of patrol. Directed Patrol will be utilized as another selective enforcement component. The Sergeant will evaluate selective enforcement activities and make adjustments as needed.

6. The Department's use of roadside safety checks will be limited to those situations when assisting PGPD or another agency with "Sobriety Checkpoints" within the Town's boundaries, those jurisdictions Cottage City has a Mutual Aid agreement with or contract areas.

B. Stationary Observation

1. Stationary observation, either covert or overt, will be used as a technique to make observations about traffic activities at a particular location.

2. The Department will utilize this technique to among other things, assist traffic engineering officials and/or other officials with studies, analyses, etc., and a marked vehicle or bicycle may be used.

- Officers are encouraged, when completing reports or doing other activities that would temporarily keep them out of service, to park their police vehicles i n a conspicuous location, where just the presence of said vehicle would serve to remind motorists and pedestrians of the need for voluntary compliance with traffic laws.

3. Enforcement by means of "Off-Street Observation" is permissible and oftentimes necessary in areas that generate a large number of citizen complaints/requests for enforcement.

C. Use of Unmarked or Unconventional Vehicles

1. The Cottage City pol ice fleet consists of several marked and unmarked vehicles. The use of an unmarked vehicle for traffic enforcement/observation is acceptable with the specific approval of the Chief.

- Prior to using an u n marked pol ice vehicle for traffic enforcement purposes, officers will ensure that it is equipped with emergency lights and siren and that they are operational.

III. STOPPING/ APPROACHING TRAFFIC LAW VIOLATORS

A. When an officer considers stopping a traffic violator, there are two major objectives for the stop:

1. The Immediate Objective is to take appropriate enforcement action, either by issuing the violator a verbal or written Warning Notice, a Traffic Citation, or by making a physical arrest.

2. The Ultimate Objective is to favorably alter the violator's future driving behavior.

3. The attainment of the two objectives depends upon, at a minimum, the following:

- The officer's ability to evaluate the violator's position, and to understand his/her "side of the story;"

- An understanding and respect for human relations; and

- Officer flexibility and discretion.

B. Traffic Stop Procedures and Guidelines

1. Although enforcing traffic laws is a function police officers perform daily, all too frequently they are injured or killed in situations that initially appear to be a "routine traffic stop."

   "For the purpose of this directive, and in the interest of officer safety, nothing is routine."

   - Realizing that a courteous manner by an officer during the course of a traffic stop is of the utmost importance, officer safety and survival is more important and officers shall be cognizant of both during every traffic stop they make.

2. Because every traffic stop is different, the Department cannot possibly write procedures for every situation that an officer could potentially encounter; however, when an officer intends to initiate a traffic stop, the below-listed procedures are designed to maximize the safety of the officer, the violator, and other motorists.

3. The Department is also cognizant of the fact that an occasion may arise involving adverse weather and road conditions, engineering conditions, the urgency to stop a particular violator, and traffic congestion in the area of an intended stop, which may dictate that some of the steps listed herein may need to be altered or adjusted to fit the circumstances, however, officers will make every effort to follow these procedures as much as possible:

   - In order to alert the dispatcher to their status and the immediate need for acknowledgment, officers calling out on a traffic stop, or with a suspicious situation (Signal-7), will do so by announcing their car number, activity, and location during their initial contact with the dispatcher. Identify possible activity, i.e. CDS, tampering with motor vehicle, burglary, etc.

   - When the dispatcher acknowledges, officers will then provide their exact location and, vehicle license plate, make, model and/or description of the violator's vehicle if no tag/tag number is visible, the color of the vehicle and number of occupants, if known.

   - The tag number should be written down by the officer prior to the officer exiting the pol ice vehicle to approach the violator.

- Officers should attempt to make the traffic stop in an area familiar to them and should consider a location with ample space and appropriate lighting, and should avoid hills, curves, intersections and private driveways.

- The police vehicle's emergency (red and blue) lights shall be used as one signal to stop the violator. The police vehicle's horn or officer's hand signal is acceptable, but is not as effective. The siren can also be used, but only in combination with activated red/blue lights.

- The violator should be signaled and directed to the side of the roadway, close to the curb, or onto the road shoulder, if possible or a side street if available.

- On multi-lane roadways, to ensure officer, violator, and other motorists' safety, the officer should gradually move to the roadside/shoulder with the emergency lights on and turn signal activated to alert other traffic of the gradual lane changes and the officer's intention to stop the violator as far to the right as possible.

- If the violator stops abruptly, in an unsafe area, or in an area of disadvantage to the officer, or other undesirable location, the officer shall use the police vehicle's public address system to direct the violator to a safer or more desirable location.

- Once the violator has stopped, if practical the pol ice vehicle shall be positioned approximately one car-length behind the violator, with the pol ice vehicle's wheels turned away from the curb, its left front end offset by about two to three feet from the left rea r end of the violator's vehicle and the right rear end of the pol ice vehicle close to the curb.

- The officer shall exit the pol ice vehicle as cautiously and continuously as possible, alert for any sudden or suspicious movements by the violator vehicle occupants.

- The officer shall approach the violator's vehicle from behind (unless un usual circumstances exist), looking into the back seat area and stopping at a point behind the d river's door, such that the violator is at a disadvantage and has to look back over his/her left shoulder to communicate with the officer.

- If two officers are on the scene of the stop, the officer not conversing with the violator shall be responsible for all radio communications to allow the other to concentrate on the violator. The officer not conversing with the violator shall act as an observer and provide cover for the officer conducting the traffic stop.

- At night, the procedure is basically the same, except selecting a safe location is even more important.

- The police vehicle's emergency lights and hazard flashers shall always be used on all traffic stops, but the spotlight shall only be used to illuminate the violator's vehicle's interior, mainly positioned on the inside rea r-view mirror, and will not be sued to signal a violator to stop.

- The light bar's "Take-Down" lights should be activated to assist in illumination.

- Officers requesting computer information from the dispatcher will state the nature of the request during the officer's initial contact with the dispatcher.

- If a check is requested on a driver's license, the officer should provide the violator's Soundex number, or last name, first name, middle name, and date-of-birth.

- For wanted checks, the officer should provide the dispatcher with the violator's last name, first name, middle name, and date- of- birth.

- For vehicle registration information, the officer may provide the vehicle's tag number, VIN number, title number, owner's name, or Soundex number.

- Officers will not request criminal history information via radio and will not discuss criminal history information via radio unless in the immediate interest of officer safety.

4. If an officer witnesses a violation that occurred in traffic behind the officer, and the officer intends to stop the violator, the officer shall allow the violator to pass and as the violator passes, the officer shall remain in the police vehicle while signaling the violator to stop, either by hand signal or by activating the police vehicle's emergency lights. If the violator stops, the police vehicle can be re-positioned behind the violator's vehicle, as described above.

C. Felony or High-Risk Stops

Special procedures should be used for vehicle stops when the occupants of a vehicle are known to be armed and dangerous. When a vehicle operated by a known or suspected felon is located by an officer, he/she will notify the dispatcher immediately of the location, and give a thorough description of the vehicle and its occupants. The officer

will keep the suspect vehicle in view and request sufficient assistance in making the stop. The officer will keep support units informed of the location and direction of travel to facilitate their approach with minimal use of emergency equipment. The suspect vehicle will not be stopped unless absolutely necessary, until adequate support is available and in position. The following procedures will be used in effecting the stop:

1. The officer will plan to stop the suspect vehicle in a location which presents minimal danger to other citizens.

2. When conditions are appropriate, and support units available, the officer will move into position to the rear of the suspect vehicle.

3. The officer will signal the violator to stop, using all emergency equipment to warn other traffic.

4. If the violator is known to be armed and dangerous, the officer will have his/her weapon easily accessible and ready for immediate use.

5. When the suspect vehicle begins to stop, the officer will turn off the siren and activate the public address system.

6. The officer will park the police vehicle so that it provides maximum protection and cover.

7. At night, all lights will be focused on the interior of the suspect vehicle, including the spot light.

8. The officer will exit the vehicle quickly, but remain behind the door and accessible to the public address system microphone.

9. The officer making the stop is in command and will direct each occupant, using the public address system, to get out of the vehicle individually according to specific directions and into the appropriate search position, after which the approach may be made.

10. If a public address system is not available or not working, the officer will give voice commands.

11. The officer will also give instructions to the support officers, to make the suspects aware that additional officers are present.

12. The support officers will not give additional commands as this would tend to confuse the suspects, but will make their presence known by responding to the commands given by the arresting officer.

13. Extreme caution will be exercised by officers not to get in another officer's line-of-fire.

14. When all occupants have been removed from the vehicle, the support officers should move to a position to cover the arresting officer while the suspects are searched.

15. Arrestees will be searched and handcuffed prior to being transported.

IV. OFFICER CONDUCT WITH TRAFFIC VIOLATORS

In the interest of officer safety and survival, along with portraying a positive, professional image and treating the violator with respect and fairness, officers will:

A. Be alert for the unexpected;

B. Be certain (without hesitation or reservation) of the observations of the violation for which the violator is being stopped;

C. Present a professional image in dress, grooming, language, bearing and emotional stability;

D. Be prepared by having the necessary forms and equipment immediately available;

E. Decide on an appropriate course of enforcement action based on the violation and driving behavior;

F. Greet the violator with an appropriate title and in a courteous manner;

G. Inform the violator of the violation and the intended course of action;

H. Request the driver's license and the vehicle's registration and accept only these forms;

I. Allow the violator to discuss the violation and do not argue, berate, belittle or otherwise verbally abuse the violator;

J. If a Citation, Warning or Safety Equipment Repair Order is issued; attempt to explain the document by providing information about:

- How the violator can request a Court date to enter a plea and/or how and where to pay the fine for the Citation;
- If the Citation requires the violator's appearance in Court;
- The law requiring the violator's signature on the Citation, and/or,
- What any Repair Order issued to the violator requires.

K. Unless the violator's license and/or registration are to be held as evidence, it will be returned to the violator after the Citation has been signed or while handing the violator the S.E.R.O.

L. The officer will then assist the violator with safely re-entering the flow of traffic and will not follow the violator, unless it is being done in the violator's best interest.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **TRAFFIC DIRECTION AND CONTROL**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the pol icy of the Department to provide for the safe and efficient movement of vehicular and pedestrian traffic.

A. Any officer encountering a traffic problem, including those at accident scenes, shall take all reasonable actions to control the problem by requesting whatever assistance the officer deems necessary to restore the flow of traffic.

B. If necessary, the officer will direct traffic and/or arrange for Public Works to deliver traffic cones, barricades, and/or portable signs.

C. Situations in which officers are authorized to perform manual traffic direction include, but are not limited to:

- Any Fire/Rescue operation
- Any hazardous road condition
- Any situation in which utilities are affected, i.e., downed power lines, light pole down, broken gas or water main, etc.
- An accident scene
- A disabled vehicle

- An arrest situation until the scene is stabilized

II. TRAFFIC DIRECTION AND CONTROL PROCEDURES

A. When directing traffic, officer will use standardized gestures and signals to have motorists, pedestrians, and bicyclists stop, turn or proceed.

1. Before an officer begins to direct traffic, he/she should attempt to utilize the traffic signal pattern and direct traffic with the signal if one is present. If this cannot be done, place the traffic signal on flashing and immediately notify pol ice communications.

2. Officers are not authorized access to the inner light box, only the outer box.

3. Officers directing traffic should position their police vehicle in such a manner that it is highly visible to roadway users yet does not impede or hinder the flow of traffic, unless the road is shut down.

4. Officers will wear high-visibility AND reflective clothing at all times while they are in the roadway directing traffic and will:

   - Position them to be clearly seen

   - Stand facing stopped traffic

B. To stop traffic, the officer should first extend his/her arm and index finger toward and look directly at the person to be stopped until that person is aware of the officer's gesture to stop.

   The pointing hand is raised at the wrist so that the palm is facing the person to be stopped, and is held in this position until the person stops.

C. To start traffic, the officer should stand with shoulder and side toward the traffic to be started, extend his/her arm and index finger toward and look directly at the person to be started.

   With the palm up, the pointing arm is swung from the elbow only, through a vertical semi-circle until the hand is adjacent to the chin.

D. For motorists turning right or left, the officer should swing the extended arm in the direction of the motorist's intended turn. Officers should stop or hold on-coming traffic and then direct left-turning motorists to execute their turns.

E. Every officer, while directing traffic, should use a whistle to get the attention of motorists, pedestrians, and bicyclists, in the following manner:

1. One long blast as a STOP signal.

2. Two short blasts as a GO signal.

3. Several short blasts if they do not respond to a given signal, or to warn of the approach of an emergency vehicle.

F. Verbal commands are acceptable but seldom used because arm gestures are more easily understood, and voice commands are not easily heard over the sound of traffic.

G. A flashlight equipped with a red plastic tip is recommended for use in low-light and/or adverse weather conditions. The flashlight should be used in conjunction with the arm gestures described above.

H. Officers are discouraged from physically holding road flares to direct traffic, as their ashes and embers can be harmful to the officer, motorists, and property, etc. If practical, officers will use flashlights to direct traffic.

III. TEMPORARY TRAFFIC CONTROL DEVICES

Temporary traffic control devices are available at Public Works, and consist of Stop signs, Detour, Road Closed, traffic cones, etc., to be used in emergencies.

A. Before a temporary traffic control device is placed into service, any traffic signal present should be placed on flashing. All Prince George's County traffic signals are computerized and will not be operated manually by officers.

- If the signal itself is causing the problem, police communications will be notified by the officer at the scene and a request made that the State Highway's Signal Shop requested to respond.

B. If the officer determines that the flashing signal will adequately and safely control traffic, the temporary traffic devices should not be used if they will confuse motorists.

C. During normal business hours, the officer should contact Public Works directly via the CCPD station clerk and specify exactly what is needed. After normal business hours, Public Works will be contacted directly by the officer, usually in an emergency type situation.

D. Officers should make every effort to notify via police communications, either County Roads or the State Highway Administration to furnish temporary traffic control devices on street maintained by those respective agencies.

E. When the temporary devices are no longer needed, the officer should remove them or have them removed and make arrangements to have them returned to Public Works or to the appropriate agency that provided them. If Public Works, County Road or State Roads will not be able to pick up the devices in a timely manner, the signs should be placed face-down to avoid confusing the motorists.

IV. TRAFFIC DIRECTION AND CONTROL AT FIRE SCENES

A. Officers will direct and control traffic at or around fire scenes and will coordinate their traffic direction and control efforts with the on-scene Fire/Rescue Incident Commander, i.e., establishing a perimeter, closing streets, designating alternate routes, detouring traffic, etc.

B. Vehicles that interfere with Fire Department or rescue operations may be towed as necessary.

V. TRAFFIC DIRECTION AND CONTROL DURING ADVERSE WEATHER AND ROAD CONDITIONS

A. Whenever an officer discovers a hazardous situation that would affect street or highway users, the officer, using his/her best judgment, training, and discretion is authorized to close a road or portion thereof to traffic until the situation has subsided.

B. When called upon to direct and control traffic during adverse weather and road conditions, officers will:

1. Consider requesting barricades, temporary traffic control devices, etc., to slow traffic and/or establish a safe traffic pattern;

2. Consider requesting a salt/sand truck or snow plow to respond or whatever else the officer deems necessary for the situation;

3. Not leave a hazardous situation they have discovered or responded to, unless the hazard has been alleviated or until relieved by a supervisor or OIC in the absence of a supervisor;

    - This is especially important in situations that include: a bridge that has been washed-out, high or standing water, power lines down creating a threat to public safety, and slippery road surfaces.

4. Position the police vehicle, with emergency lights activated, in such a way that it does not impede traffic, but yet is clearly visible to motorists. Adverse weather and road conditions are usually accompanied by poor visibility so officers should position their vehicles to afford themselves maxi m u m protection;

5. The setting-up of road flares should be considered to warn motorists and to establish a temporary traffic pattern.

C. When directing traffic around downed power lines, or a broken gas/water main, common sense should dictate the officer's actions which may include:

1. The notification of PEPCO, Washington Gas Light or the WSSC

2. Fire Department

3. Requesting additional assistance to detour traffic and control bystanders

4. Consider all downed power lines as "live."

VI. CLOSING ROADS

A. If a road will be closed down for any length of time, officers will notify police communications of the closure, an estimated length of time that the road will be closed, and what, if any, alternative routes are available.

B. Officers will also request police communications to notify the news media, as appropriate, so that this information can be passes on to highway users via radio and television. Communications will also be advised when the road is re-opened.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **TRAFFIC ANCILLARY SERVICES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Officers will provide assistance to motorists that is reasonable for the given situation and circumstances.

II. PROVISION OF DIRECTIONS TO MOTORISTS

Officers frequently get requests from motorists for directions.

A. At the officer's discretion, the officer can escort the motorist to the destination within Cottage City in lieu of, or in connection with the directions the officer gave (without emergency equipment).

B. If the requested location is outside Cottage City, the officer should give directions. If the location is unknown to an officer, maps or street indexes should be checked, and/or the Communications Center will be asked for the requested information.

III. PROVISION OF ASSISTANCE TO MOTORISTS

A. Assistance considered "reasonable" can range from radioing for a tow truck to tow a disabled vehicle, to changing a flat tire.

B. Officers are not required to perform repairs personally and, under normal circumstances, police vehicles should not be used to "jump-start" a privately-owned vehicle.

C. Officers providing assistance to motorists will:

1. Be aware of possible dangers to motorists stranded in isolated or heavily traveled areas and should take appropriate steps to reduce these dangers by taking the motorist to a safer location or by setting out flares to warn other motorists.

2. If time permits, and it is practical, stay with the motorist until a tow truck or service truck arrives to ensure the safety of the motorist.

3. Have the police vehicle's emergency lights and hazard warning flashers activated, and it shall be positioned so as to provide maximum protection for the officer and disabled motorist, yet also warn other motorists of the officer's presence.

4. Make an attempt to check back later or have another officer check on the motorist if the officer is unable to stay with the motorist until the service truck/tow truck arrives.

5. Depending on the practicality, flares should be set-up.

D. If shall be the officer's discretion to assist a citizen locked out of his/her vehicle.

1. If the officer is unable to gain entry, or is uncomfortable attempting entry, because of improper tools or training, or because of the potential for damage to the citizen's vehicle, citizens will be advised to request a service truck or locksmith.

E. Stranded Motorists

In the event an officer encounters a stranded motorist who does not have the ability to pay for roadside assistance (AAA, Cred it Cards, etc.), once the vehicle is secured, the officer should provide assistance to the motorist in the following manner:

1. Consider having Communications contact a friend of the motorist to respond to the scene to provide assistance;

2. Consider transporting the motorist to the police facility to provide a telephone for use by the citizen (s}.

F. Requesting Tow Trucks for Motorists

When an officer determines that a tow truck is needed, the procedures below will be followed when making a requesting for the tow truck:

1. Requests will be made by radio to pol ice communications advising of the tag number, vehicle make and model, its color, exact location, and the specific problem, if known, and reason for the tow.

2. Police communications will contact the appropriate towing company so that the tow can be entered into the C.A.D. Terminal.

3. If the vehicle's owner/operator is with the vehicle or will be standing by for the tow truck, an inventory search by the officer is not necessary.

G. Providing Emergency Assistance

1. Officers arriving on the scene of a roadway emergency shall:

   - Assess the situation;

   - Request the appropriate services immediately from police communications;

   - Provide basic life support or advanced life support, depending upon the circumstances;

   - As necessary and as officer safety will allow, engage in fire suppression activities prior to the arrival of the Fire Department by using the fire extinguisher in the police vehicle (not all fire extinguishers will suppress all types of fires); and,

   - Obtain additional assistance as the situation may require.

2. Officers providing basic or advanced life support will ensure that they wear, at a minimum, Department-issued protective equipment (i.e., rubber gloves, surgical mask as necessary, etc.).

3. When communicating to communications, officers should be very specific as to the nature of injuries, and/or road emergency that exists so the appropriate emergency equipment can be dispatched.

IV. OFFICERS FINDING DEBRIS/HAZARDS IN ROADWAY

Officers finding debris that is a hazard shall remove it (providing the officer is able to and the object/substance to be removed will not endanger the officer's health or safety during the time he/she is removing it).

A. If the officer is unable to remove it or requires specialized equipment, the Cottage City Public Works Department, County Roads, or State Highways shall be notified, as appropriate.

   1. If Public Works has jurisdiction over the problem, officers will notify Public Works directly (during the times that Public Works personnel are on duty).

      After hours, the officer should assess the problem to determine whether one of the Public Works on-call representatives should be notified for assistance. For example, a call regarding a tree limb down that is not blocking a street may wait until the next business day whereas a tree limb down which is blocking a street and preventing emergency equipment access would require an immediate notification.

   2. If Public Works does not have jurisdiction, the officer should request communications notify the agency that maintains the street, high way, parking lot, property, etc.

B. Defects in Cottage City streets shall be reported to Public Works as soon as possible if it is a threat to the public safety, or needs immediate attention.

   If an officer encounters a defect or hazard that does not require immediate attention, the officer should request that communications complete a Cottage City Work Order in as much detail as possible, to be submitted to Public Works.

C. Defects in county roadways or State roadways will be reported as soon as possible to the respective agency maintaining the roadway in question, either through CCPD or police communications.

D. If an officer is unsure as to whether Cottage City, County, or State maintains the roadway in question, the officer should consider checking the "Log Mile Reference" book for guidance.

V. HAZARDOUS MATERIALS CONTROL AND REMOVAL

Generally, the clean-up of hazardous materials spills/leaks will be handled by a State-licensed contractor, under the supervision of a representative from the Environmental Protection Agency.

A. At the scene of a hazardous materials incident, the Fire Department Incident Commander will be in command of the scene and will make the request through his/her dispatcher for the clean-up assistance.

B. Prior to the arrival of the fire/rescue personnel, officers arriving on the scene of a hazardous materials incident will follow the below listed procedures, which can be found in their EMERGENCY RESPONSE GUIDEBOOK:

1. Approach the scene from an upwind direction, if possible;

2. Move and keep people away from the scene;

3. Refrain from walking into or touching any spilled materials;

4. Avoid inhaling fumes, smoke and vapors, even if no hazardous materials are involved and do not assume that gases or vapors are harmless because of lack of smell.

5. Rescues of contaminated persons should be left to appropriately equipped rescuers, as an officer cannot help others until the officer knows what he/she is facing, and because police are not appropriately equipped.

6. By radio and/or other means, request assistance and, if at all possible, be specific as to what is needed.

7. To assist in possibly identifying the material(s) officers should consult their hazardous materials "Emergency Response Guidebook."

8. Be particularly cognizant of where the police vehicle is positioned/parked at the scene, as it can provide a source of ignition for vapors, fumes, etc.

VI. ACTIVITIES RELATED TO TRAFFIC ENGINEERING

A. As directed by the Chief of Police, members of the Department will assist local and regional traffic engineering authorities by:

   1. Collecting and compiling selected traffic data;

   2. Conducting or assisting with the conduct of traffic surveys and/or studies;

   3. Analyzing accident reports; and/or,

   4. Preparing special statistical reports and/or making recommendations concerning the efficient use of traffic control devices.

B. All officers are responsible for the discovery and remedy of accident and congestion hazards either by taking immediate corrective action(s) or by notifying the appropriate traffic engineering agency (i.e. Traffic Signal Engineer, Public Works, State Highway Administration, etc.).

C. So that the flow of information between this Department and traffic engineering agencies is coordinated, Department personnel will provide requested information to engineering authorities through the Lieutenant and the Chief.

D. If an officer has personal knowledge of a hazard, deficiency, etc., the officer will communicate this information as soon as practical (unless the hazard/deficiency is life threatening, in which case it will be reported immediately) to the appropriate engineering authorities.

E. If an officer or Station Clerk receives a request for statistics; the requester will be referred to the Chief.

F. If a Department member learns of a deficiency, hazard, or any other situation pertaining to traffic engineering, that is causing an immediate threat to the public safety, the situation will be handled accordingly:

   1. While On Patrol

      - If a citizen reports this type of situation to an officer on the street, if the situation is in Cottage City or in a contract area during contract assignment, and the officer can immediately respond to the scene, the officer will do so.

- Based on the nature of the situation, the information provided by the citizen, and the treat to the public safety, the officer will arrange for the appropriate authorities to be notified (i.e., Fire/Rescue, Utilities, State, Highway Administration, County Roads, Traffic Signal Shop, etc.).

2. Citizen Responding To Police Facility

   If a citizen responds to the police facility to report a deficiency that appears to be of an emergency nature in Cottage City or a contract area while an officer is assigned to that area, a City officer will be dispatched. If the incident is out of Cottage City area of patrol, and if it appears that the on-scene presence of an officer would be in the best interest of public safety, the citizen's information will be forwarded to police communications for dispatch.

   - Depending upon the nature/severity of the deficiency, station personnel will also cause the appropriate engineering authorities to be notified immediately.

3. Complaints Received By Phone

   Will be handled in the same manner as stated above in number 2

G. Any complaint, suggestion, or comment coming to the attention of the Department concerning engineering deficiencies will be forwarded to the appropriate agency having jurisdiction, for evaluation and/or corrective action(s).

   If a member of the Department receives a non-emergency complaint from a citizen, the person to whom the complaint/suggestion was directed may handle it in the following manner:

   1. An officer will be assigned to evaluate the nature and severity of the complaint (follow the emergency procedures above, if appropriate). A report will be submitted and depending on the circumstances, the officer will contact the appropriate traffic engineering agency to advise them of the citizen's complaint/suggestion, and/or forward his/her recommendation to the Chief.

   2. The citizen will be called back (as soon as practical) and will be advised of the agency to which his/her complaint as referred.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PARKING ENFORCEMENT**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Officers are authorized to enforce Cottage City parking regulations, pursuant to the provisions of Section 9 of the Cottage City Code of Ordinances. All officers shall have a working knowledge of Section 9 of the Cottage City Code, and any other applicable statutes pertaining to parking offenses, i.e., Prince Georges County Codes, contract areas, etc.

II. PROCEDURES

A. Officers, using their best judgment and discretion, may issue a warning, or an official Parking Violation Notice to vehicles found to be in violation, depending on the nature of the violation, position of the vehicle and/or any hazard that the vehicle is causing.

B. During peak "rush" hours, officers should be alert for any illegally parked vehicles disrupting the flow of traffic and, if necessary, issue Parking Violation Notices and tow the vehicles.

C. Officers should patrol areas where fire lane, fire hydrant, and handicapped parking violations occur frequently and should take appropriate action.

D. Officers issuing Parking Violation Notices shall print legibly and indicate the correct fine on the Notice, and submit them prior to the end of their shift so Station Personnel can properly distribute them.

E. The violator's copy (the yellow copy) will be placed in a conspicuous location on the vehicle (usually under the driver's side wiper blade) and place the top copy in the station ticket box located in the Report Room.

III. VOIDING PARKING VIOLATION NOTICES

A. Only the Chief of Police will void Parking Violation Notices at the request of the issuing officer or the individual receiving the ticket when a valid reason exists.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **SPEED MEASURING DEVICES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The policy of the Cottage City Police Department is to use speed measuring devices in high or potentially high accident locations when speed is a possible factor contributing to the accidents. It will also be used in areas where speed limit violations are prevalent, and in response to citizen concerns about speeding motorists.

II. PURPOSE

A. The effective use of speed measuring devices and their acceptance is dependent upon the operator's understanding of the specific limitations of the speed measuring device itself. Adequate training and certification combined with periodic re-certification to show operator efficiency is mandated. The purpose of this General Order is to provide guidance in the proper use of speed measuring devices in traffic enforcement.

B. Procedures for the Cottage City Police Department have been established to ensure that:

1. Officers are certified to use speed measuring devices;

2. Adequate maintenance, calibration, and operational record systems (suitable for introduction as evidence in court) are developed and maintained; and,

3. Speed measuring devices utilizing radar are certified every 12 months.

III. EQUIPMENT

A. Equipment specifications for radar speed measuring devices shall meet or exceed National Highway Traffic Safety Administration standards.

B. All radar speed measuring devices will be inspected and calibrated by an authorized testing facility annually with the documented results maintained in files. Suggested and required maintenance will be performed by the manufacturer or a qualified service facility.

C. The Sergeant will coordinate dates for speed measuring device repair and/or calibration.

   1. Upon coordination of repair dates, the device in need of repair will be packaged and delivered to an appropriate commercial carrier for shipment. Upon return of the repaired speed measuring device, the Sergeant will place the device back into service.

   2. Calibration will usually occur at Cottage City by a certified technician; however, if that does not occur, the procedures above will be followed.

D. All documentation including repair work orders, equipment calibration certificates and a list of device specifications and serial numbers will be retained in the files.

E. The speed measuring devices shall be kept dry at all times and when not in use, they shall be securely stored in their cushioned carrying case. The radar unit shall never be placed in a position so that its face is down and its antenna is against metal.

IV. TRAINING AND CERTIFICATION

A. The certification course for speed measuring device operators shall consist of classroom instruction and practical field application of speed measuring equipment.

B. Each officer successfully completing the course will be authorized and certified by the Cottage City Police Department to operate speed measuring devices.

V. SPEED MEASURING DEVICE USAGE

The precise method for using a speed measuring device and the enforcement of laws applying to speed will vary according to the type of speed measuring device used. Generally, the following procedures are applicable:

A. The speed measuring device must be properly installed and connected to the appropriate power supply.

B. The effective range of the particular speed measuring device must be thoroughly understood by the operator to ensure that visual observations can support the speed readings.

C. The operator must choose an appropriate location that is conducive to the effective and safe operation of the speed measuring device.

D. The speed measuring device will be properly tested to ensure accuracy in calibrating speed. Most manufacturers recommend specific methods of checking calibration. These should be followed without exception.

E. At a minimum, speed measuring devices should be tested for accuracy:

1. At the beginning of the operator's tour of duty;

2. Each time a site location is changed if radar is used; and,

3. At the end of the operator's tour of duty.

VI. SERGEANT'S RESPONSIBILITIES

A. Ensure assigned radar speed measuring equipment is calibrated annually and repaired as needed by the authorized testing facility.

B. Retain all documentation including repair work orders and equipment calibration certificates.

C. Ensure that a maintenance log is kept for the speed measuring units.

VII. OPERATOR PROCEDURES

A. Certified operators will use only speed measuring equipment on which they have received training and certification.

   NOTE: An officer utilized only to stop vehicles and issue citations is not required to be certified in speed measuring device operation.

B. Radar operators who wish to use the Portable radar unit will sign out the unit on a log established by the Sergeant who will maintain the records for a period of 3 years. Operators will be held responsible for the loss or damage of the unit.

C. The speed measuring device operator will be responsible for the care and upkeep of the speed measuring devices used. This includes taking the device out of service if it does not meet calibration checks or otherwise is inoperable. The operator shall place the device out of service and write a memorandum to the Sergeant outlining the problems associated with the device.

D. Officers utilized on foot to issue citations will only be deployed during daylight hours. A distance not greater than 300 feet will separate the speed measuring device operator and the stopping officers, allowing the operator to maintain constant visual contact.

E. Police vehicles may be used at any time to stop violators with safety for the public, working personnel and equipment being primary considerations.

F. Whenever the hand-held speed measuring device is connected to a power source; it should be held in the hands of the operator or secured in a safe location where the device cannot be damaged from abrupt movement. When the device is not connected to a power source, it will be properly stored.

G. A radar operator shall, when requested by a violator, provide available information on the radar equipment, unless the request interferes with on-going enforcement activities or officer/violator safety, at which time the person inquiring will be referred to the Sergeant.

H. The following elements must be established by the officer for court presentation when speed measuring device speed charges are placed:

   1. The time, place, and location of the vehicle that was checked, the identity of the operator, the speed of the vehicle, and the visual and speed measuring speed checks;

2. An overview of officer qualifications and training in the use of speed measuring devices;

3. That the speed measuring device was operated properly;

4. That the device was tested for accuracy before use and after use by an approved method;

5. The identity of the vehicle, coordinated with visual and audible tracking history to establish approximate speed;

6. The speed limit in the zone in which the officer was operating and where the speed limit signs were posted.

VIII. SAFETY/HEALTH PRECAUTIONS

Speed measuring devices are of such limited range and power that the risks due to exposure to microwave radiation are almost negligible. The issue of long-term use of speed measuring devices being linked to cancer has been debated for years with no conclusive data ever presented substantiating the theory that speed measuring device usage poses a threat to users. Nevertheless, the following common sense precautions should be followed to reduce the possibility of exposure to microwave radiation:

A. Officers should not place activated speed measuring devices on their laps or between their legs.

B. With the models of speed measuring devices that are equipped with a holding mechanism, the hold mechanism should be used so that the signal will not continuously operate.

C. An operator should never hold onto the antenna or hold the antenna closer than six inches to his/her body.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **ACCIDENT INVESTIGATION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. It shall be the policy of the Department to respond to the scene of traffic accidents occurring within Cottage City and areas under contract that involve:

1. Death or injury;

2. Hit-and-Run accidents that just occurred or those that occurred earlier and the striking vehicle or struck vehicle has not been moved, or if there is a witness or other evidence from which an officer can initiate an investigation;

3. Impairment of an operator due to alcohol or d rugs;

4. Damage to publicly-owned vehicles or property;

5. Hazardous materials;

6. Disturbances between principals involved;

7. Major traffic congestion as a result of the accident; or

8. Damage to vehicles to the extent towing is required.

B. One or more officers should respond quickly, but safely to the scene, in accordance with the designated response code, to provide emergency services, investigate the accident, record short-lived evidence, and restore the normal flow of traffic.

1. In less serious accidents, officer response will be dictated by workload and availability of officers.

2. The first officer on the scene will assume command of the scene and will direct other responding officers to locations to assist with traffic/crowd control,etc.

3. The first officer on the scene will relinquish command of the scene when a higher ranking officer arrives on the scene.

4. In the event a PGPD specialized unit, e.g. Accident Reconstruction Team, is called to the scene, command will shift to the highest ranking officer from that unit.

II. PROCEDURES AT THE ACCIDENT SCENE

A. The first officer on the scene will identify the number, location, and nature of injured persons and administer emergency medical care. The officer will, if needed, provide basic life support, (monitor breathing and control bleeding), or begin advanced life support, (treat for shock, begin CPR, etc.).

B. If injuries are sustained, summon an ambulance/medic unit through communications, describing for the dispatcher in as much detail as possible, the number of persons injured, nature and severity of injuries, and whether anyone is "pinned" (a part of the vehicle has pierced or impaled an occupant so that the person cannot exit the vehicle), or "trapped" (an occupant has not been pierced or impaled, but vehicle damage prevents this person from exiting the vehicle). This procedure ensures that Fire/Rescue responds with the proper equipment to deal with the scene.

1. Fire/Rescue personnel often recommend that police officers not move accident victims from vehicles if neck and/or back injuries are claimed.

2. A victim's neck and back must be kept in a relatively straight line, and must not be moved until a backboard (carried by ambulance personnel) can be secured to the victim, and traction can be applied.

3. An exception to this procedure would be in life-threatening emergencies such as a vehicle is on fire or the administering of CPR is necessary.

4. Fire/Rescue personnel also recommend that in the event "live" wires are atop a vehicle, the officer should have the occupants stay in the vehicle, and make no attempt to get out.

   If an emergency occurs, the car catches on fire, the officer should advise the occupants to jump from the vehicle, one at a time, in such a motion that ensures that both of the occupant's feet leave the vehicle simultaneously, and land on the ground simultaneously, and as far away from the vehicle as possible.

5. Officers providing basic or advanced life support are encouraged to wear rubber "examination" gloves, especially when attempting to control bleeding.

C. Officers approaching or arriving on the scene will identify actual and potential fire hazards, and will immediately communicate this information to Fire/Rescue via communications.

   1. When communicating the nature of the fire hazard to communications, officers will be specific in order to ensure an appropriate level of fire apparatus response. Examples of hazards include:

      a. Leakage of fuels and/or other flammable liquids;

      b. Smoke and/or fire visible;

      c. Strange odor(s) coming from the vehicle; and/or

      d. A "hissing" noise or any other type of noise that would indicate the possibility of an explosion.

   2. If a hazard is detected, officers should consider one or more of the following, as necessary and appropriate for the situation:

      a. Request additional officers to assist with traffic/crowd control;

      b. Shut-down the road and detour traffic around the accident scene and notify communications and the media of the road closure;

      c. Refrain from using flares, use traffic cones if available.

D. If hazardous materials are involved, officers should refer to their Emergency Response Guidebook to identify the material, in order to take the appropriate actions prior to the arrival of the Fire Department.

1. Officers must make communications aware of the fact that hazardous materials are involved, and what type, in order to ensure the appropriate level of Fire/Rescue and Hazardous Incident Response Team response.

2. To ensure officer and bystander safety, follow the below listed United States Department of Transportation recommendations for "first responders":

- APPROACH CAUTIOUSLY - resist the urge to rush in to the actual scene because police officers are not adequately equipped with self-contained breathing apparatus or protective clothing. Therefore, an officer cannot help others until the officer knows exactly what he/she is facing.

- IDENTIFY THE HAZARDS - placards, container labels, shipping papers and/or knowledgeable persons on the scene are valuable sources of information. Officers must evaluate all of them and then consult the recommended Emergency Response Guidebook page so that no one, including the officer gets placed at risk.

- SECURE THE SCENE - without entering the immediate hazard area, the officer should do whatever is reasonable and appropriate to isolate the area and assure the safety of the officer, other persons, and the environment. Move and keep people back and away from the scene and the perimeter. Allow enough room to move and remove necessary equipment to control the scene.

- OBTAIN ASSISTANCE - by notifying communications to have other officers respond as necessary or as determined by protocol.

- DECIDE ON SITE ENTRY - any efforts an officer makes to rescue persons protect property or environment, must be weighed against the possibility that the officer could just as easily become part of the problem.

- ABOVE ALL - do not walk into or touch spilled/leaked materials. Avoid the inhalation of fumes, smoke, and vapors, even if no hazardous materials are known to exist. Do not assume that gases or vapors are harmless if no odor. is present.

3. Approach the accident scene from "upwind" if possible and stay clear of all spills, vapors, fumes, and smoke.

4. Since police officers are not equipped with protective clothing, and because fire/rescue apparatus usually arrives in five minutes or less, fire suppression and rescues should be left to properly equipped and trained fire/rescue personnel.

5. Be cognizant of how and where the police vehicle is positioned or parked in relation to the scene because the vehicle could provide a means of ignition for a spilled/leaking substance or vapor.

6. Consider establishing a command post until the arrival of the Fire Incident Commander, who will then assume command of the scene.

7. Advise the on-duty shift supervisor of the situation.

8. Avoid the use of road flares as they could provide a source of ignition. Use traffic cones if available.

9. If a vaporous cloud is prevalent, keep bystanders as far back as possible and upwind. It may be safer to keep them inside their homes or buildings instead of evacuating them.

10. When attempting to identify the material, refer to the inside cover and page 1of the Emergency Response Guidebook.

E. After the scene has been stabilized, efforts must be made to preserve short-lived evidence and to otherwise protect the scene.

1. The officer in-charge of the scene will direct where he/she wants additional officers.

2. If the use of flares is deemed appropriate, a safe traffic pattern around the scene should be established. If flares are not appropriate, traffic cones should be used.

3. Police vehicles should be positioned in such a manner that they sufficiently protect the scene, without unnecessarily impeding the traffic pattern established around the scene.

4. If the accident is serious, and it is determined that the roads leading to the scene should be closed, the officer-in-charge will notify communications of the closure and direct the positioning of other officers.

5. The use of yellow roll tape to define and protect a scene should be considered if the accident will require processing.

F. After the accident scene is stabilized and it is determined that a report is required; the investigating officer can begin to collect as much information as possible in order to begin an investigation and complete a report. Depending upon the nature of the accident, the collection of information may include:

1. Identifying the drivers and passengers;

2. Making preliminary tests for intoxication;

3. Locate, identify, and separate possible witnesses;

4. Measure to locate marks on the road and debris;

5. Measure and mark final positions - "final resting place" of the vehicle(s) involved;

6. Measure and mark the location of bodies of person killed or incapacitated;

7. Photograph marks and debris on the road at the scene;

8. Photograph external damage to vehicle(s) and roadside objects;

9. Photograph final positions of vehicle(s);

10. Make an attempt to match tires to tire-marks on the roadway;

11. Examine the condition and functioning of traffic control devices and other road equipment;

12. Make a preliminary examination of the condition of vehicle equipment, i.e., lamps, tires, steering gear;

13. Make an attempt to match damage of vehicle(s) to marks on the road, and damage on vehicle to that on another;

14. Examine occupant restraints for function; (seatbelts/airbags)

15. If, upon the officer's arrival, the accident is determined to be a minor property damage accident, the officer should have the involved parties move their vehicles to a safe location nearby where the officer can assist with an exchange of information and collect the necessary information for a City Accident Report.

G. In accidents of a serious or complex nature requiring an in-depth investigation, a brief account will be obtained at the scene, and subsequently a formal and comprehensive statement should be taken at a more suitable location, preferably Department facilities. (CALEA 61.2.4)

1. Officers will question persons connected with the accident as soon as practical after the accident; however, the questioning of a particular person may be delayed until he/she has received medical attention, regained emotional stability, or attended to other urgent personal business.

2. When interviewing persons connected with the accident, the interviewing officer(s) will be objective and exhibit stability, diplomacy, and understanding.

3. Interviewing officers will reflect a professional attitude and demeanor, and avoid conflict, profanity, and sarcasm.

4. The interviewing officer(s) should be alert to any physical or emotional impairment (temporary or permanent) which may have affected the person's driving ability. This will include, in particular, being alert to evidence of alcohol and/or drug impairment.

5. Officers should question drivers about the point at which danger was perceived and what the driver was doing at that point, any evasive action taken, etc.

6. Vehicle occupants, although not "independent witnesses", should still be questioned about their seating position and what they saw.

7. A significant challenge for the investigator is to determine whether deficiencies noted in the vehicle existed prior to the accident, contributed to the accident, were a result of the accident, or merely a circumstance that was present but not a contributing factor.

8. The investigating officer(s) will check and record the damage obviously sustained in the collision of each vehicle. A thorough examination and evaluation of the damaged areas may coincide with other evidence and statements as to how the accident occurred.

9. During the course of the investigation, officers should consider checking and recording the following, as the situation warrants:

   - TIRES - should be checked for proper inflation, tread-wear, and any indication of "blow-out". Sidewalks should be checked for recent scrapes, cuts, or marks which would indicate breaking or a sideward sliding action of the vehicle. Wheels should be checked for recent damage, marks and dents.

   - LIGHTS - should be checked to determine if they were on or off during the accident, if they were functional, and the position of their switches.

   - GLASS - should be checked for proper visibility, including windshield and all windows, for evidence of any impairment to the driver. The glass should be checked immediately (and should be considered "short-lived" evidence) for obscurity due to fogging, snow, or frost. The glass should also be checked for discoloration, and stickers which may have created view obstructions.

   - INTERIOR - should be checked for any loose material that may have interfered with the driving ability of the driver.

   - MIRRORS - should be checked to ensure their presence and overall conditional and effectiveness.

   - FRAME AND BODY - should be checked for any indication of alterations in the frame, suspension, and steering.

   - CONTROLS - should be checked and their condition noted relative to the position of the gear shift lever, position of accessory switches, light switches, speedometer, proper operation of pedals, horn, condition and presence of seatbelts, and the presence ad condition of sun visors.

   - FAULTY EQUIPMENT - should be noted if it warrants a more in- depth examination, and the vehicle should be impounded and a "hold" placed on it until more qualified personnel examine the vehicle, particularly if defects are suspected in the braking and steering mechanisms of the vehicle. (CALEA 61.4.3)

H. In a serious accident involving severe injuries, fatalities, multiple vehicles, etc., it may be necessary to summon expert or technical assistance from photographers, surveyors, mechanics, physicians or other specialists.

1. PGPD Accident Reconstruction personnel can be contacted via communications.

2. Building inspectors, in the event a vehicle strikes a building or other structure, can be summoned via communications but often times, the responding Fire/Rescue unit will request someone with this expertise.

3. Photographers can be summoned from PGPD Technical Services Section via communications.

4. Maryland State Troopers assigned to the Automobile Safety Enforcement Division can be contacted through the State Police Barracks in College Park (301) 864-3101.

III. ACCIDENTS REQUIRING A REPORT

A. A M.A.A.R.S. Report will be completed in accordance with the M.A.A.R.S. Manual if the accident meets at least one of the following criteria:

1. FATAL ACCIDENT - is an accident in which at least one person (driver, passenger, pedestrian, bicyclist, etc.) dies within 30 days of the accident date.

2. PERSONAL INJURY ACCIDENT - is any accident involving incapacitating, non-incapacitating, and/or possible injuries.

3. HIT-AND-RUN ACCI DENT - that has just occurred, or occurred earlier and the vehicle struck or striking vehicle has not been moved, or there is a witness or other physical evidence of any type warranting further investigation.

4. ACCI DENT INVOLVING D.W.1./D.U.I.- includes an accident involving a driver's impairment due to alcohol and/or drugs, or involving other "must appear" traffic violations (i.e. driving while suspended, revoked, refused or canceled, or driving uninsured, etc.

5. ACCIDENT INVOLVING A VEHICLE HAULING HAZMAT.

6. ACCIDENT INVOLVING ANY GOVERNMENT-OWNED VEHICLE OR PROPERTY REGARDLESS OF THE LEVEL OF GOVERNMENT.

7. PROPERTY DAMAGE ACCIDENT - that occur on the public roadway, parking lots open to the public, or private property open to the general public for vehicular traffic, i.e. a shopping center, etc., when:

a. Any of the vehicles involved must be towed or cannot leave the scene under its own power, or

b. Cannot be driven safely from the scene.

c. A M.A.A.R.S. Report is not required if a vehicle's damage consists only of a flat tire which can be changed to get the vehicle back in motion, as long as no other involved vehicle has to be towed.

B. A M.A.A.R.S. Report will not be written for accidents occurring on private property not open to the public for vehicular traffic i.e. the driveway of a private residence or open field, but depending on the nature and severity of the accident, the investigating officer should write an CCPD Event Report or CCPD Incident Report describing the circumstances of the mishap.

C. Accidents not covered above require officers to write a Cottage City Accident Report when they arrive on the scene and an accident has occurred. This policy includes Cottage City and all areas under contract.

IV. FATAL TRAFFIC ACCIDENTS

A. A "fatal injury" is any injury that results in a death at the scene, at the hospital after having been transported from the scene, or within 30 days of the motor vehicle accident.

1. After the scene has been secured by appropriate mea ns, and it has been determined that the accident involves, or will potentially involve a fatality, notifications will be made as soon as practical, via communications to the following:

    a. Chief of Police
    b. PGPD Shift Supervisor
    c. PG PD Traffic Section and/or Homicide Section especially if it is a fatal "Hit-and-Ru n".
    d. PGPD Technical Services Section.

2. If the accident will require reconstruction, the investigating officer will contact PG PD Reconstruction Team via communications.

3. Photographs, both Polaroid, 35mm, or digital will be taken of fatal accident scenes and serious personal injury accident scenes when there is a probability of death.

4. If PGPD Technical Services is enroute, the scene will be preserved for the T.S.S. Technician.

5. The next of kin shall be notified in-person by the investigating officer as soon as possible in all fatal and serious personal injury accidents, unless relieved of that responsibility by a detective or officer of higher rank.

6. When the investigating officer believes that the accident was caused by a mechanical defect in the vehicle or a mechanical defect contributed to the cause of the accident, the officer should contact via telephone the Automobile Safety Enforcement Division of the Maryland State Police at (301) 768-1735. The phone call should be followed-up with a letter asking for an inspection of the vehicle(s) involved and mailed to:

   A.S.E.D.
   6601 Ritchie Highway, N.E.
   Glen Burnie, MD 21062

7. When the inspection results are received by the investigating officer, the details should be included in a Supplement Report.

8. A M.A.A.R.S. Report will be completed and submitted in accordance with the M.A.A.R.S. Manual. Any scale diagram or other diagram of the accident designed to depict the scene in more detail will be included with the case file and station file.

9. If the accident results in death on the date of the accident, or within 30 days after the accident, the investigating officer will be responsible for sending a teletype or having a teletype sent.

B. In the event charges are anticipated by the investigating officer in a fatal or serious personal injury accident, he/she will consult with the State's

   Attorney's Office as soon as possible to determine what, if any, charges are to be placed, and by what means, citation, indictment, etc.

C. In the event a D.W.I. is involved in a fatal accident, officers shall comply with all requirements of Title 16, Sub-Title 205.1 of the Maryland Transportation Article.

V. ISSUING CITATIONS

Title 26, Sub-Title 201 of the Maryland Transportation Article, authorizes a police officer to charge a person with a violation of the Maryland Vehicle Law if the officer has probable cause to believe that the person has committed or is committing the violation. TA 26-201 also specifies that the charges to be placed shall be written on a traffic citation.

A. When an officer investigates an accident and completes an M.A.A.R.S. Report, the appropriate citation(s) should be issued (at the officer's discretion) if evidence exists to satisfy all elements of a particular violation.

B. Officers charging a motorist with a violation related to the accident by way of a traffic citation will indicate the fine on the citation that the current District Court of Maryland's "Fine Schedule" shows.

C. Officers issuing citations related to a traffic accident must check the "Witness" block in the upper left corner of the citation and complete the reverse side of the top copy of the citation to ensure that witnesses receive summonses to testify, if the matter is to be heard in Traffic Court.

VI. PROPERTY BELONGING TO ACCIDENT VICTIMS

Property belonging to accident victims that is in plain view and/or of obvious value that is not permanently affixed to the vehicle, should remain with the victim(s) unless it is contra band, seized as evidence, or its ownership is questionable or cannot be determined.

A. If the victim is transported to a medical facility, the investigating officer should take the property to the facility and give it to the victim when the officer responds to the hospital as part of the officer's follow-up activities.

B. If the victim is unable to accept custody of the property, it can be given to family members, or as a last resort, submitted to the station Property/Evidence Room for safe-keeping until it can be reunited with its owner.

C. When transported to the station, the property will be submitted to the Property/Evidence Custodian in person before the end of the officer's shift or placed in a temporary storage locker if the Chief is not available.

D. The submitting officer will complete a Property Transmittal Form or Evidence Transmittal Form describing the property and indicating the circumstances under which it was taken by the officer.

E. The property will be packaged in a suitable container i.e. sealed envelope, heat-sea led plastic bag, brown paper bag stapled shut, or boxed taped-up, and labeled by the submitting officer with the victim's name, Report Number, date the property was taken into custody, and the officer's name.

F. The Property/Evidence Custodian, upon receiving the property, will ensure that it is logged into Department records to reflect that it is in the Department's custody.

G. If the property is exceptional, valuable, or sensitive in nature, or any other property requiring extra security measures, the Property/Evidence Custodian will place it in the safe located inside the Chief's office.

H. The submitting officer will be responsible for initially notifying the victim of the property' s location and if no one responds after 30 days to retrieve the property, the Chief will attempt to contact the victim by phone, and/or certified letter, if necessary, advising them of the property' s location and the Department's procedures for retrieving it.

I. In the event an item of property has evidentiary value and needs to be transported to Court or elsewhere for an official purpose i.e. to test-fire a gun, substance to be la b-tested, etc., it will be signed out by the officer removing the item and signed back in when the officer resubmits it to the Chief.

J. If the property is not evidence, or no longer has evidentiary value, and can be released pursuant to Department policies and applicable laws, the property will be released to the victim/owner with proper identification, proof of ownership, and/or any other documentation the victim/owner can provide to establish ownership.

K. If after 60 days has passed since a victim/owner was notified that they were entitled to retrieve their property and do not, the Property/Evidence Custodian will take steps to dispose of the property pursuant to the provisions of the Cottage City Charter and applicable laws.

L. If possible, and if authorized by the State's Attorney's Office, property seized as evidence that can be released i.e., stolen tags, should be photographed and immediately returned to the victim/owner.

VII. ANALYSIS OF REPORTS

General Order 6-3 identifies several monthly and annual reports that are prepared describing accident reports and traffic enforcement activities. The Sergeant will review these reports and if a trend is identified or an accident pattern emerges, he will direct that appropriate enforcement activity occurs.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **COLLISIONS INVOLVING COTTAGE CITY VEHICLES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Whenever a Cottage City owned or leased vehicle is involved in a collision that results in damage to any property, personal injury, however minor, or fatality, a thorough investigation will be conducted and a M.A.A. R.S. Report will be completed. Unless the collision is extremely minor or the collision's location poses a threat to the parties involved and/or other motorists, the vehicle(s) involved in the collision will not be moved until the arrival of the investigating officer, who will make the decision to move the vehicles.

II. PROCUDURES

A. Cottage City Police Vehicles

1. The on-duty supervisor, Sergeant and/or Chief of Police, will be notified immediately.

2. The collision will be investigated by an on-duty Cottage City officer if the collision occurs in Cottage City or contract area. A collision outside Cottage City will be investigated by the local jurisdiction, i.e. PGPD or MSP. The PGPD will investigate the collision when there is only one Cottage City officer working and the collision occurred in Cottage City.

3. The on-duty Cottage City Supervisor, if available, will respond to the scene, coordinate with the investigating officer, and conduct a preliminary supervisory investigation to determine adherence to department policies and procedures. The

results of the supervisory investigation will be documented in memorandum format and along with a copy of the M.A.A.R.S. Report, forwarded to the Cottage City Commission Chair, via the chain-of-command.

4. If the officer requires hospitalization, the supervisor or an on-duty Cottage City officer, will respond to the scene and take possession of the officer's weapon(s) and vehicle equipment for proper storage at the station.

5. Photographs will be taken to depict at least the following:

    a. Actual and/or "claimed" damage to the vehicle(s), property, etc.

    b. Positions of the vehicle(s),

    c. The overall geographic location of the collision to show terrain, road characteristics, sight-distance, i.e. intersection, bad curve, etc.

    d. An overall photo of the vehicle(s) involved showing their respective tag numbers, and

    e. Anything else that photographs would help explain.

6. The collision will not be investigated by the officer operating or occupying the police vehicle involved in the accident.

7. The on-duty supervisor will ensure that the accident report and any other required reports are submitted within the time constraints of the PGPD Field Report Manual for supervisory approval.

    a. No report will be delayed more than 72 hours after the collision was reported.

    b. If a longer delay is anticipated, an initial written report will be submitted with the basic available information, and a Supplement Report with the delayed information will be completed at a later date.

8. The investigating officer will make every reasonable effort to obtain the insurance information pertaining to all other vehicles involved in the collision.

9. Regardless of the severity of the collision, the Lieutenant and/or Chief of Police will be notified of the collision.

a. If the Lieutenant is not available, a request will be made of the Dispatcher to notify the Chief of Police.

b. If the Chief of Police is not available, the senior ranking member of the department will notify the Town Manager

10. Since most collisions of this nature result in civil litigation, officers will not make any statements at the scene in regard to liability or fault for any motor vehicle collision.

11. When completing the M.A.A.R.S. Report, the investigating officer should list the driver of the police vehicle's station address and phone number and not a home address.

12. If the accident results in a fatality, the investigating officer will ensure that the incident is handled by the PGPD Accident Reconstruction Unit.

13. If the Cottage City officer requires medical treatment and is transported to the hospital by ambulance or by another officer, the following procedures will be adhered to:

    a. The injured officer's firearm will be taken into custody by the supervisor, because if hospital staffs intend to sedate the officer, they will require the removal of the gun.

    b. The injured officer's badge should also be taken to protect against theft.

14. The injured officer's name will not be released to any member of the media, on or off the record, until the officer's family is notified.

15. Towing of the police vehicle will be handled in this manner:

    a. The Cottage City authorized tow company will tow the vehicle.

    b. The vehicle will be towed to the Cottage City police lot and stored.

    c. All equipment not permanently affixed to the vehicle or mounted on the vehicle i.e. the officer's personal belongings, briefcase, etc. will be removed and stored at the station.

B. Collisions Involving Other Cottage City Vehicles

If a Cottage City officer investigates a collision involving a City vehicle that is not a police vehicle, the procedures listed in the preceding paragraphs will be followed, as well as those listed below:

1. If the Cottage City vehicle needs to be towed, the towing will be handled as if the vehicle was a police vehicle.

2. The investigating officer should encourage all occupants of the Cottage City vehicle to refrain from discussing liability issues, even if the driver of the Cottage City owned or leased vehicle admits fault.

3. Every effort will be made by the investigating officer to get the other vehicle's insurance information, including the name of the carrier, policy number, the insurance agent's name, address, and phone number.

4. If the accident resulted in serious injuries and/or serious property damage, notifications will be made as if the vehicle was a police vehicle.

III. REPORT DISTRIBUTION

Certain pertinent information about the accident, especially if litigation is likely, must be received in a timely manner by the Cottage City Management Regardless of fault, Cottage City Management will need:

A. Copy of the M.A.A.R.S. Report

B. Insurance information pertaining to all vehicles, property, etc.

C. Photographs or Xerox copies.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **NOTIFICATION OF POLICE AND COTTAGE CITY OFFICIALS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

This General Order establishes a system for notifying designated Cottage City officials of emergency situations or significant events which may require their attention.

II. PROCEDURES

A. Officers are expected exercise discretion concerning notifications for significant events which are not identified in this General Order.

B. Immediate notification will be made in this order for all listed situations:

1. Sergeant/Lieutenant
2. Chief of Police

C. The Chief of Police and the Sergeant/Lieutenant are responsible for notifying the Cottage City Town Manager and Commissioners of significant events.

D. Situations requiring notification and entry on the shift log:

1. Death, serious injury, or illness and the emergency hospitalization of a Cottage City employee;

2. Major disorder or disaster, and requests for other than routine assistance from and by other agencies;

3. Hostage or sniper situation, request for PG Special Operations personnel, serious injuries to persons, persons killed, armed robbery, most felonies;

4. Any death occurring within the City;

5. Police vehicle accidents involving injury to either police officers or others;

6. Incidents involving allegations of serious employee misconduct, including arrests of City employees; and,

7. Incidents drawing significant media interest.

III. RESPONSIBILITIES

A. The on-duty supervisor or senior officer is responsible for ensuring that notifications are made.

B. Station personnel shall ensure that notifications are made as soon as expeditiously possible, upon direction of a supervisor or senior officer.

C. Police officials receiving notifications shall be responsible for additional notifications, if necessary.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PRELIMINARY AND FOLLOW-UP INVESTIGATIONS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The preliminary investigation begins with the arrival of the officer at the scene or upon taking a report and continues until postponement or transfer of responsibility will not jeopardize its success. Cottage City officers will be responsible for conducting and completing the investigation of all non-criminal calls for law enforcement-related service, and for misdemeanor crimes, except when:

A. The offense appears to be a part of a pattern of such offenses;

B. Follow-up investigation is required in widely separated locations outside the geographic boundaries of Cottage City;

C. A misdemeanor offense which is of a sufficiently serious nature to warrant the assistance of specialized investigators;

D. A Fire Investigator assumes the responsibility for the Event Report and the investigation, if any.

II. CONDUCTING PRELIMINARY INVESTIGATIONS

One of the main goals of the preliminary investigation is to identify a lead or clue as to the identity of the offender. The officer charged with the preliminary investigation should, when practical, follow the steps listed below.

A. While approaching the scene, and after the arrival, the officer should be alert and observe all conditions, events, and remarks

B. The officer should locate the victim if still on the scene and interview this person to determine if an offense has actually been committed and, if so, the exact nature of the offense in order to obtain enough information for a preliminary radio look-out for the perpetrator.

C. The officer should attempt to locate, identify, and interview the complainant, unless advised by communications that the complainant wanted to remain anonymous or is reluctant to be seen, to determine what, if anything, he/she saw, heard, or know of the incident.

   If the complainant indicated that he/she wanted to remain anonymous or is reluctant to be seen, the investigating officer will have to contact communications by phone to get the complainant's phone number.

D. Depending on the nature and severity of the incident, the officer should attempt to locate, identify, and interview the victims and all witnesses to determine what they know and if necessary, obtain written statements from each for review later.

E. If the officer establishes that a crime has occurred and the offender has left, the officer should attempt to locate the crime scene and take prompt action to protect the crime scene and any evidence, especially evidence that is short-lived.

F. If the offender is still on the scene and a lawful and safe arrest can be made, the officer should arrest the offender before he/she has an opportunity to cause injury or tamper with, dispose of, or destroy evidence.

G. Advise the suspect of his constitutional rights when appropriate, interrogates the suspect, and attempt to legally obtain either a verbal or written statement.

H. Accurately record all relevant information on prescribed Cottage City or PGPD report forms.

III. DEALING WITH THE VICTIM DURING THE PRELIMINARY INVESTIGATION

Victims have a right to be treated with dignity, respect, and compassion. After the scene has been stabilized, the officer conducti ng the preliminary investigation will advise the victim accordingly.

A. If applicable, victims will be informed by officers of appropriate community-based or government operated services, i.e. counseling, medical attention, Maryland's Criminal Injury Compensation Board, emergency financial assistance, and victim advocacy. This may be accomplished by providing the victim with a Victim's Rights Booklet.

B. If appropriate, officers will also advise the victim of appropriate measures to take if the suspect, suspect's companions or family threatens, or otherwise intimidates the victim.

C. The investigating officer will provide the victim with:

1. The officer's name and case number if the victim wants this information;

2. The subsequent steps that relate to the processing of the case;

3. The telephone number(s) that the victim can call to report or receive additional information about the case, and the name, if known, of the officer/investigator that will be following-up the case.

IV. FOLLOW-UP INVESTIGATIONS

A. The follow-up investigation is an extension of the preliminary investigation. The purpose of the follow-up investigation is to discover additional information which may affect the arrest of an offender, recover stolen property, or enhance the case after an arrest has been made.

B. Cottage City Officers conducting a follow-up investigation of an incident should follow the below-listed basic steps, depending upon the nature of the incident.

1. When available and practical, officers should review and analyze all previous reports prepared in the preliminary stage, i.e. station files, Master Name Index, case file, lab reports, etc.

2. Make a "second-contact" with the victim or other principals in the case for clarification and reassurance.

3. Conduct additional inquiries, interviews, and interrogations. Interviews and inquiries should include, but need not be limited to, the neighborhood surrounding the location where the incident occurred.

4. Interview other officers and informants familiar with the case to attempt to identify possible suspect(s).

5. Once a suspect is developed, check the suspect for "wanted," criminal history, etc., and attempt to determine if the suspect has been or is currently a suspect in other crimes.

6. After a suspect is identified and probable cause exists for the issuance of a charging document, apply for such document and arrange for the suspect to be served with it.

7. If necessary, plan, organize, and conduct searches for the suspect or evidence, and arrange for the proper collection, processing, preservation; and storage of the evidence collected.

8. Discuss the case with the State's Attorney's Office to ensure case integrity and enhancement, testify when needed in related Court proceedings, and maintain all pertinent notes and information relating to the case in the case file in a suggested chronological order.

9. If a PGPD investigator will conduct the follow-up investigation, the patrol officer will coordinate, cooperate, and communicate with the investigator.

V. INVESTIGATION PROCEDURES

A. Information Development

1. When conducting preliminary and follow-up investigations, officers should treat each case confidentially and should refrain from discussing the details of the investigation or investigatory strategies with persons outside law enforcement.

2. Information development is crucial to the criminal investigative process and may be developed from an unlimited number of sources:

   - The Master Na me Index
   - Station reports
   - Maryland CJ IS database
   - FBI Ra p Sheets
   - PGPD Rap Sheets
   - Court records, gun permits, land records, etc.

3. When developing information, officers should take detailed notes and include them in their case file folder.

4. Officers will document their information development in periodic Supplement Reports to keep their case file current and accurate.

B. Interviews and Interrogations

1. Interviews and interrogations will be conducted in strict compliance with applicable laws and with due regard for the current legal opinions concerning the constitutional rights of the suspect(s).

2. If PGPD investigators have been called-out to assist with an investigation, officers will not advise the suspect(s) of their Miranda rights nor initiate questioning about the offense for which the suspect(s) was arrested/detained unless otherwise advised by an investigator.

C. Collection, Preservation and Use of Physical Evidence

1. The collection, preservation, and use of physical evidence will be accomplished by properly trained personnel.

2. Evidence shall be properly packaged, labeled, secured, and documented for chain-of-custody and future use at trial.

D. Surveillance

1. Surveillance is the covert but lawful observation of places, persons, and vehicles for the purpose of obtaining information concerning the identities or activities of a subject. In general, the purpose of surveillance is to:

   - Detect criminal activity
   - Discover the identity of persons who frequent a residence, establishment, etc. and determine their relationship.
   - To discern the habits of a person who lives in or frequents the location.
   - To obtain evidence of a crime or prevent the commission of a crime.
   - To obtain the basis for obtaining a search warrant.

2. Surveillance may be used in the investigation of any crime when it is necessary to observe suspects or conditions in an unobtrusive manner. Surveillance may create additional information involving an investigation, gather additional intelligence information or observe new crimes being committed. All such information will be properly documented on appropriate Department report forms.

3. Surveillance operations will be conducted with supervisory approval, coordinated with appropriate PGPD units that may already be involved in the case.

E. Background Investigations

1. Prior to conducting a background investigation, its purpose shall be clearly defined and identified in order to guide the officer conducting the investigation.

2. Whenever possible, officers will conduct background investigations of their suspects and if necessary, the victim(s) and witnesses, in order to develop incriminating or exculpatory information.

3. Prior to beginning a background investigation, the investigating officer should identify potential sources of information, giving consideration to the civil rights of the individual being investigated and allowing for the potential need for court orders to obtain data.

4. The background investigation and related records shall not be distributed, except on a need-to-know basis, to those law enforcement persons involved in the case.

5. Criminal History Record Information used for background investigation purposes will not be disseminated or released pursuant to the provisions of Article 27. Sections 45A, 146, and 739 of the Annotated Code of Maryland.

   Background information will be purged along with the files in which this information is included, in the following circumstances:

   a) Pursuant to a Court Ordered Expungement, or
   b) The investigation has been closed due to insufficient evidence or a lack of prosecutorial merit and the investigation will not be reopened as determined by the State's Attorney's Office.

VI. DEALING WITH THE VICTIM DURING FOLLOW-UP INVESTIGATIONS

Since each follow-u p investigation is different, patrol officers conducting follow-u p investigations will, as necessary and appropriate:

A. Re-contact a victim/witness to determine whether needs are being met if, in the opinion of the officer and Department, the impact of a crime on a victim/witness has been unusually severe and has triggered the need for above-average assistance.

1. If not an endangerment to the successful prosecution of the case, explain to victims/witnesses the procedures involved in the prosecution of their cases and their role in those procedures.

2. If the case is particularly sensitive, the officer conducting the follow- up should consult with the State's Attorney's Office prior to speaking with the victim/witness because the State's Attorney assigned to the case may want to accompany the officer or at least be present during the Explanation.

B. If feasible, schedule line-ups, the viewing of photo-arrays, interviews, and other required appearances at the convenience of the victim/witness and at the option of the Department, provide transportation for the victim/witness to ensure their appearance.

C. If permitted by law and the rules of evidence, and approved by the State's Attorney's Office, promptly return property belonging to the victim/witness (except contraband, disputed property, and weapons used in the course of the crime).

D. Contact the State's Attorney's Office Victim/Witness Coordinator and/or a representative of the Victim Advocate Service to advise them of the case and to determine the feasibility of assigning a "victim advocate" to the victim/witness du ring the follow-u p investigation.

1. The Victim/Witness Coordinator for the State's Attorney's Office is located at 50 Monroe Street. 5th Floor. Rockville, M D 20850, Phone: 301-240-7300.

2. PG County has a Victim Advocate Program located at 401 Hungerford Drive (1'1 Floor), Rockville, MD 20850, Phone: 301-279-1425.

VII. SERVICES TO BE RENDERED AFTER ARREST OF OFFENDER

A. As soon as practical after a Cottage City Officer involved with a particular case l earns of the arrest or apprehension of a suspect from that case, the officer will make a good-faith effort to notify victims/witnesses of the following (unless the officer knows the notification has already been made by an investigator, another officer, etc.):

1. The arrest of the offender;

2. The charges placed;

3. The custody status of the offender if known;

4. The court date if known; and,

5. The procedures for re-acquiring their personal property if it was seized as evidence.

B. Timeliness of Notification

It is understood that in some instances notifications of victims will, unavoidably, not be timely, as when suspects are apprehended elsewhere and perhaps released well before this Department becomes aware of the apprehension. However, if a victim can be kept informed with accurate information, every attempt will be made to do so by the officer investigating the case.

C. Certain Information Protected From Disclosure

1. While the Department realizes that victims/witnesses must be kept informed of the status of their case, officers are nonetheless cautioned about releasing information to victims/witnesses regarding juvenile offenders, unless the juvenile(s) is/are charged as adults.

2. Past arrests and criminal history information unless in the public domain, shall not be discussed or disclosed.

VIII. PATROL SUPERVISOR' S RESPONSIBILITIES

The Patrol Supervisor will be responsible for:

A. Ensuring that an adequate and complete preliminary investigation has been made;

B. Assisting officers under his control regarding questions as to whether a follow-up investigation should be made by patrol personnel or investigators;

C. Determining whether continuing investigation by patrol officers should be held until the investigating officer's next tour of duty or continued by personnel assigned to the oncoming shift;

D. In either case, a preliminary or supplemental report, if further information is developed, must be submitted by the assigned/relief officer prior to securing for the day;

E. Relinquishing control of the scene to the investigator who, after being contacted, arrives on the scene.

IX. USE OF TECHNICAL AIDS FOR DETECTION OF DECEPTION

Use of Polygraph

A. Officers conducting preliminary or follow-up investigations may find that a polygraph examination would not only be a useful tool, but may be warranted.

B. A polygraph examination will not be administered until all conventional methods of closing the case are exhausted.

C. Only persons trained at an accredited school and certified in the use of the polygraph will administer examinations.

D. Officers must contact the PGPD polygraph examiner first to set up an appointment.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **VICTIM AND WITNESS ASSISTANCE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. All victims and witnesses have a right to be treated with fairness, respect, compassion, and dignity, and be protected from harm or further harm, and as such, all members of the Department (sworn and non-sworn) will treat these persons accordingly, consistent with the Department's Mission Statement and State Law (An notated Code of Maryland, CP § 11-1002) governing police victim/witness interaction.

Victims also have a right to have property belonging to them that is not contraband, or the ownership of which is not in dispute, promptly returned to them, after photographs are taken, and if the return is authorized by the State's Attorney's Office.

B. The Department will also commit resources to the development, implementation, and continuation of appropriate victim/witness assistance programs and activities. New members will be familiarized with Department victim services on their first week of employment.

C. Through everyday interaction with members of the community, or in response to a particular person's request, Department personnel will take an active role in making referrals of these persons to appropriate criminal justice and social service diversion programs, and to community- based, government operated, private, and/or public programs.

The Department will maintain at the front counter information about public and private agencies to which victims, witnesses, and offenders may be referred.

II. VICTIM SERVICES COORDINATOR

The Department, being especially sensitive to the needs of victims and witnesses, recognizes the importance of having a person within the Department who is vested with the authority and responsibility to coordinate the Department's role in victim/witness assistance; therefore, Officer Margot Hawkins will administer and coordinate the Department's victim/witness efforts, by:

A. Assisting Department employees (sworn and non-sworn) with victim/witness-related issues;

B. Monitoring the Department's victim/witness assistance programs and efforts, and making recommendations to the Chief of Police regarding improvements, modifications, etc.;

C. Providing guidance, when necessary and appropriate, to other officers relating to victim/witness requests, problems, and issues;

D. Maintaining liaison with other criminal justice agencies and governmental and non-governmental agencies and organizations concerned with the rights/needs of witnesses and victims.

III. DELIVERY OF VICTIM/WITNESS ASSISTANCE SERVICES

A. Department members (sworn and non-sworn) will provide reasonable and appropriate assistance to victims/witnesses as dictated by the circumstances and the degree of need.
   1. Department members are encouraged, and are authorized to refer victims/witnesses to other criminal justice agencies and/or governmental and non-governmental agencies from which the victim/witness may benefit.

   2. The Department will make available information to victim(s)/witness (es) on a 24-hour basis, via a single point of contact, the City Communications Center telephone number which has been distributed to all residents and which will be given a non-resident victim/witness.

   3. Cottage City Police will also provide a victim/witness with information pertaining to services offered by other organizations (governmental or private sector) for victims/witnesses in need of medical attention, counseling, and emergency financial assistance, including the State's Criminal Injuries Compensation Board.

4. The Department will provide appropriate assistance to victims/witnesses who may have been threatened or who, in the judgment of the Chief of Police or the Lieutenant, expresses specific, credible reasons for fearing intimidation or further victimization. The State's Attorney's Office will be informed as soon as possible of the victim's /witnesses' request for this type of assistance.

   a) The level of assistance deemed "appropriate" will be decided on a case-by-case basis, and may range from a periodic check-on- patrol of the victim/witness residence, to guarding of the victim/witness, to arrange for temporary housing of the victim/witness.
   b) When the Department evaluates requests for this type of assistance, the evaluation will be based on, among other criteria:

      - The nature of the case;
      - The availability of resources; and/or
      - The danger faced by the victim/witness.

   c) Appropriate assistance may just require an officer counseling a frightened victim or witness or offering words of support and encouragement.

5. If a Department member becomes aware of a victim/witness in danger, the member will:

   a) As soon as practical, advise the Sergeant or the Chief of Police of the situation;

   b) Make every reasonable effort to promptly notify and/or alert the victim/witness of the danger/threats;

   c) If the victim/witness is in another jurisdiction, the law enforcement agency in which the victim/witness is located will be notified by the officer for the safety and welfare of their officers.

   d) If the officer is unsuccessful in notifying the victim/witness, the officer will request the law enforcement agency of the jurisdiction in which the victim/witness is located to make the notification.

   e) As soon as practical, the officer will notify the State's Attorney's Office (State's Attorney assigned to the case, if possible).

f) If the victim/witness is a participant in the Federal Witness Protection Plan, the officer will notify the U.S. Marshall's Service without delay.

6. An notated Code of Maryland, CR § 9-305, makes it unlawful for a person by corrupt means to threaten, intimidate, or impede any juror, witness, or court officer of any court of Maryland discharge of his duty, or by corrupt means or by threats or force obstructs, impedes, or endeavors to obstruct or impede the due administration of justice.

B. Preliminary Investigations

1. If a victim has been abused by a spouse or cohabitant, officers will provide victims with a pamphlet describing the rights and services available to crime victims and witnesses (required by Annotated Code of Maryland, FL §4-503) explaining the victim's rights and advising them of useful phone numbers.

2. Department members will provide victim/witness assistance services du ring the preliminary investigation, over and above normal investigative routines, which will include, but may not be limited to giving the victim/witness information (verbally or by providing the person with the aforementioned sheet) about applicable services known to the officer, such as:

a. Counseling;

b. Places where the victim/witness can obtain medical attention;

c. Compensation programs, such as Maryland's Criminal Injuries Compensation Board;

d. How and where a victim/witness can seek emergency financial assistance (through the PG Victim Advocate Service); and,

e. What public and private agencies provide victim advocacy.

f. Advising the victim/witness what to do if the suspect or the suspect's companions or family threatens or intimidates them, which includes, and is not limited to:

- Explaining the provisions of Annotated Code of Maryland, CR § 9-302 through 306;

- The phone number to call for an appropriate police response (301 927-9225, 301333-4000 or 911);

- Explaining the State laws governing Telephone Misuse, Criminal Harassment, and Stalking;

- Explaining the County law governing Telephone Threats; and,

- Notifying the State's Attorney assigned to the case about the intimidation/threats.

g. Providing victims/witnesses with the case number (as soon as it is available) and subsequent steps in the processing of the case, which includes, and may not be limited to:

- Advising the victim/witness of the necessity for the victim/witness to follow-through with the case and not automatically assume that just because the defendant was arrested, that ends the victim/witness' involvement;
- Making the victim/witness aware of any statements made by the defendant(s) of a threatening nature, especially if directed at the victim/witness.

h. Notifying the victim/witness of the defendant's bond status (i.e., released on personal recognizance, personal bond, incarcerated, etc.);

i. Providing the victim/witness with the trial date(s) so that the victims/witnesses can adjust their schedule accordingly before the arrival of the summons in the mail;

j. Providing the phone number for the State's Attorney's Office so that the victim/witness can find out who is prosecuting the case and so that communications can be established between the victim/witness and the State's Attorney;

k. Explaining the State's Attorney's "on-call" program so that the victim/witness can consider this option; and,

L. Ensuring that only information considered being in the public domain is provided (information about juveniles not charged as adults will not be released). If a victim/witness demands information pertaining to a juvenile offender, the officer confronted with this situation will courteously inform the

victim/witness about the confidentiality of such information and if the victim/witness persists, the officer will refer him/her to the Department of Juvenile Services.

m. Providing a telephone number that the victim/witness may call to report additional information about the case or to receive information about the status of the case.

C. Follow-up Investigations

Determining the nature and extent of assistance services to be provided will be the responsibility of the officer conducting the investigation and will include, and may not be limited to:

1. Periodically contacting a victim/witness to determine whether needs are being met if, in the opinion of the officer and the Department, the impact of a crime on a victim/witness has been u n usually severe and has triggered the need for above-average assistance.

2. If not an endangerment to the successful prosecution of the case, the officer conducting the follow-up will explain to victims/witnesses the procedures involved in the prosecution of their cases and their role(s) in those procedures.

3. If the case is particularly sensitive, the officer conducting the follow- up should consult with the State's Attorney's Office prior to speaking with the victim/witness because the State's Attorney assigned to the victim's case may want to accompany the officer, or at least be present during the explanation.

4. The State's Attorney's Office also has individuals assigned to assist victims (as Victim/Witness Coordinators) who may wish to assist the officer during the explanation.

5. If feasible, scheduling line-ups, interviews, and other required appearances at the convenience of the victim/witness and to provide transportation (at the Department's option) for the victim/witness to ensure their appearance.

6. Subject to the approval of the State's Attorney's Office, and if feasible, promptly photographing, or photocopying as necessary, and returning property belonging to victims/witnesses except for contraband, disputed property, and weapons used in the course of the crime; and

7. Contacting either the State's Attorney's Office's Victim/Witness Coordinator and/or a representative of the Victim Advocate service to advise them of the case and to determine the feasibility of assigning a "victim advocate" to the victim/witness du ring the follow- up investigation.

D. Arrest and Post-Arrest

1. Officers will make a good-faith effort to notify victim(s)/witness(es) of the following:

   a. The arrest of the offender;

   b. The charges placed;

   c. The custody status of the offender (if known)

   d. The Court date, if known;

   e. The procedures for re-acquiring their persona l property, if it was seize as evidence; and,

   f. Any changes thereto, if applicable.

2. The Department recognizes that in some instances, notifications of victims will, unavoidably, not be timely -such as when suspects are apprehended elsewhere and perhaps released well before this Department becomes aware of the apprehension; however, if a victim can be kept informed with accurate information, every attempt shall be made to do so by the officer investigating the case.

IV. CONFIDENTIALITY CONSIDERATIONS REGARDING VICTIMS/WITNESSES

While the Department realizes that victims/witnesses must be kept informed of the status of the case in which they are involved, officers are nonetheless cautioned about releasing information to victims/witness (es) regarding juvenile offenders, unless the juvenile(s) is/are charged as adults.

A. Information described above is appropriate to release; however, past arrests, criminal history, and/or other matters of which a particular victim/witness is not a part, shall not be discusses or divulged.

B. Records pertaining to victims/witnesses, especially if they are juveniles, will not be divulged by members of the Department to anyone not associated with the case. Such records include, and would not be limited to:

1. Any background information such as prior arrest/criminal records;

2. School records;

3. Photographs of the victim/witness;

4. Medical records pertaining to the victim/witness;

5. Statements made by the victim/witness;

6. The address and phone numbers for the victim/witness; and/or,

7. Any other information of a sensitive nature or that which would potentially place the victim/witness in danger.

C. If a victim/witness has criminal history record information; officers with knowledge of it will not divulge or discuss it, except with the State's Attorney(s) assigned to the case.

D. Media inquiries concerning a victim/witness will be referred to the Sergeant or the Chief of Police and only information of a general (non- specific) nature will be released, such as:

1. General location of where the incident occurred (not specific address, but hundred block of the street);

2. The race, sex, and age of the victim only; and,

3. A statement of what and how the crime was committed, as long as this disclosure will not compromise any on-going investigation.

E. If a member of the media asks a member of the Department if the victim/witness could be contacted to determine if he/she would consent to an interview, the Department member will refer this request to the Sergeant or the Chief and the victim will be contacted and made aware of the reporter's request.

1. The decision to talk with the media will be left up to the victim/witness.

2. The investigating officer will advise the victim of what is or is not permissible to say regarding the officer's investigation in order to protect sensitive information developed as a result of the investigation and to protect unchecked leads, and that the release of certain information could jeopardize the Court proceedings.

V. INFORMING THE PUBLIC AND THE MEDIA ABOUT VICTIM ASSISTANCE SERVICES

A. The Department will publicize victim/witness assistance services to the media through the distribution of pamphlets describing the available services which shall be provided to the media upon request.

B. Department personnel will discuss victim/witness assistance services/programs offered by various agencies with persons calling the station seeking such information.

VI. DEPARTMENT LIAISON WITH OTHER VICTIM ASSISTANCE AGENCIES

A. Since all Department members will be responsible for assisting victims and witnesses, and because Department members must be familiar with the activities and programs offered by various agencies, the Department will maintain liaison with other criminal justice agencies and governmental and non-governmental agencies and organizations concerned with victim/witness needs and rights.

1. The Victim/Witness Coordinator will maintain liaison with those at the Bethesda Station who are involved with victim/witness assistance programs.

2. The Chief will attend regularly-scheduled meeting of the PG Criminal Justice Coordinating Commission which includes members involved in victim/witness assistance programs.

3. Interact with the Victim/Witness Coordinator from the PG County State's Attorney's Office.

B. The Department will share information with the agencies/organizations described above, unless the disclosure of such information is prohibited by law or Department policy.

C. Sharing Information with the Human Relations Commission (HRC)

1. The Chief of Police is responsible for reporting certain information relating to victims of hate-type activities.

2. Information pertaining to incidents relating to race, religion, ethnicity, sexual orientation and/or handicap status which are brought to the attention of the Department shall be reported to the HRC within three (3) days of the receipt of the information.

3. The information provided to the HRC will consist of only the victim's name, telephone number, nature of the event, and residence address by block number. The Department is under no obligation to provide any other information.

4. Incidents related to race, religion, ethnicity, sexual orientation and/or handicap status which are reported directly to the HRC and which may require subsequent investigation by the police, shall be reported as soon as possible to a member of the Department by HRC staff responsible for recording the incidents.

5. An officer assigned to conduct an investigation based on the information received from the HRC, will do so in accordance with established Department policies and procedures.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **CONSENT SEARCHES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

At the discretion of the police officer, the Consent to Search Form {CCPD 501) may be used when consent has been given and no search warrant has been obtained.

II. PROCEDURES

A. When police obtain consent to search from a person to conduct a warrantless search, the person may be giving up a constitutionally protected right. The police must show that such consent was given voluntarily and not due to duress or intimidation.

B. The police do not have to show probable cause for a search or seizure if the search or seizure was done with consent. Exigent circumstances do not have to be shown to justify the intrusion.

C. When an officer chooses to use Consent to Search Form {CCPD 501) it will become part of the case file. The officer's report will clearly state the circumstances under which consent was obtained.

D. The person who gives consent must have the authority to do so examples include:

1. A homeowner/parent may give consent to search all common areas of their house.

2. A parent can give consent to search a child's room in their house if the parent has access to the room.

3. A land lord, in most instances, cannot give consent to search a tenant's room.

4. The owner or driver of a vehicle can give consent to search the vehicle and its contents. If the owner is present, consent must be obtained from the owner of the vehicle.

E. The person giving consent to search can place limitations or conditions on the consent search and/or withdraw consent at any time.

F. Any items seized must be properly recorded as required by collection of evidence procedures.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **EVIDENCE COLLECTION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Collection, proper documentation, preservation, and submission of physical evidence to forensic laboratories may provide key ingredients to an investigation. The crime scene is usually the starting point of any investigation. The success of the investigation depends heavily on the initial observations and actions of the first officer on the scene. The circumstances of a particular case will govern the actions taken by the officer to protect and preserve the crime scene to ensure that legal and scientific requirements can be satisfied. Actions taken by the first officer on the scene are perhaps the most important because without a properly handled crime scene, the evidence obtained from the crime scene (the victim may be the crime scene), may be in admissible in court.

II. CRIME SCENE PROTECTION

A. The nature and extent to which a crime scene is protected is determined on a case-by-case basis. The preservation of the crime scene allows the patrol officer or evidence technician an opportunity to collect the evidence. The following guidelines are for the first officer on the scene, depending on the nature and size of the crime scene:

1. Secure and protect the crime scene. This may be accomplished by cordoning off the area with yellow "Police Li ne - Do Not Cross" vinyl tape. Observe all conditions, events, remarks.

2. Secure building entrances/exits; utilize additional officers, if needed.

3. Interview the complainant, witnesses, suspects;

4. Cover areas/items affected by weather elements.

5. If the suspect is still on the scene and a lawful arrest can be made, make the arrest to prevent the suspect from tampering with, disposing, or destroying evidence.

6. Locate witnesses, identify them, and separate them from each other until an investigator arrives or the scene is secure and their statements can be obtained.

7. Prevent unnecessary walking around at or in the scene, particularly in areas likely to contain physical evidence such as footprints, tire marks, shoe impressions, blood, bullet casings, etc.

8. Maintain an access log that identifies all persons, including officers, supervisors, etc. entering the crime scene. Only persons directly involved with investigation will be allowed into the crime scene.

B. The following procedures will be followed by the first officer on the scene unless relieved of the responsibility by an investigator whose agency is responsible for the follow-up investigation.

1. After a crime scene is secured, unnecessary persons will not be permitted into the crime scene, except in extreme cases, e.g. fire/rescue treating a victim or the victim, is the crime scene. Arrangements will be made for the collection of evidence.

2. If a bod y or object(s) must be moved, officers will take a picture of the item before it is moved and record the exact location of where it was originally found and what location it was moved to or where it is stored.

3. Officers will not permit items or surfaces to be touched that are likely to yield latent prints.

4. Officers will not permit any items to be removed from the scene without specific permission from the investigator in charge of the scene.

5. The notes belonging to the officer who secured the crime scene (usually the first officer on the scene), should be made available to the investigator(s) as soon as possible, indicating:

- The officer's name, agency address, and phone number;

- Date and time of arrival on the scene;
- Weather conditions;
- What items were touched or moved;
- Doors that were locked/unlocked, closed/opened upon arrival;
- Lights that were on/off;
- Persons that were observed leaving, if any;
- Any changes in the crime scene;
- Who the first officer on the scene was and what specifically was done by each officer prior to the arrival of the investigator.

6. Determine the need for an evidence technician.

C. Officers requiring the services of the PGPD Technicians will follow the procedures outlined in the PGPD Field Operations Manual.

D. On selected crime scenes in conjunction with personnel from the PGPD's Major Crimes Section, the evidence technician will collect and record all evidence from the crime scene and will be responsible for transporting the evidence to the appropriate laboratory for examination.

E. PGPD evidence technicians are either on-duty or available 24 hours per day and will respond to and process the scene for the following crimes as outlined in the PGPD Field Operations Manual.

1. All homicides;

2. Rapes at the discretion of the investigator;

3. Assaults culminating in serious injury or anticipated death at the discretion of the investigator;

4. Bank robberies;

5. Other robberies where serious injury occurs or shots are fired;

6. Burglaries in which losses exceed $15,000 or in those instances where the collection of evidence would significantly enhance the investigation;

7. Suicides and unattended deaths at the discretion of the investigator;

8. Fatal and possible fatal traffic accidents requiring night photography which exceeds the capabilities of the investigation officer.

III. EVIDENCE COLLECTION

A. The officer who intends to use the evidence during a trial to satisfy legal requirements must be able to prove to the court that the evidence was collected, processed, and preserved properly, and he/she must be able to identify each piece of evidence at trial, as well as show its relevance to the case.

B. A crime scene sketch and/or other record will be made prior to the collection of evidence to document where it was found so that the officer's Event Report, State's Attorney' s Evidence Information Form, and if necessary, the Statement of Charges can accurately reflect this information.

C. Officers will place evidence in appropriate containers and will complete the information on any labels prior to submission to the Evidence Custodian.

D. Whenever available, materials and substances will be collected from known sources for submission to the crime lab or PGPD Technical Services Section for comparison with physical evidence collected. Such materials/substances include, but are not limited to, elimination prints, fibers, tool marks, paint chips, and pieces of glass and wood.

E. If a container holds a piece of evidence that is a biological hazard, i.e., body fluids, blood, etc., or needs refrigeration, the submitting officer will so indicate conspicuously on the container.

IV. EVIDENCE PROCESSING

A. It is the responsibility of the primary officer unless relieved by an investigator or evidence technician, to determine how a scene is processed and what evidence is to be collected, especially when materials/substances from a known source(s) are to be collected for comparison with the physical evidence collected.

B. A PGPD Evidence Technician is available to assist the City on a 24-hou r basis. The PGPD Forensic Services Section personnel have the specialized training and expertise in crime scene processing and evidence collection.

C. The PGPD Forensic Services Section may be appropriate for the more involved scenes that are beyond the capabilities and resources of the Cottage City Patrol Officer because PGPD T.S.S. vehicles are equipped for:

- Recovery of latent fingerprints
- Photography
- Crime scene sketching
- Evidence collection and preservation
- Accident investigation.

When practical, officers will contact the F.S.S. by phone for most Part 1 offenses to fully explain the situation to F.S.S. If a telephone is not available, or F.S.S. does not answer their phone, make the request through communications.

D. A Cottage City officer who processes a crime scene will submit a detailed record of all the events that transpire at a crime scene. If a PG PD pol ice officer processes a crime scene, the Cottage City officer's report will detail his/her participation in the process. A PGPD pol ice officer who processes a crime scene in Cottage City will submit reports in accordance with PGPD policies.

V. EVIDENCE PRESERVATION

A. To ensure that evidence is handled properly after it has been collected, methods must be employed that will preserve the condition of evidence in the process of collection, prevent the introduction of foreign materials to it, and ensure as complete a sample as possible.

B. Make an attempt to lift latent prints from the evidence before it is packaged.

C. Clothing that is wet or bloody must be "air-dried" and packaged in paper bags unless impractical. The use of plastic bags should be avoided because once sealed they do not allow air in which results in condensation and permits the wet substance to decom pose.

D. Physiological fluids need to be frozen.

E. Other items, possibly supporting latent prints, must be protected from any movement or action that might destroy or contaminate the prints.

F. It shall be the primary officer's (officer handling the case) responsibility for requesting lab examinations, unless relieved of that responsibility by an investigator, or F.S.S. technician. The primary officer should contact the lab technicians to ensure that the requested exams can be performed and if the particular exam is appropriate for the circumstances.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **SUICIDE NOTES**

NEW <u>REVISED</u> RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. Officers attempting to protect and preserve a crime scene will be alert for documents or anything else that would indicate that the scene is actually that of a suicide.

B. Officers will also be on the lookout for such documents or indications that may have been "planted" in order to make a crime scene look like a suicide.

C. The Department will not release the contents of a suicide note to members of the media on or off-the-record.

II. PROCEDURES

A. If a suicide note if found, whether or not the suicide was successful, it will be seized by the officer as evidence.

B. The seizing officer should attempt to look at other writings of the victim and compare them with the note.

C. If the victim is transported to the hospital, the officer will show the note to the treating physician but will maintain custody of the original.

D. Once the State has no further need to retain the original, a copy of it will be attached to the station files copy of the report and the original will be returned to the victim/victim's family.

E. If the suicide is successful; the original will be turned over to the PGPD investigator assigned to the case for placement in the case file in the Homicide/Sex Section of the PGPD Criminal Investigation Division.

F. If the family of the deceased requests the note be returned to them, a copy of the note will be inserted into the case file and the original will be returned to the family, providing the State has no further need to keep the note.

G. If an officer returns the note, he/she will ensure that a photocopy of it has been made for the station records file, and will indicate in the Event Report or Supplement Report:

1. To whom the note was given,

2. The date and time it was relinquished,

3. The relationship of the person to the victim.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PHOTOGRAPHING AND VIDEOTAPING CRIME SCENES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department recognizes that not all crime scenes require photographs. However, photographs of evidence at a crime scene and/or of the crime scene itself, either "still" photographs or videotape, are powerful tools for officers to use to enhance an investigation. The photographs/videotapes, if they fairly and accurately depict the scene and the evidence observed by the officer(s), are virtually always admissible in court.

II. PROCEDURES FOR PHOTOGRAPHING CRIME SCENES

A. Officers will evaluate each and every crime scene or incident to which they respond to determine the need for "still" photographs.

1. If an officer determines that the taking of photographs would document person(s) and/or evidence at a crime scene especially that which is short-lived, the officer will take photographs or arrange to have photographs taken.

2. Whenever possible, photographs will be taken before evidence is processed and collected in order to document where the evidence was found at the crime scene.

3. If the first officer on the scene does not have a camera or wants the scene to be photographed with equipment beyond the resources of this Department, the officer should contact the PGPD Forensic Services Division.

4. Until the arrival of PGPD F.S.D., officers will ensure that the crime scene is protected pursuant to the guidelines and procedures outlined in General Order.

5. All aspects of the crime scene will be photographed in an effort to fairly and accurately depict the evidence or crime scene.

6. A "scale" or other reference object will be used in the photographic field for relative size comparison, in addition to any "non-scaled" photographs.

   The most practical way to show an object's size or dimension is by photographing it above a ruler or yardstick.

7. Prior to the taking of photographs which show dimension (using a ruler, yardstick, etc., in the photographic field), the photographer should take photographs of the scene without showing dimension to avoid the possibility of a challenge to the photographs in court.

8. Whenever possible, photographs of evidence will show the evidence's surroundings (how it relates to the scene).

9. When evidence is photographed by itself (not in its surroundings), the photographer will ensure that an appropriate background is used i.e., dark-colored object against a light-colored background, etc.

10. When photographs have been taken with an instant-developing camera i.e., Polaroid, the photographer will indicate on the reverse side of each photograph the following:

    - The date and time of the photo,
    - The name of the photographer,
    - The case number
    - A brief description of what the photo depicts, and
    - Any other remarks or notes the photographer believes would be beneficial to refresh his/her recollection at a later date.

B. Videotaping of crime scenes may be used in addition to "still" photographs. The F.S.D. of the PG PD has videotaping capability.

   1. When video equipment is used, the camera's correct time and date will be checked to illustrate and ensure the accuracy and integrity of what was taped.

2. Once the video process has been completed, the video tape will be appropriately labeled by the camera operator to indicate:

    - Camera operator's name,
    - Date of the video tape,
    - Beginning and ending times of taping,
    - Complete address of incident,
    - Location within the address (i.e., bed room, etc.), and
    - Any other remarks.

3. The camera operator will view the video tape as soon as possible after taping to ensure that it is suitable for court.

4. The video tape will be submitted to the Property/Evidence Custodian for storage and chain-of-custody.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **LATENT FINGERPRINT EVIDENCE AND ELIMINATION PRINTS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department realizes that it is impractical to process every crime scene for latent prints. Whenever practical, officers will have a crime scene or evidence from it processed for latent prints, especially in the event of a Part I Offense or serious Part II Offense.

II. LATENT FINGERPRINT PROCEDURES

A. Only personnel trained in the recovery of latent fingerprint evidence will attempt to process surfaces for latent prints.

1. Before an officer attempts to lift latent fingerprints, the surface(s) from which the latent prints will be lifted should be photographed, especially if the prints are obvious.

2. All surfaces and/or articles within the crime scene or from a crime scene could potentially contain latent print evidence; therefore, the officer at the crime scene will take precautions to ensure that the scene is not un necessarily disturbed and that articles are not handled until a determination is made regarding processing.

3. If a crime or article is not printed, the officer responsible for the report will note the fact, and the reason(s) why the scene or article was not processed.

4. An officer processing a crime scene or article for latent prints for another officer will ensure that the officer making the preliminary report records all necessary information:

    - Date and time of arrival at the scene,
    - Location of the crime,
    - Name of the victim/suspect, if known,
    - Action taken at the scene, including the number of photographs taken, whether or not measurements were taken, and
    - List of physical evidence recovered.

5. When attempting to lift for latent prints, the fingerprint dust should be lightly applied to the surface(s) and will be removed from the surface using wide tape.

6. The tape should then be transferred to an appropriate-sized white card and any excess tape trimmed off.

7. The card will be labeled with all pertinent information, including:

    - Location from where the particular latent print was recovered,
    - Date and time of recovery, and
    - Name of recovering officer.

8. Until a recovered/stolen vehicle is processed, officers should avoid touching any area that an occupant would have likely touched, such as:

    - Inside and outside rear-view mirrors,
    - Door handles and doors,
    - Ashtray
    - Glove box
    - It is the responsibility of the recovering officer to ensure that all computer cancellations are made and the owner is notified of the recovery.

9. An officer touching any area or article at or near the crime scene will immediately notify the processing officer of the items and where they were touched.

10. If an item of potential evidentiary value is recovered away from the crime scene, but cannot be processed at the location where it was recovered, officers will make every effort to photograph it before they seize it, and avoid as much as possible, touching areas that might contain latent prints.

11. Officers should consider loosely wrapping the item(s) they seize in pa per or placing it in a suitable container that best preserves any latent prints that might be recovered at a later time.

B. Processing and Developing Fingerprints

1. The white cards containing the recovered latent fingerprints will be placed into a "Latent Evidence" envelope by the recovering officer and sealed.

2. The recovering officer will then complete and "Evidence/Property Custody Form" and place the form and sealed envelope into a Temporary Evidence Storage Locker (TESL), and snap the lock shut. This procedure will be accomplished prior to the end of the submitting officer's tour of duty.

3. To properly document chain-of-custody, the submitting officer will ensure that the chain-of-custody area on the form is completed.

4. The Department's Property/Evidence Custodian will:

   - Remove the envelope and form from the temporary evidence storage locker.
   - Document the transfer of custody of the evidence by indicating receipt in the "chain-of-custody" area on both forms.
   - As soon as practical, transport the evidence Receipt for Property to PGPD Forensic Services Division (and subsequently to R.A.F.I.S.) for processing. R.A.F.1.5. is an acronym for Regional Automated Fingerprint Identification System.

5. The latent prints will be entered into the data base at R.A.F.1.5. in an attempt to match the recovered prints with those, already on-file. If a suspect is identified, the submitting officer will receive a receipt from R.A.F.1.5.

6. In the event an officer brings an article into the station to have it processed, the officer will follow the procedures outlined in General Order

III. PROCEDURE FOR ELIMINATION PRINTS

Elimination prints are prints obtained from a person for the purpose of eliminating him/her as a suspect. If an officer determines the need for elimination prints, he/she will follow these procedures:

A. Obtain an "Elimination Print" card from PGPD Forensic Services Division and make arrangements with the person whose prints are needed to come to the station to be fingerprinted.

B. The person's fingerprints are inked and placed on the card in the same manner as any other fingerprint card.

C. The submitting officer will then place the card into a Latent Evidence envelope and follow the procedures listed in Section II, paragraph B of this General Order.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **HANDLING PROPERTY OTHER THAN EVIDENCE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

One of the fundamental responsibilities of a police officer is to protect life and property, and to ensure that property which is not contraband, and the ownership of which is not in dispute, is reunited with its owner in a timely manner. Property taken into custody by an officer will be properly stored and safeguarded pursuant to Department policies and procedures until its owner is located and retrieves it, or it is disposed of according to Cottage City Ordinances and/or other applicable laws.

II. PROCEDURES

A. Found property is that which has been lost or abandoned by its owner or custodian and found by an officer or citizen, and it is unknown if it is connected with, or constitutes a part of, any known or suspected criminal offense.

Officers finding or receiving property under the above definition shall:

1. Attempt to ascertain if the property has been reported stolen or lost by checking it for stolen through N.C.I.C., checking through reports already on file, or locating and contacting the property's owner or custodian.

2. If an original report is located, a Supplement Report will be written to describe the circumstances under which the property was found.

3. If the property has been reported as stolen, it will be treated as EVIDENCE and will be packaged and submitted to the Evidence/Property Custodian as described in G.O. 5-30.

4. The officer submitting the property will be responsible for notifying the property's owner/custodian of the found property and will inquire if the owner/custodian wants the property back or will allow the Department to store the property as evidence until trial (if it is determined as evidence). It may be possible to photograph the property and return it to its owner/custodian.

5. If the property has not been reported stolen, the officer who found the property shall make every reasonable effort to return the property to its owner/custodian without unnecessary delay.

6. If the owner/custodian cannot be contacted or located, or if the owner's identity cannot be determined, the property shall be inventoried and packaged so as to protect it and keep it intact. An Event Report, classified as "Found Property" and cleared 2946-2, shall be completed along with a Department "Property Transmittal Form" and submitted with the property.

7. Prior to the end of the submitting officer's tour of duty, the property will be given directly to the Evidence/Property Custodian. If the Evidence/Property Custodian is unavailable, the property will be secured in a Temporary Evidence Storage Locker.

B. Contraband is property that is illegal to possess in and of itself and is usually seized and/or taken into custody for the purpose of being destroyed.

1. Property seized or taken into custody under the above definition will be treated as EVIDENCE, and unless the officer wants the contraband held as evidence for a future court proceeding, the Evidence Transmittal Form will indicate that it is to be destroyed.

   - An exception to this would be if the officer in his/her discretion decides to release a particular item to a person authorized to possess the property.

2. If contraband is submitted to the Evidence/Property Custodian, the submitting officer will complete an Event Report describing the circumstances under which the contraband was taken into custody.

C. Property for safekeeping may be taken into custody for reasons which may include, but are not limited to:

- Its owner/custodian is unable to possess it due to injuries,
- An arrest,
- Its owner was involved in a traffic accident requiring hospitalization, or
- For other reasons a prudent officer feels the property should be kept for safekeeping.

1. Officers taking property into custody for safekeeping will indicate this action in their Event Report, and will also complete a Department Property Transmittal Form to accompany the property.

2. If the officer intends to have the property stored in the Evidence/Property Room, the property will be treated as FOU ND PROPERTY and will be inventoried, packaged, labeled, and submitted to the Evidence/Property Custodian as described in General Order 5-26.4.

3. Property belonging to traffic accident participants that were transported to the hospital should go/stay with them.

D. A bicycle(s) recovered by citizens/police will require the officer to check it for stolen/ownership and if it is not stolen and ownership cannot be determined, the officer shall:

- Transport or have Public Works transport the bike to the station.

- Complete a Found Property Report, tag the bike, and submit a Department Transmittal Form and if not evidence, place the bicycle in the storage bin located in the Department of Public Works.

E. Recovered guns whether seized as evidence, found abandoned, or taken by an officer for safekeeping, will be unloaded prior to being placed in a Temporary Evidence Storage Locker.

1. If the weapon is in such a condition that it cannot be ascertained if it is loaded, it will be presumed that it is loaded and the Evidence/Property Custodian will be made aware of this on the Evidence Transmittal Form when the weapon is placed in a Temporary Evidence Storage Locker by the submitting officer.

2. Upon receiving the weapon, the Evidence/Property Custodian will consult with the PGPD firearms instructor and/or department armorer in an attempt to ensure that the weapon is made safe before it is stored in the Evidence/Property Room.

3. Officers submitting firearms to the Evidence/Property Custodian will follow the procedures set forth in this General Order regarding the completion of appropriate reports and forms, packaging and labeling.

4. The submitting officer will notify PGPD Records Section to have the firearm entered into NCIC as a "Recovered Gun" if the firearm's ownership is unknown.

5. The Evidence/Property Custodian will forward a copy of the report via inter-office mail to the Commander, PGPD Criminal Investigative Section.

III. PACKAGING/LABELING OF SUBMITTED PROPERTY

A. Officers submitting property to the Evidence/Property Room will ensure that it is packaged in such a manner that ensures its protection and integrity The package will be labeled with:

- The submitting officer's name,
- Date, Case Number,
- Owner's name if known, and
- Any other pertinent information, i.e. "biological hazard," "sharp edges," "do not bend," etc.

1. If the package contains property that is exceptional, valuable, or sensitive, before packaging the property the submitting officer will:

- Photograph the item for station files,
- Record serial number(s) or if money, make photocopies,
- Fully document and itemize the property in the officer's Event Report and in the Property Transmittal Form, and
- Safeguard the property until it is relinquished to the Evidence/Property Custodian directly, or secured in a Temporary Evidence Storage Locker.

IV. RESPONSIBILITIES OF THE EVIDENCE/PROPERTY CUSTODIAN

The Evidence/Property Custodian will be responsible for the Evidence/Property function.

A. Upon receipt of property, the Evidence/Property Custodian will:

1. Ensure the property has a case number visible and indicate the number of the Property Transmittal Form, which will become part of the Evidence/Property Room records.

2. Ensure that the property is properly labeled and suitably packaged.

3. Secure property requiring extra security measures, i.e., money, jewelry, precious metals, gemstones, and any other piece of property that by its nature is deemed to be of considerable value, in the safe inside the Chief's office.

B. The Evidence/Property Custodian will ensure that the Evidence/Property Room records accurately reflect the status of all property/evidence held in the Evidence/Property Room by:

1. Arranging with the Chief of Police to conduct a quarterly inspection of the Evidence/Property Room and its records to ensure adherence to Department procedures regarding record maintenance and the control of property.

2. Reconciling the current records to ensure that a current number is assigned to the incoming item(s), whenever property/evidence is brought into the Evidence/Property Room.

3. Arranging for an annual audit of property/evidence held in the Evidence/Property Room by the Chief of Police or his designee with the title of supervisor and who is not routinely or directly connected with the control of property.

4. Ensuring that the Evidence/Property Room, property storage areas, and records pertaining to in-custody property are up-to-date and are available for unannounced inspections as directed by the Chief of Police.

C. To ensure that records are correct and properly annotated, whenever personnel are assigned and/or transferred from the property and evidence control function, the Chief of Police will direct that an inventory be conducted jointly by the newly-designated Evidence/Property Custodian and a person designated by the Chief of Police.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **RELEASING/RETURNING EVIDENCE OR PROPERTY**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. It will be the responsibility of the officer who seized a piece of property as evidence, or who took custody of a piece or item of property, to notify its owner as soon as possible that it is in the possession of the Police Department and the requirements to claim it.

B. If the seizing officer cannot locate or contact the owner, or the owner is undetermined, the Evidence/Property Custodian will attempt such notification in-person, by phone, or by mail.

C. Property not retrieved within 180 after coming into the possession of the Department or 60 days after its owner was properly notified of the retrieval process will be disposed of pursuant to the provisions of the Cottage City Code of Ordinances.

D. When practical, the final disposition of found, recovered and evidentiary property will be accomplished within 6 months (180 days) after legal requirements have been satisfied.

E. Currency that has been seized will be appropriately documented according to its classification, secured in the temporary property locker or evidence locker as appropriate and turned over to the Cottage City Treasurer no later than the next business day to be deposited in the town's financial institution. The original receipt from the treasurer will be attached to the Property Record.

II. RELEASING EVIDENCE/PROPERTY TO VICTIMS

A. To ensure that Department records properly reflect that a person was returned his/her property that was used as evidence, an officer who signed the evidence out will not release it to its purported owner but will transport it back to the station and inform the individual to see the Evidence/Property Custodian to sign a receipt for the property.

B. Submitted evidence not needed for Court that is not contraband, and the ownership of which is not in dispute, will be released to the victim/owner once it is determined that there will be no further court proceedings. The owner will have to sign for the evidence.

C. Depending upon the nature of the evidence, severity of the crime committed, and whether it is an item of personal necessity for the victim, officers may take photographs of evidence at the scene and release evidence to victims if the photos accurately depict the evidence.

D. When money/currency is involved and it is classified as Found Property and it is to be immediately released, officers should, in addition to completing the required Property Record or receipt, record the serial numbers and denominations and/or make photocopies of the bills.

E. Money/currency that has been previously deposited with the Town Treasurer will require a return of the funds from that office.

F. If the ownership of the property is in dispute, the recovering officer will not release it and will submit it to the Evidence/Property Room for storage.

G. In accordance with County, State and Federal Law, some persons may not possess a firearm under certain circumstances. To ensure that the Department does not release firearms to those individuals not entitled to possess them an individual seeking the return of firearms will be furnished an "Application for Return of Firearms."

   1. After the individual completes the application, he/she will be advised that a background investigation will be conducted pertaining to the answers the individual provided in the application.

   2. The Evidence/Property Custodian will be responsible for conducting the investigation.

3. A person is not entitled to the return of a pistol, revolver, or assault weapon if the Police Department as a collective body, knows or has reasonable cause to believe that the person:
   a. Has been convicted of a crime of violence;
   b. Has been convicted of any of the provisions of the Annotated Code of Maryland, CL § 5 - 602
   c. Has been convicted of any conspiracy to commit crimes mentioned above;
   d. Is a fugitive from justice;
   e. Is a habitual drunkard;
   f. Is addicted to or a habitual user of narcotics, barbiturates, or amphetamines;
   g. Is of unsound mind
   h. Is visibly under the influence of alcohol or drugs or under 21years of age.

4. A person is not entitled to the return of a rifle or shotgun if the Police Department knows or has reasonable cause to believe that the person:

   a. Is suffering from a mental disorder and has a history of violent behavior against another person or self; or
   b. Has been confined for more than 30 consecutive days to a facility unless the person possesses a physician's certification that the person is capable of possessing a rifle or shotgun without undue danger to the person or others.
   c. For purposes of this General Order, the term "mental disorder" includes mental illness that substantially impairs the emotional or mental functioning of an individual that treatment or care is necessary or advisable.
   d. The term "facility" as used above means any public or private clinic, hospital,or other institution that provides or purports to provide treatment or services for individuals with mental disorders.

5. Short-barreled shotguns/rifles shall not be returned unless the person requesting the return can prove he/she may legally possess such a firearm. e.g. ATF Tax Stamp.

6. In addition to their procedures outlined above, only the Evidence/Property Custodian or Chief of Police shall authorize the return of firearms.

7. The individual receiving the released firearms is required to sign appropriate Department forms acknowledging receipt.

8. Firearms not returned/released to individuals, unless a court order to the contrary exists, will remain in the Police Department's custody and disposed of according to law.

9. Pursuant to the provisions of the Annotated Code of Maryland, CP §13- 201, the following items of property shall be subject to seizure and forfeiture and, upon forfeiture, no property right shall exist in them:

    a. Any handgun being worn, carried, or transported in violation of the Annotated Code of Maryland, CL §4 - 203 and 204.
    b. All ammunition or other parts of or appurtenances to any such handgun worn, carried, or transported by such person or found in the immediate vicinity of such handgun.

10. In the event and individual intends to give a weapon(s) to the Department, the following procedure will occur:

    a. The weapon will be checked for stolen,
    b. A Police Event Report will be written, and
    c. The Department will require the donor to sign a notarized statement acknowledging that they are giving the weapon to the Department.

III. RETURNING/RELEASING PROPERTY HELD FOR SAFEKEEPING

Property that was taken into custody by an officer for "safekeeping" (except for a firearm) will be returned to the property's owner/custodian if the Evidence/Property Custodian is satisfied that:

A. The person seeking the property's return is the owner/custodian and the property is not contraband.
B. The person to whom the property is released will be required to sign the Evidence/Property Custodian's records acknowledging receipt of the property.
C. If the person is a juvenile, a parent must also be present and must also sign the records.

IV. FOUND PROPERTY DISPOSITION PROCEDURES

If, upon examination of a piece of property, the identity of its owner becomes apparent, or later becomes available to the Evidence/Property Custodian, the following procedures will be adhered to:

A. Within a reasonable period of time after the property arrives at the Police Department, if contact by phone is not successful, the Evidence/Property Custodian will mail the apparent owner a letter on Department letterhead, indicating:

    1. A description of the property,

2. A statement that it is being held by the Department,
3. The property's location, and
4. The stipulation that unless the property is claimed within 60 days from the date of the mailing of such notice, the property will be disposed of.

B. If the apparent owner appears to claim the property, satisfactory identification shall be shown to the Evidence/Property Custodian prior to release.

C. The claimant will be required to sign the Evidence/Property Custodian's records acknowledging receipt of the property and declaring him/her the rightful owner of the property.

D. If no one responds to the mailed letter, or ownership cannot be determined, the evidence/Property Custodian will dispose of the property after 180 days of coming into the possession of the Department pursuant to the Cottage City Code.

V. DISPOSITION OF UNCLAIMED PROPERTY

A. Upon expiration of a 180 day retention period, all unclaimed personal property, not evidence or contraband, remaining in the custody of the Department may be kept for public use by Cottage City, donated to serve a useful purpose, sold at public auction to the highest bidder, or otherwise disposed of Property disposed of shall be in accordance with all applicable laws and the Cottage City Code of Ordinances.

B. Any person qualified to be designated as a finder of personal property, and who gives over to Cottage City such property for the purpose of establishing rightful ownership may, at the time of the giving over of such property, state his/her intention to reclaim the found property after the established 180 day waiting period has elapsed.

1. A "finder" is the person who discovers or comes into the possession of personal property to which he/she is not the rightful owner and otherwise has no claim at the time of finding and gives the property over to the Cottage City Police Department.

2. If no apparent rightful owner is located, or if upon location and required notification, the rightful owner fails to make cla.im to the personal property within the 60 day period, the claim of the finder may be acted upon and the property released to him/her.

3. Failure of the finder to claim the property within 120 days after having been notified of the right to claim the property will be deemed as a waiver of all rights and claim to said property and it will be disposed of accordingly.

4. The finder will be required to sign the Evidence/Property Custodian's records acknowledging receipt of the property.

5. Employees of Cottage City, either full or part-time, shall not be considered as a "finder" with right to possession, and/or be permitted to convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or with hold any property or evidence in connection with any investigation or other police action.

6. Completed Property Records shall be filed by the year in which the property was released or disposed of.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **SEIZURE OF U.S. CURRENCY AND VEHICLES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. All members of the Department will follow the guidelines and procedures established by the State's Attorney's Office for Prince George's County relating to the seizures of currency and conveyances. Neither the Department, nor the State's Attorney's Office, will actively pursue seizure cases involving money or conveyances in cases not resulting in a conviction. This is not to suggest that the seizing officer cannot still file for a forfeiture of funds in cases for which a Nolle Prosequi was entered, or for cases that were dismissed or plea-bargained away; however, the seizing officer must obtain prior approval from the Chief of Police via the chain-of-command and the State's Attorney's Office.

B. It will also be a policy of the Department and the State's Attorney's Office that officers will not file a Currency Seizure Package for currency seized in the amount of less than $100.00.

II. SEIZURE PROCEDURES

A. Currency may be seized and may be subject to forfeiture under the Annotated Code of Maryland, CP § 12- 202, if:

1. A defendant has been charged with any of the controlled dangerous substance violations, and
2. The defendant has either currency or conveyance that is located within close proximity to the CDS, or is in some way connected with the CDS violation(s).

B. Procedures

1. Seize the money and complete a, "Notice of Money or Currency Seizure."

2. Include in the event report:

   a. The exact location(s) in relation to the CDS from which the money was seized.

   b. The exact amount of money seized from each location.

   c. The type and approximate quantities of CDS seized.

   d. The name and ID# of the officer who seized the money.

3. Photograph the money for use in court and record the quantities of each denomination (photocopy at 66% or 77% not 100%)

4. Place the money into a clear plastic heat-sealable evidence bag, seal it, and place the officer's initials and date across the seal. The amount of money should be verified by two officers. Complete and attach to the outside of the evidence bag all copies of the completed, "Receipt for Property Form" and a completed, "Seized/Recovered Money Memorandum." The officer will place this package in the temporary evidence locker prior to the end of the officer's shift for that day.

5. Write the amount of the money seized on the evidence bag, and complete a "Currency Seizure Form" to document the cash seized/received, sign it, and request the defendant to sign it. If the defendant refuses to sign, the seizing officer will write REFUSED where the defendant's signature would have gone and if possible, have the refusal witnessed.

6. Serve the defendant with his/her copy of the document whether or not it is signed by the defendant. Retain a copy for the case file.

7. The next business day, deliver the currency and a copy of the property record to the Cottage City Treasurer who will issue a receipt for it and have it deposit in the appropriate local financial authority the receipt will then be attached to the original property record.

8. Forward the following to the, Director of SID:

    a. Two copies of the event report
    b. Two copies of each arrest report
    c. The original and a copy of the Property/Seizure Report
    d. A copy of the defendant's criminal history record
    e. A copy of the search warrant and return inventory if applicable

9. Complete and submit for supervisory approval an Event Report and if applicable, an Arrest Report, State's Attorney's Evidence Information and Witness Information forms. Itemize the currency and any other property seized, and the details under which the money was sieved.

C. Court Disposition

Within 10 days of any court disposition, the investigating officers will notify the Prince George's County State's Attorney's Office Asset Forfeiture Section, by memorandum which will include:

1. Defendant's full name

2. Amount of money subject to forfeiture

3. Date of sentencing

4. District or Circuit Court case number that the defendant will be sentenced under

III. DISPOSITION OF THE FUNDS

A. It will be the seizing/investigating officer's responsibility to track all of his/her cases in which money was seized.

B. Upon the criminal conviction of the defendant from whom the currency was seized, the investigating officer has 60 days to complete and file a Currency Seizure Package with the PG State's Attorney's Office (this 60 day time period includes the time it takes the designated Assistant State's Attorney to file necessary paperwork) so this package must be completed promptly. The package consists of the following:

1. A Memorandum to Assistant State's Attorney from the Chief of Police (in a fill-in-the-blanks format), which has to be signed by the Chief of Police.

2. Affidavit from the Evidence/Property Custodian that must be completed and signed by the seizing/investigating officer.

3. A copy of the court jacket or print out showing the defendant's charge, verdict, and sentence.

4. A copy of the original CCPD Police Department "Currency Seizure Form."

5. An original District Court of Maryland Application and Affidavit in Support of Judgment, (this form must be completed and signed by the seizing/investigating officer).

6. A copy of the Memorandum of Seized Currency.

7. A copy of the Event Report and Arrest Report.

8. A copy of the Agreement between the State's Attorney's Office and the Department regarding the State's Attorney's responsibility to handle currency and conveyance seizures from the Cottage City Police Department.

C. Upon completion of the Currency Seizure Package and approval and signature from the Chief of Pol ice and Shift Supervisor, the investigating officer will forward the entire package to the State's Attorney's Office to the attention of the Assistant State's Attorney. The package should be hand-carried to the State's Attorney's Office. The process will be handled by the State's Attorney's Office.

D. If it is determined by the State's Attorney's Office that all or part of the funds will be returned as part of an agreement between the defendant and the State's Attorney's Office, the Cottage City Police Department will comply.

1. All inquiries from defendants regarding return of seized funds will be referred to the State's Attorney's Office.

2. The actual return of seized funds normally takes 6-8 weeks.

3. The State's Attorney's Office will in all circumstances forward a letter to the Chief of Police ordering the money returned. However, if the defend ant does not make this request to the SAO within one year of the date the money was seized, it will be forfeited and turned over to the general funds of the Town.

4. The Evidence/Property Custodian will forward a Memorandum to the State's Attorney's Office requesting forfeiture of funds on cases not filed within the one year time period. The State's Attorney's Office will send a memorandum back to the Evidence/Property custodian indicating the monies have been forfeited and may now be transferred to the appropriate Cottage City account.

IV. SEIZURE OF VEHICLES

A. Officers will seize only those vehicles that meet the provisions of the Annotated Code of Maryland, CP§ 12 - 204. Vehicles will not be routinely seized or forfeited when it is owned by someone other than the arrested operator or occupant. Vehicles may be seized and forfeiture initiated under circumstances that indicate the owner of the vehicle had knowledge or should have had knowledge of the illegal use of the vehicle. Officers must be able to articulate such facts in their report.

1. Once the vehicle is seized it will be searched and all items inside must be inventoried. Unless an item within the vehicle is being seized or held as evidence it must be returned to the defendant/owner if requested.

2. Once a proper inventory has been completed the officer will have the vehicle towed to the impound lot when the conveyance is seized between the hours of 0800 and 1500, Monday through Friday (excluding holidays). The seizing officer will advise the tow truck driver that the vehicle was seized as a result of a drug violation and provide the driver with the officer's name, ID#, and telephone number. Town forms should be completed indicating the condition of the vehicle. Photograph any existing damage to prevent future discrepancies. Cottage City officers will arrange for the towing service to tow the vehicle to the Station when the vehicle is seized during those hours not specified above.

3. The seizing officer will complete a Vehicle Impound Form and have the defendant sign it. If the defendant refuses to sign, write REFUSED in the signature section and give a copy to the defendant. Any refusal should be witnessed.

4. The officer will follow the same procedures as outlined for the seizure of currency and forward completed copies of the paperwork to the State's Attorney's Office who will coordinate the forfeiture proceedings.

5. The owner of the seized vehicle will also be notified by the Department of the forfeiture proceedings by Certified US mail, Return Receipt Requested. A copy of the notice will be included in the case file.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **WARRANT AND WANTED PERSON FILE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department's M.I.L.E.S/N.C.I.C. computer terminal is not capable of accepting entries (only inquiries). Officers with "wanted person" entries will hand deliver warrants they obtain to the Prince George's County Sheriff's Department Warrant Section for the appropriate computer entry. The warrant may also be left with the District Court Commissioner who will forward the warrant to the Sheriff's Department for entry. The Sheriff's Department Warrant Section has 24-hour access.

II. SUBMITTING WARRANTS TO SHERIFF'S DEPARTMENT WARRANT SECTION

During normal business hours, an officer receiving a warrant from a Commissioner will deliver the warrant to the Prince George's County Sheriff's Department for completion of the Warrant/DCS Control cover sheet and computer entry by the Sheriff's Department Warrant Section. After hours, officers will leave the warrant with the Commissioner who will forward the warrant to the PGSD Warrant Section for appropriate computer entry and recording of the information in PGSD agency files.

III. ENTRY CRITERIA

All warrants submitted to the PGSD Warrant Section will be entered into the database by PGSD Warrant Section Personnel, as follows:

A. Warrants charging misdemeanors will be entered to Sheriff's database only.

B. Warrants charging felonies will be entered into Sheriff's (countywide) and the M.I.L.E.S (Statewide) database.

C. District Court Bench Warrants (DCBW) for misdemeanors will be entered into Sheriff's database only; felonies will be entered into Sheriff's database and M.I.L.E.S.

IV. CRITERIA FOR RECEIVING INFORMATION FROM OTHER JURISDICTIONS

If another law enforcement agency contacts this Department by phone to request an arrest of a person in this jurisdiction, and who is wanted by the requested agency, the following procedures will be adhered to

A. The caller from the requesting jurisdiction will be told to make their request via teletype to PGPD.

B. The requesting agency will be asked to fax this Department a copy of their warrant and a copy of the wanted person's photograph, if available.

C. As soon as practical, the supervisor or (OIC in the supervisor's absence) will be notified of the foreign jurisdiction's request and it will be his/her decision as to the assignment of personnel to handle the request, depending upon, but not limited to, the availability of officers, volume of calls-for-service, nature/severity of the charge(s), potential for the defendant to flee if not immediately apprehended, etc.

D. If this agency is successful in serving the foreign jurisdiction's warrant, that agency will be notified immediately so that their files are updated to reflect this information, and to ensure any computer entry by the foreign jurisdiction can be appropriately canceled by them.

V. VERIFYING INFORMATION

A. Computer 10-35's

1. A 10-35 or "computer hit" on an individual is in and of itself not sufficient probable cause to arrest an individual.

2. When an officer receives a "10-35" on an individual, the validity of the computer entry and actual existence of a warrant must be verified by teletype before the officer before an arrest can be made.

3. The police dispatcher can verify the warrant's existence by contacting the PGSD Warrant Section if the "hit" is from Prince George's County.

4. If the "hit" is from outside Prince George's County, the Department that wants the individual must be contacted by teletype to make sure that the warrant is still outstanding and the person inquired upon by the officer is identical to the subject of the computer entry.

B. Hit Confirmation Messages

1. Officers receiving a hit will ask teletype to send a "Hit Confirmation Message" to the Department that wants the individual.

2. A Department which receives a "Hit Confirmation Message" has by N.C.I.C. policy, ten (10) minutes to furnish a substantive response (positive or negative).

3. If a response to the "Hit Confirmation Message" is not received within the ten (10) minutes, a second request should be generated (according to N.C.I.C. policy). If a response is still not received, communications should then notify the F.B.I. N.C.I.C. Section with a third message.

4. If the officer makes an arrest pursuant to a "Hit Confirmation Message", the computer entry record must be "Located."

C. Locate Messages

1. A Locate Message is a message entered into the computer system against a "hit" that advises the jurisdiction that wants the individual that the person has been located or apprehended. One of the main purposes is to advise the jurisdiction holding the warrant to cancel the computer entry.

2. To comply with N.C.I.C. policies and procedures, and to assist the jurisdiction holding the warrant with the proper cancellation of the computer entry, after an individual has been safely taken into custody, the apprehending officer should advise teletype to send the Locate Message.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **SERVICE OF WARRANTS/PROCESSING ARRESTED PERSONS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Making arrests is one of the duties frequently performed by police officers. It shall be a policy of the Department that arrests will be made in such a manner so that they:

A. Do not jeopardize the safety of the arresting officer(s),

B. Do not jeopardize the safety of bystanders,

C. Comply with Constitutional requirements, and

D. Conform to the Laws of Arrest (CP §2-102).

II. SERVICE OF WARRANTS

A. Pursuant to the provisions of Maryland Rule 4-212, only police officers or sheriffs are authorized to serve summonses or warrants.

B. Officers are authorized to serve, or participate in the service of, the following charging documents

1. Arrest Warrants

2. Traffic Warrants

3. Bench Warrants

4. Juvenile Warrants

5. Body Attachments

6. Search/Seizure Warrants

7. Administrative Search Warrants (for a fire premises}

8. Retake Warrants

9. Statement of Charges

10. Emergency Evaluation Petitions

11. District Court Criminal Summons (DCS}, and

12. Fugitive Warrants

III. PROCEDURES

A. Arrest Warrants - are documents issued by a District Court Commissioner or Judge based upon a showing of probable cause by the warrant's applicant. They are good until served or recalled by the Court. A warrant issued "in-blank" is void, will not be served, and will be returned to the Court. No person, other than the issuing Judge or District Commissioner, has the right to alter a warrant because if altered by a third party, it would not be the warrant issued by the Judge or District Court Commissioner.

   1. An arrest with a warrant may be made at any time, except that, if the charge (s} on the warrant are of a very minor nature (as determined by the on-duty supervisor or senior officer), service or execution of the warrant should be made at a reasonable hour ("reasonable" is considered to be between the hours of 0700 hours and 2300 hours).

   2. Officers may arrest a person they encounter during the course of their duties who is wanted on any outstanding warrant(s).

   3. Officers will not wait to serve a warrant if any of the following criteria exist

- The defendant is considered an escape risk and/or is likely to avoid service at a later time, and/or
- The defendant is wanted on other charges, and/or
- The defendant is in imminent danger of causing harm to himself and/or others, and/or
- The defendant is a suspect in other case(s), and/or
- The defendant, unless immediately apprehended, may tamper with, dispose of, or destroy evidence, and/or
- The defendant, unless immediately apprehended, may cause injury to the person or damage to the property of one or more other persons.

4. If a computer check reveals a person to be "wanted," the officer requesting the computer check will request communications to contact the agency that wants the person to ensure that the "hit" is valid and to ensure that the warrant is on file before an arrest is made on the strength of that warrant.

5. If the person is wanted by an agency outside Maryland, the officer will request teletype to send a H it Confirmation Message before the arrest is made. If the wanted person is not being arrested solely on the strength of the warrant, but for another reason, the computer "hit" can be taken care of at the processing facility by the arresting officer.

6. If an officer checks a person for "wanted" via the station terminal, or by another mea ns, it will be his/her responsibility to verify the warrant in the same manner described above in #4.

7. When an officer serves a warrant held by Prince George's Sheriff's Department, the officer will:

   - Contact the teletype section (301499-8113) and request that the warrant(s) be faxed to the processing facility for service.
   - Have the defendant checked for "wanted," if not already done so.
   - *Cepi* the warrant (complete the "Return of Service" area at the bottom of the warrant).
   - Complete any and all cover sheets that are attached to the warrant which lists all of the attempts to serve the warrant.
   - The *cepied* warrant will then be given to the District Court Commissioner so that the Commissioner can prepare for the defendant's Initial Appearance.

- The defendant's copy will then be served on the defendant, with particular emphasis on having the defendant read the "ADVICE OF RIGHTS" area on the back of the said copy.
- The serving officer will retain the pink copies of the warrant for any case file or station file.

8. If the incident described in the warrant has already been reported in an Event Report, the officer serving the warrant must also write a Supplemental Report to indicate the service of the warrant.

9. If the officer intends to ask the defendant any questions about the incident described in the warrant, the defendant must be advised of his/her rights if the inquiring officer intends to use any of the defendant's statements or responses as evidence. Once a defendant has asked for an attorney, questioning of the defendant will stop. This does not preclude an officer from using information obtained during the course of a conversation with the defendant.

10. If the defendant asks for an attorney, the defendant will be allowed access to a phone and a phone book (if necessary) and officers will not monitor nor listen-in on communications between the defendant and his/her attorney.

11. To ensure proper computer cancellation(s), the officer serving the warrant will ensure that a copy of the *cepied* warrant is faxed back to the PGPD Teletype Section immediately after the arrested person has been brought before the Commissioner.

12. If the warrant was entered into the computer by an agency outside Prince George's County, it is the responsibility of the officer serving the warrant to cause notification of that agency (usually by teletype) so that said agency can remove the warrant from the computer system. The "hit confirmation" message does not automatically cause the entering agency to cancel the warrant.

13. Warrant Cancellation

    A. All cancellations of wanted persons (adult warrants) will be accomplished through the PG Sheriff's Warrant Control Section Cancellation of the computer "hit" is not to be made through the dispatcher.

        - A computer "hit" alone is not probable ca use for an arrest until the originating agency has confirmed the existence of a warrant. The PG Sheriff's Warrant Control Section must be contacted to review the computer "hit" and

confirm the existence of that warrant and any additional warrants on file which may not yet be entered into MILES/NCIC.

B. Bench Warrants - are issued by Judges "from the bench", and generally charge a defendant with Contempt of Court. Some general reasons for issuance would include, and may not be limited to, failure of a defendant to appear for trial after having been summoned to appear, a violation of probation terms and conditions, failure of a defendant to make restitution as ordered, failure of a defendant to pay a fine as ordered, an d/or, failure to obey a Court Order.

- Bench Warrant service involves taking the arrested person to D.0.C. for processing.

C. Juvenile Warrants - are issued by Judges generally assigned to the Juvenile Court and some general reasons for issuance include, and may not be limited to, fail u re of a juvenile to appear in Court after having been summoned to appear, failure of an out-of-state juvenile to return to Prince George's County to be charged with a delinquent act, and/or failure of a juvenile to obey a Court Order.

1. When a juvenile is processed on the strength of this type of warrant, an F.B.I. fingerprint card is not required, but M.S.P. and P.G.P.D. fingerprint cards must be completed.

2. An Arrest Report and a Supplemental Report are also required.

3. Polaroid and mug shots must be taken.

4. Obtain Juvenile ID Number from the PGPD records section.

5. Once the person is in custody, contact DJJ during business hours reference the location they want the person (adults under 21 can be arrested on an outstanding juvenile warrant) taken to or transport to juvenile processing at District 3.

D. Body Attachments - are issued by Judges and order that a person be taken into custody by a law enforcement officer and brought to Court or to a Court proceeding, pursuant to Maryland Rule 4- 267.

1. A Body Attachment may be issued if a witness has failed to appear for a trial and a Judge orders a law enforcement officer to locate the witness, take him/her into custody, and bring the witness to Court.

2. If an officer takes custody of an individual pursuant to a Body Attachment, the officer will immediately bring the person to whom the Body Attachment refers before a judicial officer in the county in which an action is pending or where the witness is taken into custody.

3. A Police Event Report will be written.

E. Search & Seizure Warrants - are warrants issued by judges that require officers to whom they are addressed, to search a house, or other places therein specified, for stolen, contraband, or illicit property, and seize it if it is found du ring the search.

1. Anyone in/at the location du ring the execution of the Search Warrant may be taken into custody.

2. This warrant is only good for 15 calendar days after issuance before it automatically becomes null and void. The date the warrant is signed is DAY NUMBER 1.

3. If person(s) are arrested pursuant to the execution of a Search and Seizure Warrant, a Statement of Charges will be prepared at the processing facility to place formal charges, unless an Arrest Warrant has already been issued for the defendant(s) and the Search and Seizure Warrant was used for the purpose of recovering evidence. If an Arrest Warrant has already been issued, but does not cover other evidence found during the execution of the Search and Seizure Warrant, a Statement of Charges can be prepared as stated above, or the executing officers can apply for another Arrest Warrant.

4. Person (s) arrested will be taken to Department of Corrections (D.O.C.)
5. Prior to the execution of a Search and Seizure Warrant obtained by a Cottage City Police Officer, the "Raid Supervisor" will cause notification of:

   - Chief of Police,
   - The communications supervisor by telephone and advised of the nature of the warrant, time and location of service, and the officers involved.

6. After entry is made, and the scene stabilized, communications will be notified by either radio or telephone of the entry so that the aforementioned persons can be kept informed.

7. The execution of a Search Warrant will be in accordance with CP §1-203 and Maryland Rule 4-601.

F. Administrative Search Warrants (Fire Premises) are issued by a District or Circuit Court Judge for authorization to enter any factory, warehouse, vehicle, residence, building, establishment, or other premises where a fire has occurred to conduct a search to determine the cause or origin of a fire.

1. The State Fire Marshal (or designee), a full-time fire investigator who is a member of a fire department, or police officers may apply for such documents.

2. An application for such a warrant must be in writing, signed, and sworn to by the applicant, and must particularly describe the vehicle, building, or premises to be searched and the nature, scope, and purpose of the search to be performed.

3. A Judge may issue such a warrant if the Judge finds that:

   - A fire of undetermined origin occurred on the premises, and
   - The scope of the proposed search is reasonable and will not intrude unnecessarily on the fire victim's privacy, and
   - The search will be executed at a reasonable and convenient time, and
   - The owner, tenant, or other individual in charge of the property has denied access to the property, or after making a reasonable effort, the applicant has been unable to locate any of these individuals.

4. This warrant must be executed and returned to the issuing Judge within the time specified in the warrant, not to exceed 30 days, or if no time period is specified in the warrant, no later than 15 days from the date of its issuance.

5. Any information obtained pursuant to an Administrative Search Warrant shall be considered as confidential and may not be disclosed, except:

   - To the extent utilized in an administrative or judicial proceeding arising out of a violation relating to the purpose for which the warrant was issued and within the scope of the warrant, or

   - To an owner or occupant of the premises.

6. An officer executing an Administrative Search Warrant will write a Police Information Report describing the execution of the warrant.

G. Retake Warrants - are issued by the Wardens or Superintendents of correctional institutions that authorize and require law enforcement officers to apprehend and return escapees.

1. When a Retake Warrant is issued, a copy of it must be forwarded to the State's Attorney in the county from which the escape was made.

2. An officer making an arrest on the strength of a Retake Warrant will promptly notify the Division of Correction of the arrest, in accordance with Article 27, Section 682.

3. Pursuant to the provisions of Article 27, Section 700-1, an officer making an arrest on the strength of a Retake Warrant must also notify the Warden or Superintendent who issued the warrant.

4. An individual arrested on a Retake Warrant, will be taken to D.O.C.

H. Statement of Charges -is a Court document that an officer completes, pursuant to the "Laws of Arrest", when an individual is physically arrested for a criminal offense, and a Criminal or Civil Offense Citation cannot or will not be issued.

1. This document will be completed in accordance with the Charging Document Manual to ensure that the formal wording of a charge(s) is legally correct.

2. Defendants arrested and charged via a Statement of Charges will be taken to D.O.C.

I. Emergency Petition - is a document on which a police officer describes an individual's behavior that led to the individual being taken into custody for purposes of an emergency evaluation at a medical facility.

J. District Court Criminal Summons - A District Court Criminal Summons (or "DCS") is a charging document for which no arrest power is granted.

K. Circuit Court Bench Warrants - are Bench Warrants issued by Circuit Court Judges, usually for the same reasons that District Court Bench Warrants are issued.

1. An officer is authorized to arrest an individual on the strength of this kind of warrant; however, custody of the individual will be relinquished to the Sheriff's Office.

2. Unless the officer intends to charge the defendant with committing a criminal offense, or the officer believes the completion of a Police Event Report would be

prudent, officers will not process a person on a Circuit Court Bench Warrant, as all processing will be done by the Sheriff's Office.

3. Before an officer relinquishes custody of the defendant to the Sheriff's Office, the taking of color photograph(s) of the defendant are permissible, providing the photographs can be taken without unnecessary delay.

4. If the officer has arrested the defendant on other charges, and the Sheriff's Office wants the individual, the officer will notify the Sheriff's Office of the arrest and will take the individual to D.O.C.

5. When the person is taken before the Commissioner, the arresting officer will make the Commissioner aware of the Sheriff's Office paperwork.

    - Once the individual has been released by the Commissioner, the arresting officer will inform the Sheriff's Office of the release so that a Deputy can assume custody.

L. Traffic Warrants -are issued by District Court Com missioners and charge a defendant with a violation of the Maryland Transportation Article, or Code of Maryland Regulations (COMAR).

1. Like arrest warrants, citizens and pol ice officers may apply for this type of document.
2. There is no processing involved when this type of document is served, but an officer may write a Police Event Report to document the arrest.

M. Charge Against Fugitive/Fugitive Warrants -are warrants issued by a Judge or Commissioner that command the apprehension of fugitives.

1. The document is also used like a Statement of Charges if an officer has taken a fugitive from justice into custody.

2. A "fugitive" is a person wanted by another Maryland jurisdiction and a "fugitive from justice" is a person wanted by a jurisdiction outside Maryland.

3. Officers will complete the "CHARGE AGAINST FUGITIVE" side of the document if they arrest an individual who is wanted by another State and will attach a copy of the "hit", teletype, etc. along with extradition confirmation to this document.

4. Those arrested will be taken to D.O.C. for processing.

IV. SPECIAL CONSIDERATIONS

A. 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.

B. The plan should take into consideration the following:

1. The Potential for violence

2. The need for assistance from other officers, including the S.E.R.T. Tea m.

3. Potential escape routes,

4. The availability of a "prisoner transport vehicle."

V. USE OF FORCE TO TAKE A PERSON INTO CUSTODY

Officers will use only the force necessary to take a person into custody.

VI. ARRESTS OF MARYLAND LEGISLATORS

Members of the Maryland General Assembly may be arrested, except that they cannot be served with a warrant while on the floor of the General Assembly (Article 2, Section 2-11702 - Interference with Legislative Process").

VII. EXEMPTION FROM ARREST AND CRIMINAL PROCESS SERVICE

Title 9, Sub-Title 304 of the "Courts and Judicial Proceedings Article," states that "If a person comes into this State in obedience to a summons d i recti ng him to attend and testify in this State he shall not while in this State pursuant to such sum mons be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this State under the summons. If a person passes through this State while going to another state in obedience to a summons to attend and testify in that state or while returning there from, he shall not while so passing through this State be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this State under the summons. "

A. This basically means that if a person has been ordered to return to the State of Maryland by a Court in the person's home state, for purposes of giving testimony in a Maryland

court, the person shall not be served with criminal or civil process while in Maryland, if the criminal or civil process pertains to a matter that occurred prior to the person being ordered to return to Maryland.

B. This does not mean that the person cannot be arrested for a matter totally separate from the matter for which he is in the State of Maryland.
For example, if the person is passing through Maryland, while enroute to Virginia because he/she was so ordered to return to Virginia to provide testimony, he/she may be arrested for D.W.I., or another offense committed within the officer's presence, or pursuant to the Laws of Arrest, but may not be served with any outstanding warrant or civil process that was on file prior to the person being ordered to testify.

C. If an officer encounters a situation described in the paragraphs above, there is nothing that prohibits the officer from notifying the authorities in the state in which the person resides to request those authorities to arrest the person upon the person's re-entry into his/her "home state".

- Before an officer makes such a request, the officer will make certain that the warrant alleges an offense which is extraditable, and
- That the state will extradite.

D. Title 9, Sub-title 306 of the "Courts and Judicial Proceedings Article" describes the aforementioned exemptions as covered under the "MARYLAND UNIFORM ACT TO SECURE THE ATTENDANCE OF WITNESSES FROM WITHOUT A STATE IN CRIMINAL PROCEEDINGS."

VIII. PERSONS WANTED BY LAW ENFORCEMENT AGENCIES OTHER THAN PGPD

A. Wanted by Sheriff's Office

1. If an officer receives a computer "hit" on an individual indicating that the individual is "wanted" by the PGC Sheriff's Department (most likely, a Circuit Court Bench Warrant), the "hit" will be verified prior to the officer taking custody of the individual.

2. Once the warrant is verified, the arresting officer shall transport the individual to the D.O.C. for processing.

3. The individual will be searched, restrained, and transported pursuant to the Department policies and procedures.

4. The arresting officers shall cepi the warrant and write a Police Event Report.

B. Wanted by a Law Enforcement Agency Outside Prince George's County

1. The arresting officer will confirm the "hit" and transport the individual to D.O.C. for processing.

2. The arresting officer will write an Event Report only.

3. D.O.C. will complete the necessary fingerprint cards, photographs, and arrest report, and bring the individual before a commissioner for arraignment.

4. D.O.C. personnel will ensure that notification is made and the necessary forms are faxed to the outside jurisdiction.

C. Wanted by a Municipality Inside the County

1. If an individual is arrested on the strength of a warrant held by one of these agencies, the agency holding the warrant will be notified and arrangements will be made for custody to be relinquished to them after the individual is processed on local charges. if any.

2. If the individual is not going to be processed on any drug charges, custody can be relinquished in the aforementioned manner.

D. Wanted by Maryland State Police

Follow the procedures outlined in VIII, B.

E. Wanted by a State or Local Law Enforcement Agency Outside of Maryland

1. The arresting officer will obtain a current "hit" confirmation or TIY from the demanding agency. Request teletype to send a "Locate Message" and a "Hit Confirmation Message" to the agency holding the warrant for verification.

2. Complete the Statement of Probable Ca use.

3. Complete an Event Report

4. Fax a copy of the Event Report to the PGPD Fugitive Unit by 0700 hours the next day.

5. Transport the individual to D.O.C. for processing.

6. D.O.C. will complete the necessary fingerprint cards, photographs, arrest report, and bring the person before the commissioner for arraignment.

7. D.O.C. will fax copies of the following paperwork to the PG PD Fugitive Unit by 0700 the next day:

    - Event Report
    - Arrest Report
    - Charging Document
    - Other agency's warrant or NCIC hit
    - Confirmation of warrant/extradition
    - Commitment paper

8. The wanted person cannot be charged as a Fugitive from Justice until cleared of all local charges.

F. Wanted by Federal or Military Agencies

If an individual has been arrested because he/she is wanted by a federal or military law enforcement agency (and no local charges are anticipated), follow the procedure below:

1. A "Fugitive from Justice" charge is not necessary during normal working hours for these agencies.

2. The arresting officer will notify (or cause to be notified) the agency that wants the individual to respond to accept custody.

3. If the federal authorities will not respond immediately, or the delay will be excessive, process the subject as directed in VIII. E. of this General Order.

G. Military Members Arrested as Deserters

1. The Uniform Code of Military Justice sets out, and the Federal Courts have affirmed, the authority of civil law enforcement officers to arrest a deserter from the armed forces and deliver him/her to the forces from which he/she deserted.

2. Officers arresting a deserter will treat the offense as a misdemeanor (unless otherwise advised) and shall contact the armed forces branch to which the deserter belongs.

3. The individual will be processed pursuant to the provisions of paragraph F.

H. Processing Other Maryland Jurisdiction Traffic Warrants

1. The arresting officer will transport the individual to D.O.C. for processing.

2. No report other than an Event report detailing the circumstances of the arrest is necessary.

3. D.O.C. will bring the individual before a commissioner for arraignment.

4. D.O.C. will ensure that notification is made and the necessary forms are faxed to the outside jurisdiction,

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **WARRANTLESS ARRESTS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

In Maryland, police officers are governed by the "Laws of Arrest," which are enumerated in Maryland Annotated Code, CP § 2-102. As a matter of policy Cottage City Police Officers shall have a thorough working knowledge of the "Laws of Arrest" and all arrests will be made pursuant to the provisions of this statute. An officer may make an arrest without a warrant for any felony, but certain criteria must be met before the officer can make a misdemeanor arrest without a warrant.

II. THE LAWS OF ARREST

A. Offenses Committed Overtly

1. A police officer may arrest without a warrant any person who commits, or attempts to commit, any felony or misdemeanor in the presence of, or within view of, such officer.

2. A police officer who has probable cause to believe that a felony or misdemeanor is being committed in the officer's presence or within the officer's view, may arrest without a warrant any person whom the officer may reasonably believe to have committed such offense.

B. Attempt to Commit Felony

A police officer may arrest a person without a warrant if the officer has probable cause to believe that a felony has been committed or attempted and that such person has committed or attempted to commit a felony whether or not in the officer's presence or view.

C. Domestic Abuse

A police officer may arrest a person without a warrant if the officer has probable cause to believe that:

1. The person battered the person's spouse, or other individual with whom the person resides; and,

2. There is evidence of physical injury; and,

3. Unless the person is immediately arrested, the person may not be apprehended; or,

4. The person may cause injury to the person or damage to the property of one or more other persons; or,

5. The person may tamper with, dispose of, or destroy evidence; and,

6. A report to the police was made within 48 hours of the alleged incident.

D. Stalking

1. An officer may arrest a person without a warrant if the officer has probable cause to believe that a stalking (under the Annotated Code of Maryland, CR§ 3 - 802) has been committed;

2. The officer has reason to believe that the alleged stalking victim or a third person is in danger of imminent bodily harm or death; and,

3. The officer's probable cause is supported by credible evidence other than statements of the alleged stalking victim.

E. Probable Cause Developed to Arrest for Certain Offenses

1. A police officer may arrest a person without a warrant if the officer has probable cause to believe that one of the offenses listed below has been committed, that the person has committed the offense and that unless immediately arrested the person

may not be apprehended, or the person may tamper with, dispose of, or destroy evidence in violation of the Annotated Code of Maryland:

- CR §6 - 101, relating to the burning of barracks, cribs, hay, corn, lumber, etc., railway cars, watercraft, vehicles, etc.
- CR §6 - 102, relating to setting fire while committing a crime,
- CR §4 - 203, relating to carrying or wearing a weapon,
- CR §6 - 301, relating to destroying, injuring, etc., property of another,
- CR § 9 - 604, relating to giving a false alarm of fire,
- CR §5 - 619, relating to possession of hypodermic syringes,
- CR §7 - 104, relating to theft, where the value of the property stolen was less than $500,
- CR §6 - 204, relating to breaking into a building or boat with the intent to steal,
- The common law crime of assault when committed with the intent to do great bodily harm,
- CR §5 - 601, relating to drugs and other dangerous substances,
- CR §4 -203 and 204, relating to handguns,
- CR §2 - 503 and 504, relating to manslaughter by automobile, motorboat, etc., and
- CR §11- 107, relating to indecent exposure.

2. A warrantless arrest, pursuant to the provisions described above, is permitted for attempts to commit the offenses specified below:

- CR §6 - 106,
- CR §6 - 301,
- CR §7 - 104,
- CR §6 - 204, and
- CR §5 - 601

F. Limited Statewide Jurisdiction

A police officer may make arrests, conduct investigations, and otherwise enforce the laws of this State throughout the State without limitations as to jurisdiction, provided the officer strictly adheres to the following:

1. The officer may not enforce the traffic laws in areas outside the officer's jurisdiction (unless acting under a Mutual Aid agreement),

2. The officer is participating in a joint investigation with officials from any other State, Federal, or Local law enforcement agency, at least one of which having jurisdiction;

3. The officer is rendering assistance to another police officer;

4. The officer is acting at the request of a local police officer or a State Trooper; or,

5. An emergency exists; and,

6. The officer is acting in accordance with Department regulations governing limited statewide jurisdiction. (See General Order 3-3) For the purpose of this directive, an "emergency" is defined in the Laws of Arrest as "a sudden or unexpected happening or an unforeseen combination of circumstances that calls for immediate action to protect the health, safety, welfare, or property of an individual from actual or threatened harm or from an unlawful act."

III. WARRANTLESS ARRESTS OF FUGITIVES

A. Pursuant to Article 41, Section 2-214, of the Annotated Code of Maryland, the arrest of a person may be lawfully made by any peace office, without a warrant upon reasonable information that the accused stands charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding one year.

B. When so arrested, the defendant shall be taken before a Judge or Court Commissioner with all practicable speed and complaint must be made against the defendant, under oath, setting forth the ground for the arrest as in the preceding section.

IV. WARRANTLESS NON-TRAFFIC ARRESTS AND ON-VIEW ARRESTS

When a non-traffic warrantless arrest is made the arresting officer shall search, handcuff, and transport the defendant pursuant to Department policies and procedures.

A. The defendant will be transported to the CPU for processing, unless medical attention is needed, in which case the defendant's medical attention takes precedence.

B. If the defendant is in need of medical attention, he/she shall be transported to the nearest medical facility by police vehicle or ambulance, whichever is appropriate.

C. When the defendant is processed, the processing will be in accordance with the PGPD Field Report Manual and Department directives.

D. Completing an Event Report to describe:

1. The circumstances surrounding the incident,

2. The probable cause which led to the defendant's arrest,

3. Statements made by any witnesses,

4. The names of all officers on the scene, and

5. What occurred pertaining to the defend ant the entire time he/she was in the arresting officer's custody.

E. A "State's Attorney's Evidence Information" form will be completed and forwarded with all other reports relating to the arrest.

F. A "State's Attorney's Witness Information" form will also be completed and forwarded with the reports.

G. If the arrested person is a fugitive; he/she will be processed in the manner described in General Order 5-29.

V. WARRANTLESS FELONY ARREST MADE BY AN S.P.O.

Occasionally, an officer is dispatched to a location where a person has been arrested/detained by security personnel, non-security personnel or a private citizen. If a commissioned Special Pol ice Officer (S.P.O.) has arrested a person for a felony, the responding officer will:

A. Verify that the S.P.O. is a commissioned Special Police Officer,

B. Obtain a signed Statement of Charges from the S.P.O. (officers may consider calling the Commissioner and reading the S.P.O.'s Statement of Charges over the phone to the Commissioner before transporting the defendant.) This protects against the Commissioner finding the document defective upon the officer's arrival and the S.P.O. who prepared it is off-duty and/or cannot be located to make it acceptable.

C. Transport the defendant to the DOC for processing in accordance with Department policies and procedures.

VI. WARRANTLESS FELONY ARRESTS MADE BY SOMEONE OTHER THAN A S.P.O.

For warrantless felony arrests made by someone other than a police officer or commissioned Special Police Officer, responding officers will:

A. Determine if probable cause exists that a felony has been committed and the suspect committed it,

B. Obtain a written statement signed by the complainant describing what occurred and what probable cause exists for the defendant's arrest (a copy of a store's internal report is acceptable),

C. If probable cause does exist; the responding officer may arrest the defendant.

D. The defendant will be searched, restrained, and transported in accordance with Department policies and procedures.

E. Upon arrival at the DOC, the arresting officer will write the Statement of Charges.

VII. WARRANTLESS MISDEMEAOR ARREST MADE BY AN S.P.O.

In the event an officer is dispatched to a location where an S.P.0. has made a misdemeanor arrest of an adult or juvenile, responding officers may charge the arrested person by way of a Criminal/Civilian Citation, but must adhere to the following procedures:

A. The defendant's identity must be established to the officer's satisfaction, and the officer must have reasonable grounds to believe that the defendant will comply with the citation's requirements.

B. The officer must verify that the S.P.0. is a commissioned Special Police Officer.

C. The defendant must reside in Maryland, or at least have a MD work address, and a wanted check must be negative.

D. An officer issuing a citation may assign a Court date on the citation (not Wednesdays or will check the block on the citation indicating the defendant will be notified by the Court when to appear for trial).

E. The citation must contain a statement of probable cause, and the maximum penalty that the Court may assess (fine and period of incarceration)upon conviction.

F. If the defendant is an adult, release the defendant after he/she signs the citation.

G. If the defendant is a juvenile, release the defendant to his/her parent / guardian/custodian and have the parent/guardian/custodian sign the citation.

H. An Event Report is required regard less of the method by which the defendant was charged. An Arrest Report will not be completed if a citation is issued.

I. A "State's Attorney's Witness Information" form and a "State's Attorney's Evidence Information" form will also be completed and forwarded with the reports.

J. The citation and all reports and forms pertaining to the incident will be forwarded for supervisory approval.

K. The Supervisor will ensure that the citation and reports and forms are checked for accuracy, completeness, and conformance to provisions of the Field Report Manual and the Citation Manual.

L. Even if a defendant meets the above criteria, an officer still has the discretion to either physically arrest or have the S.P.O. apply for a charging document in those cases that would warrant such action (i.e., "professional shoplifter").

M. If an officer feels that issuing a citation would be inappropriate; the officer will have the S.P.0. either apply for a charging document or complete a Statement of Charges.

VIII. WARRANTLESS MISDEMEANOR ARREST BY SOMEONE OTHER THAN A S.P.O.

A. For those misdemeanors listed in the "Laws of Arrest", an officer can make a warrantless arrest, after a person has been detained by someone other than a S.P.0., provided that:

1. There is probable cause to believe that the person has committed the offense and unless he/she is immediately arrested, he/she may not be apprehended, or

2. They may cause injury to the person or damage to the property of one or more other persons, or

3. They may tamper with, dispose of, or destroy evidence.

B. For a warrantless misdemeanor arrest involving an adult that was made by someone other than a police officer or S.P.0., responding officers will follow the procedures listed below:

1. Obtain I.D. from the suspect, and if the suspect's identity is established to the officer's satisfaction, and the suspect is a Maryland resident (or has a MD work address), and is not currently wanted as a result of the officer's wanted check, the suspect is not to be arrested.

2. The officer will advise the complainant/victim that, pursuant to the "Laws of Arrest", the defendant cannot be lawfully arrested.

3. The officer will provide the complainant/victim with the suspect's I.D. information, the CR Number, and the procedures for applying for a charging document. The officer will note this advice in the Event Report.

4. If an officer does not make an arrest at the scene, but refers the complainant/victim to the Commissioner to apply for a charging document, the officer will not send anyone directly to the Commissioner's office without writing a report.

5. If an officer's preliminary investigation reveals that the incident about which a citizen is complaining did not occur in Cottage City, the citizen should be advised to respond to the PG PD station in the district of occurrence to have a report made. Exception: when the offense occurred in a contract a rea and the officer is working in that contract area.

6. If the suspect has no identification, or the officer has reason to believe it to be false, or the suspect is not a MD resident (or does not have a work address in MD), or the suspect is wanted, the officer may arrest the suspect and transport him/her to a police facility for processing (in accordance with the "Laws of Arrest").

IX. CRIMINAL ARREST WITHOUT PLACING FORMAL CHARGES

If an arrest is made based upon probable cause, but the arresting officer shortly thereafter determines that the placing of forma l charges would be inappropriate the defendant shall be released without un necessary delay, and a Police Information Report will be written describing the incident.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **ALTERNATIVES TO ARREST & ISSUANCE OF CITATIONS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. There are a variety of situations which could be resolved more suitably by exercising alternatives to arrest. Because there are public and private agencies that provide services of a varied nature to the community, the Department authorizes and encourages its officers to make referrals to these agencies as necessary and appropriate, since oftentimes an arrest may not solve or address an underlying problem.

B. An officer making a referral is not relieved from his/her duties regarding the completion and submission of required reports, keeping the victim informed of the status of the case, and any follow-up investigation.

II. ISSUANCE OF A WARNING VERSUS MAKING AN ARREST

A. For Misdemeanors

Officers must be cognizant of the fact that frequently, a verbal or written warning to violators of very minor offenses, like "Jaywalking," for instance, would be sufficient and that the formal placing of charges either by way of citation or arrest (when applicable) in such cases should not be made unless the violation is deliberate and/or repeated.

B. For Municipal Infractions

1. It is important for officers to realize that an arrest cannot and must not be made if a Cottage City "Municipal Citation" is issued because these offenses are Non-Criminal in nature.

2. The infractions are offenses that have been de-criminalized and are considered civil in nature.

3. A District Court "Municipal Citation" will be issued whenever an officer intends to charge someone with such an offense.

III. PROCEDURES FOR MAKING REFERRALS TO APPROPRIATE AGENCIES

A. Some minor offenses can be resolved by a referral to an appropriate social service agency, such as the Prince George's County Department of Social Services or other applicable agencies. The role of the Cottage City Police in these programs is one of appropriate referral.

B. Criteria for Referrals

1. There are some situations in which a minor crime is alleged (i.e., simple assault) but not committed within the officer's presence and/or an arrest does not fit the criteria mandated in the Laws of Arrest.

2. In instances in which a lawful arrest cannot be made, an appropriate referral would be to the nearest Court Commissioner's Office or the State's Attorney's Office for Prince George's County.

3. An officer referring a citizen to the Commissioner to apply for a charging document for a crime committed in Cottage City must obtain a CCN and write an appropriate Event Report so that the citizen can take this with him/her to the Commissioner.

4. If an officer makes an arrest of an adult, the defendant is essentially referred to the judicial system. In the case of a juvenile, the arrest is referred to the Department of Juvenile services for disposition.

   However, there are times when officers will encounter individuals (both adults and Juveniles) who are in need of, or better served by another agency, and in this case, a timely referral may solve an underlying problem.

5. Before an officer refers someone to an agency, the officer must be familiar with agencies and services available and take into account certain considerations, such as

   - If a person who is intoxicated cannot be or is not going to be arrested, an officer encountering the individual may consider transporting hi m/her to a detoxification facility, referring hi m/her to "Alcoholics Anonymous," or to the Prince George's County Health Department.
   - Is there a program/agency that can effectively deal with the individual, aside from the criminal justice system?
   - Is the program community-based or government-based?
   - Is there a fee?
   - Will the program address/solve any underlying problem the individual has (such as alcoholism which seems to cause the family dispute, etc.?)

6. If the person to be referred has committed a crime for which a victim has been identified and located, the victim must be consulted regarding the officer's decision to refer the individual to an appropriate program prior to the referral being made to ensure that the victim agrees with the officer's decision to refer.

   - In juvenile matters, it may be more appropriate for an officer to "close the case by exception" on an Event Report and forward it to PGPD Records Division.

IV. SERVICES AVAILABLE

A. Juveniles -some of the services available to juveniles which may be of assistance:

   1. Child Protective Services, 301-909-2000,

   2. Department of Social Services, Protective Services, 301-209-5000 (day), 301-699-8605, (night),

   3. Department of Juvenile Services,301-345-5900 (Greenbelt), 301-952- 2580 (Upper Marlboro), 301-633-7573 (after hours),

   4. Family Crisis Hotline 301-864-9101.

   5. Child Abuse Services, 1-800-224-5373,

   6. Prince George's County Mediation and Conflict Resolution Collaborative 301-925-4729, and

B. Adults - when adults are involved, the following programs may be of assistance:

1. Adult Protective Services, 301-808-5500,

2. First Call for Help 1-800-492-0618,

3. Alcoholics Anonymous, 202-966-9115, for Spanish speaking AA inquiries, 301-587-6191,

4. Parents Anonymous, 1-410-423-2322, 1-800-243-7337

5. Cocaine Hotline, 1-800-COCAINE,

6. Legal Aid Bureau of Prince George's County, 301-927-2101,

7. Lawyer Referral Service, 301-925-1442,

8. Public Defender's Office, 301-925-2567, and

C. Victims

1. Officers must be extremely sensitive to the needs of victims and/or to those people that would benefit from crisis intervention programs.

2. Listed below are some of the many programs available that may be of assistance:

- Abused Persons Protective Services, 301-209-5000 (day), 301-699- 8605 (night),
- Adult Protective Services, 301-808-5500,
- House of Ruth Hotline, 1-410-889-7884,
- Lawyer Referral Service, 301-925-1442,
- Children's Abuse Services, 1-800-224-5373,
- Crisis Center, 301-731-1203,
- Human Relations Commission, 301-883-2649,
- Jewish Social Service Agency, 1-410-466-9200
- P.G.C.A.S.A. (People against Child Abuse), 301-209-0491,
- Sexual Assault Center, 301-608-3154,
- Rape, Abuse and Incest Network, 1-800-656-4673,
- The Stephanie Roper Foundation, 301-952-0063,
- Maryland Network against Domestic Violence, 1-800-MD-HELPS,
- Family Services Foundation, 301-735-0045
- Family Services - Women's Division, 301-882-5370.

3. The Station Clerk will maintain a binder (known as the Community Resource Guide) at the station front counter listing and describing the various programs and agencies to which persons can be referred.

V. ISSUANCE OF CRIMINAL OR CIVIL CITATIONS

As an alternative to a physical arrest, a Criminal/Civil Citation may be issued under certain circumstances and for specific offenses.

A. Issuance of citation is authorized by the Annotated Code of Maryland, Criminal Procedure Article (CP) §2 - 201 through §2 - 210.

B. The citation may only be used to cite a violation of those offenses listed in the Citation Manual (issued to each officer), the maximum penalties for which do not exceed three (3) months imprisonment and/or a fine of $500.00, or both.

C. If an individual has been arrested, processed, and taken before a Commissioner, a Citation will not be used, but a Statement of Charges will be completed and related charges will not be cited on a citation.

D. Before a citation can be issued, all tests for probable cause and the Laws of Arrest must be met.

E. Officers may issue a citation to:

1. Maryland residents,

2. Out-of-State residents at the discretion of the citing officer, except for the crime of theft or the crime of vandalism (out-of-state residents cannot be charged via citation for these two criminal violations),

3. Persons employed in Maryland, and

4. Adults and juveniles.

F. An officer issuing a Criminal/Civil Citation will:

1. Legibly complete both sides of the citation in as much detail as possible,

2. Include a Statement of Probable Cause,

3. Indicate the maximum penalty the Court can impose for the offense,

4. Complete a "State's Attorney's Witness Information" form for criminal violations cited in order to have witnesses issued summonses.

5. Notify the parent/guardian of a juvenile charged and have the parent or guardian sign the citation in the appropriate area.

6. Ensure the citation indicates that the defendant will be notified of the Court date, unless the officer decides to set a Court date.

G. Pursuant to 3-835 of the Courts and Judicial Proceedings Article, a juvenile shall be issued a citation if the issuing officer has probable cause to believe that the juvenile is violating the Maryland Annotated Code, Criminal Law Article (CR) §10 -113through §10 -116 and Education Article (ED) §26 - 103 (offenses related to alcohol possession and/or the consumption of alcohol).

H. The Criminal/Civil Offense Citation is for issuance to the defendant at the scene of an incident or in close proximity thereto.

I. However, it can be issued elsewhere (i.e. Police Station, Hospital, or short distance away from the scene), if the situation at-hand requires the defendant's removal from the scene in the interest of preserving peace and order.

J. Once the citation is issued, whether at the scene or elsewhere, the defendant shall be released immediately and without necessary delay.

K. The taking of a photograph is permissible and, in fact encouraged, because it documents the defendant being at the scene, any injuries received as a result of an altercation, and may be useful in a subsequent photo-array.

L. The defendant does not have to sign the citation. If a defendant refuses to sign, the issuing officer will indicate so on the line provided for the defendant's signature and serve the defendant's copy on him/her.

M. If an officer or a citizen desires to place criminal charges against a violator and a lawful arrest cannot be made, nor would the issuance of a Citation be in accordance with the preceding procedures and criteria, the officer or citizen will have to appear before a Commissioner to apply for a charging document.

N. The issuing officer will tear all copies from the citation book (except issuing officer's copy, from which the officer can testify) and will forward them for supervisory approval.

O. After supervisory approval, the citation will be forwarded to the Communications Supervisor for entry into the Master Name Index, copying and filing, and appropriate distribution.

P. An officer who issues a Citation outside the boundaries of this directive could be deemed in violation of this directive and may be subject to disciplinary action. The issuance could also result in the State's Attorney's Office electing not to pursue the case since the arrest could ultimately be decided unlawful and/or charging document judged defective.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PRISONER SEARCHES AND TRANSPORTATION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. At the beginning of each shift, all police vehicles that will be used for patrol and transporting arrested persons during that particular shift will be examined by the officer(s) that will be occupying the representative vehicles.

B. Prior to and after an officer transports a prisoner, the officer(s) will conduct a search of the police vehicle used for the transport to ensure that the vehicle is:

1. Free of weapons/contraband
2. Mechanically safe
3. Free of damage or defect
4. Properly equipped for use
5. The results of the vehicle search will be documented in the event report.

C. Prisoners will be transported without unnecessary delay to the nearest processing facility.

D. An injured/ill prisoner's health and safety will take precedence over processing and he/she will be transported to the nearest medical facility either by police vehicle or ambulance, whichever is more practical and more expedient.

II. SEARCHES OF PRISONERS

A. All prisoners will be searched incidental to their arrest.

After an adult has been arrested, or a juvenile taken into custody for a "delinquent act," and before the prisoner is transported from the scene, that person will be searched for weapons and contraband.

B. If custody of a prisoner is relinquished to another officer by the transporting officer, and that prisoner is later returned to the transporting officer's custody, the transporting officer will search the prisoner again.

C. A thorough "field search" of prisoners will be conducted by officers of the same sex as the prisoner.

1. An officer may conduct a patting of the clothing of a prisoner of the opposite sex.

2. If the arresting/transporting officer deems a more extensive field search be conducted for safety reasons, an officer of the same sex will be requested to conduct the search.

3. An officer may fully search a prisoner of the opposite sex if the officer sees any weapon, escape implement, or evidence, or if he/she has reason to believe that the prisoner is in possession of any of these items.

4. When fully searching a prisoner of the opposite sex, officers are reminded that the primary purpose of a field search is to check for weapons.

   All opposite-sex field searches will be conducted in a professional manner, the results of the search documented in the Event Report, and witnessed by another officer whenever possible.

D. Strip Searches

1. The decision to strip search must be based on specific factors which give rise to a reasonable suspicion that the prisoner may be concealing weapons, escape implements, contraband, or evidence.

2. Strip searches will only be conducted with supervisory approval.

3. The search will be conducted by an officer of the same sex and observed by a witness officer of the same sex.

4. The search will be carried out in an area out of the public view that cannot be observed by persons not involved in the search.

5. The prisoner will not be required to remain unclothed any longer than is absolutely necessary.

6. The mouth is the only body cavity that may be searched without a warrant. If an officer has probable cause to believe that a prisoner is conceal i ng something in his/her mouth, the officer may use reasonable force to prevent the swallowing of the object and may remove the object.

7. Under no circumstances will non-sworn personnel be used to conduct, assist or witness a strip search.

8. The primary officer involved in a strip search will note the following in the narrative section of the arrest report:

    a. The fact that a strip search was conducted, and

    b. The names of the approving supervisor and the witness officer, and

    c. The results of the search.

E. Body Cavity Searches

1. Applications for search warrants for body cavity searches will be made only with supervisory approval

2. Body cavity searches (except for searches of the mouth) will only be conducted on the strength of a search warrant.

3. All body cavity searches will be performed by a licensed physician at a local hospital.

4. Reasonable force may be used to the extent necessary to affect a body cavity search.

5. Body cavity searches will be witnessed by at least one officer of the same sex as the prisoner. The officer will immediately take custody of the item(s) recovered in the search.

6. The primary officer involved in a body cavity search will include the following information in the Event Report or Supplement Report:

   - The fact that a body cavity search was conducted
   - The names of the approving supervisor, the witness officer, the judge signing the search warrant and the physician conducting the search.

F. Supervisor's Responsibilities

Supervisors must consider the following factors before approving either a strip search or an application for a search warrant for a body cavity search:

1. The type of crime for which the person was arrested;

2. The age of the defendant;

3. Prior arrest record, e.g. known drug off ender;

4. Circumstances of the arrest; and,

5. The specific factors giving rise to the belief that the item(s) sought are concealed somewhere on/in the prisoner's body.

III. TRANSPORT PROCEDURES

A. Officer/Prisoner Seating Positions

1. All prisoners will be restrained during transport, unless special or unusual circumstances dictate otherwise. (see Special Transport Situations)

2. In all transport situations, the transporting officer will give the vehicle's odometer mileage, the beginning location and the destination to the dispatcher via the police radio. At the conclusion of the transport the transporting officer will give the ending vehicle's mileage and destination.

3. When one (1) officer is transporting one (1) prisoner, the prisoner shall be seated in the right-front seat if the vehicle is not equipped with a safety barrier. Rear compartment transport of a prisoner in vehicles not equipped with safety barriers by a single officer is prohibited.

4. If the vehicle is equipped with a safety barrier, the prisoner shall be placed in the right-rear seat area (behind the safety barrier), so that the prisoner can be observed by, and if necessary communicate with the transporting officer.

5. One (1) officer will not attempt to transport more than one (1) prisoner without first obtaining supervisory approval.

6. If a supervisor approves of two (2) prisoners being transported by one (1)officer, both prisoners shall be transported behind the safety barrier, in the back seat.

7. In the event two (2) officers will transport a prisoner in a police vehicle that is not equipped with a safety barrier, the prisoner shall be positioned in the right-rear seat and the passenger-officer will be seated behind the driver-officer (rear seat next to the prisoner).

8. In the event two (2) prisoners are to be transported in a police vehicle occupied by two (2) police officers (and the vehicle is not equipped with a safety barrier), one (1) prisoner will be seated in the right-front seat, the other prisoner will be seated in the right-rear seat, and the passenger-officer will be seated behind the driver.

9. In the event two (2) officers occupy a safety-barrier-equipped vehicle, prisoners shall be transported in the rear seat behind the safety barrier. A supervisor's approval must be obtained to transport more than two (2) prisoners and officers will not be seated behind the safety barrier with the prisoners.

10. Juveniles taken into custody will not be transported in the same vehicle with adults.

B. Observation of Prisoners During Transport

1. Since there is a legal duty to protect and care for prisoners during transports, transporting officer(s) will keep prisoners under observation at all times, unless the prisoner(s) is/are transported in a PGPD or Sheriff's Office prisoner transport vehicle.

2. ~~All marked Cottage City police vehicles are equipped with Mobile Video Recording devices which shall be activated and the camera turned towards the prisoner while the prisoner is in the vehicle~~.

3. In keeping prisoners under observation, officers transporting prisoners must be alert for any diversionary incidents, whether instigated by the prisoner or by a person(s) attempting to free the prisoner.

4. So that prisoners can be monitored at all times, and any chances to escape are minimized, transporting officers will not take enforcement action, respond to calls for service, or stop to render assistance, unless a situation arises in which the risk to third parties is both clear and grave and the risk to the prisoner is minimal.

5. Except for unavoidable contact that one prisoner may have with another secured prisoner, or with transporting officers in the same vehicle, prisoners being transported will not be permitted to communicate or have physical contact with other persons, unless in the transporting officer's judgment, the communication is essential.

C. Prisoner Escapes

1. Notifications - In the event a prisoner escapes during transport, the transporting officer(s) shall ensure that the following notifications are made immediately:

   a. Police Communications;

   b. Chief of Police;

   c. K-9 and Air Support;

   d. PGPD shift supervisor and duty commander; and/or,

   e. The local law enforcement agency with jurisdiction (i.e., D.C., etc.)

   f. If an escape occurs outside the county, the transporting officers shall contact the local law enforcement agency in whose jurisdiction the escape occurred using any means available.

2. Reporting

   The following reports shall be submitted as soon as practical following an escape:

   a. Event Report reflecting complete details of the incident.

   b. Initiate criminal charges for escape and other related violations on a Statement of Charges if the escapee is apprehended shortly after escape.

c. Initiate criminal charges for escape and other charges on an Application for a Statement of Charges to be presented to a District Court Commissioner if the escapee is not apprehended.

d. If the officer(s) was/were assaulted and/or injured during the escape, the involved-officer(s) will submit the following administrative forms:

- Law Enforcement Officer Report of Assault; and
- Worker's Compensation "First Report of Injury Form".

3. Further Actions

a. If necessary, the transporting officer(s) will coordinate efforts with investigators, etc., involving the circulation/dissemination of the escapee's photograph/composite drawing to enhance capture.

b. If the transporting officer re-captures the escapee in a jurisdiction within the State, the officer may take the escapee into custody and charge the escapee appropriately.

c. If the transporting officer re-captures the escapee in a jurisdiction outside Maryland, the officer must relinquish custody to an officer from that jurisdiction for the purposes of extradition.

d. If the prisoner attempts to escape, the transporting officer(s) will notify the on duty supervisor and/or Chief of Police and fully document the escape attempt on the Event Report.

D. Transports of Prisoners by Officers of Opposite Sex

1. Depending on availability of officers, when an officer determines the need to transport a prisoner of the opposite sex, he/she will request an additional officer to assist with the transport whenever possible.

2. Transport of the individual shall be in accordance with the procedures enumerated herein.

3. When the use of a second officer is not practical, the officer of the opposite sex shall do the following prior to and after the transport:

a. Notify communications via radio of the beginning mileage on the police vehicle's odometer;

b. Notify communications via radio of the location from which the transport will begin and the destination;

c. Notify Communications via radio of the conclusion mileage and the fact that the transport has reached its destination.

4. If it is not possible to notify communications of any of the above (i.e., 10-3 on channel, radio problems, etc.), the transporting officer shall note the vehicle's mileage and time and as soon as possible contact Communication by radio or land-line of the beginning mileage and starting point, and this as well as the ending mileage and ending point will be included in the Event Report.

5. The most direct and expeditious route of travel will be taken by the transporting officer to the destination.

IV. SPECIAL TRANSPORT SITUATIONS

A. Disabled Prisoner

1. A prisoner should not be presumed to be harmless just because of their handicap or disability; however, depending on the nature of the disability, this person may require an additional level of care and handling for transport because the disability may not allow the prisoner to be restrained and transported by conventional means.

2. If, due to the size of required medical apparatus or the severity of the disability, neither a police car nor Prisoner Transport Van (PGPD or Sheriff's Office) will accommodate a disabled prisoner, officers will request an ambulance for a routine transport via ECC.

3. Two (2) officers will conduct the transport, with one (1) officer riding inside the ambulance with the prisoner and the other officer following behind the ambulance in the police vehicle.

4. In confronting a situation involving the possible use of restraining device(s) on a disabled prisoner, officers should use their training, best judgment, and discretion to help them decide on appropriateness. In deciding whether to use restraining device(s), officers should consider:

a. Propensity toward violence by the prisoner, if any;

b. Prior dealings with the prisoner, if any;

c. Whether using restraints keep the prisoner from harming him/herself, the transporting officer, and/or others; and,

d. The degree, severity, or nature of the prisoner's handicap.

5. If a disabled prisoner is an obvious threat to himself/herself, the transporting officer(s), and/or other citizens, the officers should use reasonable force to apply restraints for everyone's protection.

B. Injured/Ill Prisoner

1. Officers will treat "life-threatening" conditions (i.e., cardiac/respiratory arrest, profuse bleeding, etc.) and request Fire/Rescue to respond.

2. When requesting Fire/Rescue, the officer should attempt to provide as much information to communications as possible about the prisoner's condition so the Fire/Rescue can dispatch either a "Basic Life Support" ambulance or an "Advanced Life Support" ambulance (medic unit).

3. Officers shall notify the on-duty supervisor of all illnesses and injuries complained of or sustained by prisoners, and will indicate such in their Event Report, along with any action taken by the officer(s), and whether the prisoner refused treatment.

4. Prisoners incurring injuries as a result of an arrest or transport will be photographed when photos would identify the injuries, and the photographs and a copy of the officer's Event Report and Use of Force Report will be forwarded to the Sergeant as soon as possible.

5. If an ambulance or medic unit responds and transports the prisoner, two (2) officers will conduct the transport, with one (1) officer riding inside the ambulance with the prisoner and the other officer will follow behind the ambulance or medic unit in a police vehicle.

6. If an ambulance or medic unit does not transport the prisoner, but the prisoner is in need of medical attention, two (2) officers will transport the injured/ill prisoner to the nearest medical facility in a safety barrier-equipped police vehicle, if available.

7. Officers shall advise communications via radio of the transport to the hospital, and of the nature of the injury/illness, and shall also request that communications notify the appropriate hospital before the transport officers arrive there, if practical.

8. Because the prisoner's escape opportunities are enhanced, officers upon their arrival at the medical facility will advise the facility's security staff of the prisoner's presence and officers will stay with and closely monitor the prisoner (when allowed) until he/she is treated and released from the facility.

9. Once released, the transport will resume and the prisoner will be transported in a safety barrier-equipped police vehicle, if one is available, to a processing facility or detention center, whichever is appropriate.

10. If the prisoner is admitted for follow-up care/observation, officers shall notify the on-duty supervisor and the prisoner shall be guarded in accordance with Department policies and procedures.

11. Restraining devices may not be required on sick or injured prisoners, depending upon the nature of the sickness or injury, therefore the officer's training, best judgment and discretion, along with consideration of the following, will be used when deciding the appropriateness of restraining devices:

    - The safety of the officer, prisoner, and other citizens;
    - The likelihood of escape;
    - The nature of the illness or injury(s);
    - If the use of restraining devices will aggravate or prevent further injury(s) to the prisoner; and,
    - Prior history of the prisoner, if known.

12. If an officer elects not to use restraining devices on a sick or injured prisoner, the officer should consider using a police transport van or safety barrier-equipped police vehicle.

    - Two (2) officers shall transport an unrestrained prisoner.

C. Mentally Disturbed Prisoner

1. The restraining and transporting of a "mentally disturbed" prisoner requires officers to exercise caution to avoid possible injury(s) to themselves and/or the prisoner.

2. Officers will use their best judgment to determine the most appropriate method of restraint, and consideration should be given to applying leather restraints, ankle cuffs, and waist chains (in addition to handcuffs), based on the officer's assessment of the prisoner's behavior.

3. If transported in a police vehicle, a mentally disturbed prisoner will not be secured to the transport vehicle, except by means of the vehicle's seatbelt.

D. Aggressive Prisoner

1. If an officer(s) deems a prisoner "aggressive", and more than handcuffs are needed, or it is determined that handcuffs would be inappropriate for the situation, the following procedures apply:

   - Request a "basic life support" ambulance from ECC;
   - Assist Fi re/Rescue personnel with the application of appropriate restraining devices ("tie-down" stretcher, leather restraints, etc.).

2. One (1) officer shall ride inside the ambulance and the other officer shall follow behind the ambulance in a pol ice vehicle while conducti ng the transport and the circumstances surrounding the transport will be documented in the Event Report.

E. Other Situations

Officers will not transport prisoners to visit relatives or to funerals, as this is handled by the Sheriff.

V. APPLICATION OF RESTRAINTS

A. Handcuffs

1. All prisoners will normally be restrained (handcuffed and seat belted) during transport Juvenile status offenders will not be restrained, unless the transporting officer(s) reasonably fear for their safety and/or they believe the juvenile is an escape risk.

2. Occasions do arise when an officer, in his/her discretion, may believe that the use of handcuffs or other restraining devices would be inappropriate, such as a prisoner's age (too old or too young), and/or the prisoner's medical and mental condition.

3. Officers will not attach, affix, or connect a person to whom the officer has applied any type of restraining device, to a stationary object (i.e., street corner mailbox, parked vehicle, street sign, fence, etc.), unless done in extreme circumstances or emergency situation, which may include, but is not limited to:

   - An officer-in-trouble situation;
   - An officer trying to apprehend more than one person without a back-up.

4. When restrained, a prisoner will normally be handcuffed behind his/her back, palms facing out, the handcuffs "double-locked," and the keyholes facing up.

5. If a prisoner is unable to be handcuffed in this manner, the officer shall use the best resources available to restrain the prisoner, without placing officer safety in jeopardy and without causing injury(s) to the prisoner.

6. When handcuffs are used, they shall be applied in such a manner as to adequately restrain the prisoner, without jeopardizing officer safety, and without causing injury(s) to the prisoner.

7. When two (2) prisoners are to be transported together, the transporting officer(s) should consider handcuffing the prisoners with their arms intertwining.

   - Under no circumstances will an adult and a juvenile be handcuffed together, nor transported together in the same police vehicle.

8. Under no circumstances will a prisoner(s) be secured to the transport vehicle by restraining devices, except for being "seat-belted," during the transport.

B. Use of Flex-Cuffs

1. Plastic "flex-cuffs" are authorized as a temporary restraining device (primarily for use in mass arrest situations) and shall be applied in such a way that officer safety is not jeopardized and without causing injury to the prisoner(s).

2. An officer applying flex-cuffs will ensure that a device to remove them is readily available to the officer.

C. Waist Chains/Leg Irons

1. When available, waist chains and/or leg irons should be used in addition to handcuffs when transporting unruly prisoners or those deemed as escape risks.

2. In situations when restraining devices are necessary, but handcuffs cannot be used, officers should consider using waist chains, leg irons ("ankle cuffs"), or leather restraints.

VI. ARRIVAL AT DESTINATION WITH PRISONER

A. Securing Firearms

Upon arrival at the destination with a prisoner, transporting officer(s) will ensure that their firearms are secured in the facility's designated location for safekeeping and if the designated location is unavailable, or the facility does not have one, the firearm shall be secured elsewhere in the facility in an area not known to the prisoner and not available to public access. The trunk of the police vehicle should be used only as a last resort.

B. Removing Restraints

1. At a Department of Corrections or a PGPD District Station, officers will abide by the individual station policies and procedures for that particular facility.

2. Officers will familiarize themselves with the layout of the facility in the event of an escape and will keep their prisoner under control.

3. Before placing a prisoner in a holding cell, officers will ensure that they are familiar with, and abide by; the policies and procedures governing the use of the holding cell at that facility, as well as, when and under what circumstances restraints can be removed relating to the placing of the prisoner in the holding cell. Juvenile status offenders will not be placed in a holding cell.

4. At the Detention Center, the delivering officer will secure his/her weapon in the designated location before entering the sally port area.

5. Restraints will not be removed by the delivering officer, but by the Correctional Officer who accepts custody of the prisoner, unless Detention Center staff directs otherwise.

C. Documentation to Accompany the Prisoner

Before an officer delivers a prisoner to a receiving facility (e.g. the Detention Center), the delivering officer will ensure that the paperwork/documentation pertaining to the prisoner is in order and accompanies the prisoner to the facility.

D. Delivering Officer to Complete Arrest Package

1. An officer delivering a prisoner will complete a Central Processing Arrest Package.

2. A copy of the form will be submitted with the Event and Arrest Reports to be filed with the station copies.

VII. PRISONER DOCUMENTATION

A. Prisoner Identification

1. If an occasion arises when an officer is required to transport a prisoner being held by another police department, or from a detention facility (within or without Prince George's County) for transport from that facility to another, the department or detention facility will be contacted by the officer(s) via telephone prior to the officer(s) responding to ensure the prisoner's positive identification.

2. To ensure that the prisoner is positively identified, the officer contacting the detention facility will provide said facility with the prisoner's personal descriptors that will assist the department or detention facility in locating and identifying the person to be transported.

3. The Department or detention facility will also be advised of the reason(s) for the removal of the prisoner (such as the existence of an outstanding warrant), unless the other department or detention called this Department.

4. The officer(s) will then respond to the facility after authorization is received from the supervisor or Chief.

5. If the prisoner's identity is in doubt, the officer can either request or send, via FAX, a photograph of the prisoner to establish identity.

6. Upon the officer's arrival at the detention facility for purposes of taking the prisoner into custody, and prior to the officer actually taking custody, the officer will confirm the prisoner's identity and may employ one or more of the following methods:

    - Ask the prisoner to identify him/herself;
    - Ask the prisoner some background questions (the answer of which to already be known by the officer), such as place of birth, Social Security N umber, home address, etc.;
    - Match any photograph the officer has in possession against the prisoner;
    - Ensure the correct spelling of the prisoner's name, especially if the prisoner has a name that can be spelled in different ways (i.e., Smith vs. Smyth; Jeffrey vs. Geoffrey, etc.) and/or if the prisoner is known to use an alias.

B. Documentation

1. Once the prisoner's identification has been established to the officer's satisfaction, the officer(s) taking custody will sign the required detention facility documents to acknowledge the transfer of custody and the officer will request a copy of said document for the officer's/station records.

2. The officer will provide the Detention Center or other department with a copy of the officer's warrant.

C. Transport From the Commissioner to PGDOC

1. Officers transporting a prisoner to the PGDOC will provide the PGDOC Intake Officer with the following documentation pertaining to the prisoner (which will be given to the officer by the District Court Commissioner):

    - Papers relating to the prisoner's commitment to the PGDOC;
    - Documents indicating the prisoner's name and other personal descriptors;
    - The Court's Tracking or Docket Number(s); and,
    - Any other documents/records that the Commissioner issues to accompany the prisoner.
    - Advising the PGDC Intake Officer of any potential medical or security hazards.

2. The prisoner's personal property will be inventoried by the arresting/processing officer, packaged accordingly, and given to the PGDOC Officer to whom custody is relinquished (unless said property is being seized as evidence).

3. If the packaging contains an item which could be dangerous (i.e., pocketknife, syringe, razor blade) to the PGDOC Officer, the officer relinquishing custody of the prisoner and the property will advise the PGDOC Officer of the potentially dangerous items before handing the PGDOC Officer the package.

4. If the arresting or transporting officer has knowledge or reason to believe that the prisoner is an escape risk, has suicidal tendencies, has stated suicidal intentions, or poses other security risks, the arresting/transporting officer will document this information on the package containing the prisoner's inventoried property, and in the Arrest Report.

5. The arresting/transporting officer will also make the Court Commissioner aware of the nature of the risk or security hazard the prisoner poses so that the Commissioner can indicate this information on the Court documents and on the documents that will accompany the prisoner.

D. Transport of Juvenile to Juvenile Detention Facility

1. Unless a juvenile is in need of emergency medical treatment, juveniles not charged as adults will be transported without unnecessary delay to a designated juvenile facility, if:

   - The detention and placement has been authorized by the State's Attorney's Office Intake Officer; or,
   - The juvenile is being returned to the detention facility from which he/she absconded; or,
   - The return is ordered by a Judge.

2. Officer(s) delivering a juvenile to a juvenile facility will ensure that the following documentation accompanies the juvenile:

   - The "Authorization for Detention" form (except for when a juvenile is being returned after running away),
   - Copy of the officer's Event Report and,
   - Any other documentation as directed by juvenile authorities, D.J.S., the State's Attorney's Office, and/or Judge.

3. If the arresting or transporting officer has knowledge or reason to believe that a juvenile has escape or suicide-potential, or poses other security risks, the officer will ensure that the documentation accompanying the juvenile contains this information.

4. Upon the officer's arrival at the facility, the officer will follow the procedures described in Section VI above.

5. The officer will obtain from the juvenile facility's representative to whom custody is relinquished, a receipt bearing the signature of the representative.

E. Transport From Juvenile Facility

1. If authorization is obtained from a Judge allowing an officer to transport a juvenile from a juvenile detention facility, a copy of the Judge's Order authorization document, etc., will be shown to the juvenile facility's representative and will remain in the officer's possession while the officer has custody of the juvenile.

2. If custody is relinquished to a Sheriff, Bailiff, Intake Officer, etc., the documentation will be presented to the person assuming custody.

3. The officer relinquishing custody will ensure that the officer accepting custody is advised of the juvenile's escape or suicide potential, or other security-risks the juvenile poses.

F. Relinquishing Custody of Adult or Juvenile to Another Law Enforcement Agency

In the event an officer from this Department relinquishes custody of a prisoner to another law enforcement agency, the officer relinquishing custody will ensure that:

1. The prisoner has been searched;

2. The prisoner's property has been inventoried and appropriately packaged, with information describing the prisoner's escape or suicide potential, and/or whether the prisoner is a security risk; and

3. The officer accepting custody receives a copy of documentation pertaining to the prisoner.

VIII. PRINCE GEORGE'S DEPARTMENT OF CORRECTIONS (PGDOC)

Officers will:

1. Prior to the arrival, ensure that all prisoners are in handcuffs or other restraints and have been thoroughly searched.

2. Ensure prisoners who are injured have received necessary medical attention. Failure to do so may result in the prisoner being ref used at D.O.C. If the prisoner receives medical treatment from Prince George's County Fire Rescue Services (PGCFRS) personnel or from a medical facility, the associated paperwork must accompany the prisoner to D.0.C.

3. Take custody and secure any evidence the prisoner may possess. Due to limited storage space at D.O.C., large, bulky items will be stored at the Cottage City Evidence/Property Room (e.g., a homeless person with multiple bags containing personal effects will not be stored at D.OC.). A purse, briefcase or wallet belonging to a prisoner will be accepted at D.OC.

4. Explain to friends or relatives of the prisoner that the prisoner will be given an opportunity to contact them prior to release and that they should not respond to D.O.C.

5. Position the prisoner in such a way that the cipher lock is not within the prisoner's view when entering the code to access D.0.C. The code will not be disseminated to anyone other than law enforcement personnel.

6. Secure all firearms, knives, and protective instruments, excluding OC spray, in the designated gun drop.

7. Notify D.O.C. personnel whenever the prisoner is considered a security risk.

8. Remain outside the booking area gate with the prisoner until instructed to enter the search room by D.O.C. personnel. Once access is allowed, officers will enter the search room and remain there while the correctional officer conducts a thorough search of the prisoner. Officers will:

    a. Seize all evidence and contraband; place in an evidence bag and heat seal as appropriate.

    b. Inventory all of the prisoner's property on the appropriate Arrest Booking Envelope. The prisoner's property will be turned over to the correctional officer for storage until the prisoner is released or transferred to the main jail facility.

    c. Count all the money with a witness (another officer or correctional officer), break it down by denomination, and heat seal it in an evidence bag if appropriate. Record the name of the witnessing officer on the booking envelope.

9. Complete, entirely a Central Processing Package Criminal Arrests, or D.O.C. Central Processing Package Traffic Arrests.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **SEARCH AND SEIZURES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. As a general rule, a search must be supported by a valid warrant, but there are limited exceptions to this rule:

1. Searches incident to a valid arrest;

2. Automobile searches made under certain conditions;

3. Searches made under emergency conditions or exigent circumstances; and/or,

4. Searches made with valid consent.

B. Because criminal activity can be detected or prevented through aggressive patrol and timely, lawful searches and seizures; the Department encourages its officers to conduct "pat-downs," consent searches, "stop and frisk," and other types of searches without warrants, in certain circumstances and in accordance with Constitutional requirements, laws, and Department policies.

C. Whenever possible, officers will apply for and obtain a Search/Search and Seizure Warrant prior to conducting a search because this allows officers to review their case and it may reveal flaws in evidence that can be corrected before damage is done to the case. However, if it is not possible to obtain a warrant and the search meets one or more of the exceptions governed by this directive, officers may search without a warrant.

II. CONSENT SEARCHES

An officer may conduct a search of a person or property without a warrant or probable cause if the officer has obtained the prior consent of the person who will be affected by the search, or of someone who has the right and the authority to act for the person who will be affected by the search.

A. Prior to searching a person or their property, the officer must ask the person for consent and must reasonable believe that the person consented clearly, voluntarily, and of his/her own free will.

B. In order for a consent search to be valid, the consenting person must have, or appear to have, authority over the premises or property.

C. If the person who was asked for consent does not respond, silence is not considered to be an affirmative answer.

D. Because a person who earlier consented to a search may change his/her story during a subsequent trial, officers will, whenever possible, furnish, explain, and execute a "Consent to Search" form with the person from whom consent is requested.

E. Officers will not advise or imply to a person from whom consent is requested that their refusal will result in arrest, nor will officers make any threats or inducements to secure consent.

III. STOP AND FRISK

A. Officers may stop and frisk a person even though they do not have probable cause to arrest if officers have reasons to fear for their safety.

1. Officers must have knowledge of facts that reasonably lead them to believe that the suspect is involved in criminal activity and may be armed and dangerous.

2. Officers must identify themselves as police officers and make reasonable inquiries as to the suspect's conduct.

3. The person's response to the officer stopping and questioning him/her does not relieve the officer's suspicions and fears of danger to the officer and others.

B. Stops and frisks usually involve on-going criminal conduct, but officers are permitted to stop and, if appropriate, frisk someone suspected of being involved in an already-committed crime.

1. A stop and frisk is justified if reasonable suspicion is based on specific objective facts and logical conclusions that the officer's experience enables him/her to draw from those facts.

2. Officers may use information to stop and frisk from sources of information other than their own personal observations.

3. A frisk is no more than a limited search of the outer clothing in an attempt to discover weapons.

4. A motorist or pedestrian may be stopped and frisked if the aforementioned criteria are met. If an officer reasonably suspects that a motorist is dangerous and may be able to gain control of a weapon in the vehicle, the officer may conduct a brief search of the vehicle limited to areas where a weapon might be placed or hidden.

5. During a stop and frisk, items cannot be removed from a person's clothing that is not reasonably believed to be weapons, unless identified as contraband or evidence.

6. Stops and frisks should only be done in well-lighted areas that afford the officer the maximum of protection and with another officer present.

IV. SEARCH OF A VEHICLE UNDER THE MOVABLE VEHICLE EXCEPTION

Officers may make a warrantless search of a vehicle which was in motion, or at least mobile when stopped, and which the officers have probable cause to believe contains contraband or evidence of a crime.

A. The entire vehicle may be searched if there is probable cause to believe the vehicle contains contraband or instrumentalities of a crime even though there is no danger that the vehicle or the evidence may be lost.

B. To protect against Court challenges, if officers have doubts about whether they have sufficient probable cause to search a vehicle, and officers are certain that they will be able to retain custody of the vehicle until a warrant is issued, officers should obtain a Search Warrant.

C. If officers do not have or obtain probable cause to search a vehicle after it is no longer mobile, or it has been impounded, a warrant will be obtained before it is searched.

D. A search of a vehicle based on probable cause may extend to any part of the vehicle, including closed containers found inside in which the object of the search can be concealed.

E. If an officer's suspicions are focused on a particular container rather than the vehicle as a whole, officers may only seize the container and, absent exigent circumstances, must obtain a search warrant before searching it.

F. A Consent Search may be conducted of the vehicle pursuant to Section II of this directive.

G. If the Consent Search or other search of a vehicle results in the vehicle being towed/seized, the officer seizing the vehicle or having it towed will conduct an inventory search of the vehicle pursuant to Section VII of this directive.

V. SEARCHES AT THE CRIME SCENE

A. Limited Sweeps

A home or premises where a lawful arrest has been made may be subjected to a limited "sweep," for the purposes of finding other persons, if circumstances give arresting officers a basis for reasonably believing that there are other persons on the premises who pose a danger to those on the arrest scene.

B. Abandoned Property

Officers may search and seize property that they have good reason to believe is abandoned.

C. Open Fields

Under the so-called "open field" doctrine, officers may enter and search any unoccupied or undeveloped area that lies outside the curtilage of a dwelling.

D. Plain-View

Officers may, without a warrant, seize any contraband or evidence of a crime that is in "plain view" and to which officers have lawful access.

VI. EXIGENT CIRCUMSTANCES AND EMERGENCIES

Officers may make a warrantless search of anything, whether personal belongings, a vehicle, or a building, anytime they have good reason to believe it is necessary to save a life or prevent injury.

A. Officers may make a warrantless search for evidence if they have probable cause to believe that the evidence is in the place or thing to be searched and they have reason to believe that the evidence will be destroyed before a warrant can be obtained.

B. As a general rule and policy of the Department, if an officer does not know if exigent circumstances exist, the officer will obtain a search warrant.

C. Nothing in this section prohibits an officer from conducting a Consent Search, pursuant to the provisions of Section II of this directive. .

VII. INVENTORY SEARCHES OF SEIZED VEHICLES OR OTHER PROPERTY

A. Inventory of Each Vehicle Towed

1. It shall be the policy of the Department that officers will inventory each and every vehicle that they seize or have towed, to:

    a. Protect officers from danger;

    b. Identify and take possession of valuable property for safekeeping;

    c. Protect the towing/seizing officer and the Department from claims of lost, stolen, or vandalized property;

    d. Protect the vehicle's property's owner(s).

2. This policy does not include those vehicles that are left parked legally while its driver is taken into custody.

3. This policy does not include those vehicles driven or owned by a person who has diplomatic immunity.

B. Elements of a Valid Inventory Search

The elements of a valid inventory search are:

1. There is a lawful basis for taking custody of the vehicle

2. The inventory is of a non-investigatory nature; and,

3. The inventory search is conducted for the purpose of protecting an owner's property while it is in police custody.

C. Procedures

1. Officers shall not conduct an evidence search of a vehicle under the guise of an inventory search. The inventory search is strictly for the purpose of locating and identifying contents and to ensure that any weapons or valuables in the vehicle do not fall into the wrong hands.

2. The scope of the inventory search shall be limited to those unsecured or readily accessible areas within the vehicle A locked trunk or glove compartment shall be within the scope of the inventory search only if the keys to those areas are in the officer's possession.

3. When a vehicle is inventoried, the inventory's results and all property taken into custody will be accounted for Property Transmittal/ Towed Vehicle Form.

All completed forms will be submitted to the Property/Evidence Officer.

4. Items of value (as determined by the officer conducting the inventory) will be brought to the Cottage City Police facility before the end of the inventorying officer's tour of duty and stored in accordance with policies and procedures governing property for safekeeping.

5. As soon as possible after property has been taken into custody, the inventorying officer will contact the property's owner and advise them of retrieval procedures if the property can be released.

a. If the inventorying officer is unsuccessful in locating and notifying the owner, the inventorying officer will notify the Property/Evidence Officer, who will attempt to locate, identify, and notify the owner by mail.

b. The notification will indicate the Department's custody of the property, whether it can be released, and the retrieval process.

6. The Property/Evidence Officer will release the property (providing it is not evidence, contraband, or the ownership of which is not in dispute) after checking with the seizing officer, and after the owner provides satisfactory proof of ownership and signs a receipt for it.

7. When practical, the inventory search shall be conducted prior to the towing of the vehicle from the place of impounding or seizure.

D. Other Property

1. Closed containers may be opened only if the officer is unable to determine the contents from an examination of the container's exterior, and as long as it is for the sole purpose of an inventory and not to look for evidence.

2. When a container is inventoried, the results of the inventory and all property taken into custody will be accounted for on a Property Form.

VIII. OTHER SITUATIONS

A. Fatal Traffic Accidents

Pursuant to the provisions of TA 16-205.1, a warrantless search and seizure of a person's blood is permitted for the purpose of laboratory analysis (and for use as evidence) if the person was driving or attempting to drive a motor vehicle while DWI or DUI, and while doing so, was involved in a fatal traffic accident.

B. Maryland's Implied Consent Law

1. Pursuant to TA 16-205.1, in the event a suspected DWI/DUI is transported to the hospital and is unconscious, or otherwise incapable of refusing to submit to a blood test for the purpose of laboratory analysis (and for use as evidence), the officer may order medical personnel to draw blood (using a blood kit), if the withdrawal of blood will not jeopardize the health or well-being of the DWI/DUI.

2. If the suspected DWI/DUI regains consciousness or otherwise becomes capable of refusing to submit to the withdrawal of blood for the purpose of the blood test, the blood test may not be administered, unless the suspected DWI/DUI has been involved in a fatal traffic accident.

C. Summonsing Hospital Records

An officer may request from the State's Attorney's Office a Subpoena (to be served on the hospital's records section) to obtain a defendant's hospital records, especially those relating to blood alcohol content, if a DWI/DUI refused to submit to the blood kit, but from whom blood was withdrawn by medical personnel for medical reasons.

IX. FIREARMS SEARCH REPORT

Pursuant to the provisions of CR §4-206, a "Firearms Search Report" (MSP Form #97) will be completed and submitted before the end of an officer's tour of duty by any officer who conducts a limited search for a handgun.

A. The following are the procedures for use/completion of the form:

1. The form must be completed within 24 hours of the search regardless of search' s outcome.

2. It must be sent to the Superintendent of the MSP.

3. It is to be used whenever a "Stop-and-Frisk" is performed, regardless of the outcome.

B. The form may also be used when:

1. A firearm is located incidental to an arrest; or,

2. A trace of an individual permit or weapon is needed.

C. When the form is used in the "Stop-and-Frisk" (see Section II of this directive) instance; it will be completed in duplicate by the investigating officer, signed by a supervisor, and submitted to PGPD Records (a photocopy will be retained for Cottage City Police files).

D. The investigating officer will state in the Event Report that a "Stop-and- Frisk", under CR §4-206, was conducted and an MSP Form #97 was completed and submitted to MSP.

E. The same procedure is required when submitting the form for firearms located incidental to an arrest, or a trace report.

F. In an attempt to provide accurate information on the form, officers should make every attempt to obtain driver's license numbers and Social Security Numbers.

X. SEARCHES AND SEIZURES WITH SEARCH WARRANTS

A. The application for, and execution of, Search and Search and Seizure Warrants is governed by the provisions of CP §1-203, and Maryland Rule 4-601.

B. Whenever possible, officers will apply for a Search and Search and Seizure Warrant, unless a warrantless search is authorized by law or such a search is consistent with this directive.

C. A search and Seizure Warrant is a document signed by a Judge that authorizes officer(s) to whom the document is addressed, to search a house, building, structure, vehicle, area, container, or any place or thing therein specified for a person(s), stolen property, contraband, or illicit property and seize it if found during the search.

D. The life of a Search and Seizure Warrant is 15 days, with the date that the document is signed being counted as day number 1. After the 151 day, the document automatically becomes null and void.

E. The execution of a Search and Seizure Warrant will be closely supervised and the following procedures will be adhered to:

1. The service of the warrant shall be supervised by a member of this department at the rank of sergeant or higher.

2. The Sergeant will plan for appropriate back-up assistance, such as other uniformed officers, as needed.

3. Using a Pre-Search Checklist, the Sergeant will conduct a Pre-Search Briefing, during which the execution of the warrant will be planned and discussed, and members of the Search Team will be assigned certain tasks, such as Evidence Collector, Recorder, etc.

4. Prior to gaining entry to execute the warrant, the Sergeant will ensure that the Police Communications Supervisor is notified of the search, its location, time of projected execution, and the number of officers involved, and if necessary, will request a Signal 10-3 until entry is gained and the scene is stabilized.

5. After entry has been gained and the scene is stabilized, the Sergeant will ensure that the Police Communications Supervisor is notified.

6. The search will be conducted in a manner that is systematic and maximizes officer safety.

7. Any property seized will be accounted for on the inventory, labeled, and appropriately packaged consistent with accepted packaging techniques and Department policies and will be submitted to the Evidence/Property Custodian consistent with Department policies and procedures.

8. The Sergeant will ensure that the Search Warrant Return is completed and submitted to the issuing Judge within 10 working days of the warrant's execution.

9. If the case in which property of a person was seized pursuant to the warrant is disposed of by way of a nolle prosequi, dismissal, acquittal, or if the State does not appeal such a criminal case or if the time for appeal has expired, all property belonging to the person (except for contraband, other property not recoverable by law, and/or in which ownership is in dispute) will be returned if authorized by the State's Attorney's Office.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **JUVENILE OFFENDERS**

NEW <u>REVISED</u> RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Although the Cottage City police department does not have a separate juvenile operations function, the department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. All personnel of this Department have responsibilities for participating in and supporting juvenile operation.

II. GENERAL

A. Although the enforcement of laws with respect to juveniles is obviously a major objective, this Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency.

B. For the purpose of this General Order, a "juvenile"," child", and "minor" are persons under the age of 18 years.

III. JUVENILE FUNCTIONS

A. The department actively participates in and supports programs that are designed and implemented with the intent of preventing and controlling delinquent and criminal behavior by youths.

B. Some programs which the Department participates in are:

1. DARE

2. Bicycle Registration

3. "Tagging" task force

C. Officers will engage in the follow-up processing of youths taken into custody, as necessary and appropriate, so that an appropriate referral out of the juvenile justice system can be made.

D. Officers shall also cooperate fully with the State's Attorney's Office and/or Prince George's County Police Juvenile Division and/or Department of Juvenile Services (DJS) in coordination and preparation of court cases in which a juvenile is involved.

E. Officers do not have the authority to divert juvenile offenders out of the juvenile justice system. However, if an officer knows of, or is familiar with a program that would benefit a juvenile offender, an informal referral should be made.

1. This referral does not relieve an officer from conducting a thorough investigation of the complaint and completing the required reports.

2. The DJS relies on the officer's reporting of the incident so that a fair and beneficial disposition can be made of the case.

IV. JUVENILE OPERATIONS

A. All personnel of this Department have responsibilities for participating in and supporting juvenile operations. Each police officer shall be aware of the continuing need to closely monitor juvenile situational developments and services available.

B. Since this Department does not have a distinctive juvenile component, Cottage City officers may use the expertise of Prince George's County Juvenile Services Division investigators. Due to the unique procedural aspects of the juvenile justice system, this Department relies on the specialization of the investigators assigned to the PGPD JSD. Officers are encouraged to seek assistance from JSD investigators when conducting investigations involving juvenile cases.

V. FORMAL AND INFORMAL HANDLING OF JUVENILE CASES

A. The police officer may handle a juvenile either informally or formally. Informal handling is when the officer manages a particular situation by releasing the juvenile under

warning to the parent or guardian. Formal handling occurs when the juvenile is brought before the juvenile court or juvenile intake officer for further processing and decision as to proper disposition of the juvenile.

B. In dealing with juvenile offenders, officers will use the least coercive action among reasonable alternatives, consistent with preserving public safety, order, and individual liberty.

C. In making a decision to handle an alleged juvenile offender either informally or formally, officers should consider these factors:

1. The nature of the alleged offense;

2. The age and maturity level of the alleged offender;

3. Prior record of the youth, if any;

4. Availability of community-based rehabilitation programs and the suitability of the alleged offender top specific programs;

5. The cooperation and attitude of all parties (child, parent, victim);

6. The degree of wrongful intent, violence, and knowledge of the violation; and,

7. The desires and personal input of the victim(s) and the complainants.

D. Informal handling

1. Informal handling may include any of the following:

   a. Release
   b. Counsel and Release
   c. Release to parents
   d. Referral to Community Resources
   e. Seeking a petition with a request for custody order (DJS).

2. When handling a case informally, the police officer should keep in mind that the objective of the juvenile justice system is to rehabilitate rather than punish and that this objective should be carried through when the officer is handling a case informally instead of formally.

3. When handling a case informally, the officer should still respect the youth's right to privacy. Any information gained should be provided to others only on a "need to know" basis.

   Even when a juvenile is being handled informally, the juvenile maintains all the constitutional rights that an adult would have in the same situation.

E. Formal handling

1. Formal handling occurs when the juvenile is brought before the juvenile court or juvenile intake officer.

2. Generally, the following situations will require formal handling of the juvenile:

   a. Delinquent acts that if committed by an adult would be felonies;

   b. Delinquent acts involving weapons;

   c. Delinquent acts involving aggravated assaults and batteries;

   d. Serious gang-related delinquent acts;

   e. Delinquent acts committed by a juvenile under probation or parole, or with a case pending;

   f. Repeated delinquent acts within a 12 month period;

   g. Cases originally set for diversion, but in which the juvenile refuses to participate.

   h. Cases in which it has been determined that parental supervision is not effective.

VI. JUVENILE PROCESSING

Juvenile offenders taken into custody will be transported to Juvenile Processing located in the District 3 Station, 7600 Barlow Rd., Palmer Park.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **TAKING JUVENILES INTO CUSTODY**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Juveniles will be taken into custody pursuant to the Laws of Arrest, the issuance of a Court Order, if the juvenile is in danger due to his/her surrounding, or if the juvenile is a runaway.

II. DEFINITIONS

A. STATUS OFFENSE -is an act or conduct declared by statute to be an offense, but only when committed or engages in by a juvenile and that can only be adjudicated by a juvenile court.

B. ARREST - for the purpose of this General Order, means the taking of a juvenile into custody for committing a delinquent act.

C. DELINQUENT ACT - is a crime committed by a juvenile.

D. ADJUDICATED - involves a hearing to determine whether the allegations in a petition are true.

E. CHILD IN NEED OF ASSISTANCE (C.I.N.A) - is a child who requires the assistance of the Court because he/she is mentally handicapped or is not receiving ordinary and proper care and attention and his/her parents or guardian or custodian are unable or unwilling to give proper care and attention to the child and his/her problems.

F. CHILD IN NEED OF SUPERVISION {C.I.N.S.) - is a child who requires guidance, treatment or rehabilitation and is required by law to attend school and is habitually truant, or is habitually disobedient and beyond the control of the person having custody of the child, or deports himself/herself so as to injure themselves or others, or has committed an offense applicable only to juveniles.

G. NEGLECTED CHILD - is a minor child who has suffered or is suffering from significant physical or mental harm or injury that is the result of the absence of the parents, guardian or custodian, or the failure of the parents, guardian or custodian to give proper care and attention to the child and the child's problems under circumstances indicating the child's health or welfare is harmed or threatened (unless the failure consists only of providing the child with non-medical remedial care and treatment recognized by State Law, instead of medical treatment.

H. ABUSED CHILD - is a child who has sustained physical injury as a result of cruel or inhumane treatment or a result of a malicious act by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child under circumstances indicating that the child's health or welfare is harmed or threatened. Sexual abuse is also included, whether physical injuries are sustained or not, and includes incest, rape, sexual offense in any degree, and sodomy.

III. STATUS OFFENSES - DETERMINING A JUVENILES'S ENGAGMENT IN NON- CRIMINAL MISBEHAVIOR

A. In determining whether a juvenile has been involved in non-criminal misbehavior (a status offense), officers will conduct a thorough investigation to substantiate the nature of the offense.

1. Some examples of status offenses are runaway and juvenile out-of-control.

2. Pursuant to the Section 3-814 of Courts and Judicial Proceedings, an officer may take a juvenile status offender into custody if the officer has reasonable grounds to believe that the juvenile has run away from his/her parents or guardian. See General Order 5-54 reference processing of runaways and "Operation Runaway" referrals.

3. Alleged "out-of-control" or missing (runaway) juveniles who are in the home shall not be removed at the request of the parents or guardian until and unless a Juvenile Intake Officer authorizes detention/shelter. Officers will follow the procedures below:

a. From 0900 to 1630 hours during the week, the officer will contact the Department of Juvenile Services and discuss the situation with an Intake Officer.

b. From 1630 to 0700 hours during the week, the officer will contact communications and have an operator contact the "on-call" Intake Officer who will be instructed to call the officer at the juvenile's residence to discuss the situation.

4. If detention/shelter is authorized, the Intake Officer will advise the name of the facility to which the juvenile is to be transported and the Intake Officer will contact the facility and advise them that the police are on the way.

5. The officer shall send and/or cause to have sent a juvenile detention notification via the Four-Phase terminal by using the "PDJUV" format in the IMS system.

6. The officer shall also forward a copy of all of the officer's reports pertaining to the incident to the DJS.

7. The juvenile shall be transported to the designated facility without unnecessary delay and the officer will relinquish custody of the juvenile to a person associated with the facility, and will advise the receiving agency personnel of any potential medical or security hazards, and will also hand that person an "Authorization For Emergency Detention Or Shelter Care" Form. The officer will obtain a receipt bearing the signature of the person accepting custody on behalf of the facility.

   a. On weekends contact police communications as described above.

   b. If the Intake Officer refuses to place the juvenile in either detention or shelter and the parent or guardian refuses to accept custody, the officer will advise the Intake Officer of the situation for resolution. If still unresolved, the officer should contact the on-call PGPD Juvenile investigator via communications for assistance in placing the juvenile.

8. An officer taking an "out-of-control" juvenile into custody will process the juvenile by checking for wanted status, and by completing and submitting for supervisory approval an Event Report and Arrest Report (charge: Out-of-Control).

9. If the juvenile is found to have been involved in other cases that are "open", and will be charged in connection with those cases, or the cases will be referred to DJS, a Supplement Report will be written to update the investigation of those open cases.

10. Color photographs of the juvenile will be taken.

IV. TAKING CUSTODY OF A JUVENILE WHO HAS BEEN HARMED OR WHO IS IN DANGER

Under Section 3-814 of Courts and Judicial Proceedings, another means by which a juvenile may be taken into custody is when the officer has reasonable grounds to believe that the child is in immediate danger from his surroundings and that the child's removal is necessary for his protection.

A. If a child is taken into custody and is in need of emergency medical treatment, the officer is authorized to transport the child to the nearest hospital by police vehicle or by ambulance, whichever is more appropriate, before the child is brought to a police or other facility. Unless the child requires life-threatening medical treatment, the officer will have the child transported by Fire/Rescue personnel.

B. If the child's parent or guardian is unaware that the officer has taken the child into custody, the officer shall immediately notify, or cause to be notified, the child's parent or guardian or custodian of the action taken.

C. Unless there Is a reason why the parents or guardian are prohibited from taking custody, or the child will be placed in shelter care by the Department of Juvenile Services, the officer will release the child to his parents, guardian or custodian or to any other person designated by the Court, upon their written promise to bring the child before the Court when requested by the Court.

D. The PG PD Juvenile Officer will be notified if the juvenile was taken into custody as a result of suspected child abuse.

E. When a juvenile is taken into custody under these circumstances, the officer taking custody will complete and submit for supervisory approval an Event Report describing in detail the circumstances.

V. TAKING A JUVENILE INTO CUSTODY FOR COMMIITING A DELINQUENT ACT

A. For a felony or misdemeanor arrest made by a Special Police Officer (SPO) having jurisdiction on the property where the incident occurred, whether or not in a mercantile establishment, responding officers will:

1. Verify the SPO's commission,

2. Obtain in a signed statement of probable cause for the arrest from the SPO and a copy of the internal report completed by the SPO for their employer is also acceptable,

3. For misdemeanor thefts, if the juvenile's identity is established to the officer's satisfaction and the juvenile is not wanted, a Criminal Citation may be issued by the officer. An Event Report will be written describing the incident, and indicating the name, address, phone numbers and date/time of the parent/guardian notification.

4. If a citation cannot be issued, transport the juvenile to the District 3 Station for processing and obtain a Juvenile PGPD ID Number from the PGPD Records Section.

5. If the juvenile is transported to the District 3 Station for processing, the juvenile's constitutional rights will be protected and the transport will be made without unnecessary delay. Upon the officer's arrival, the juvenile will be processed as follows:

    a. Complete an Event Report, Arrest Report, a State's Attorney's Information Form and the State's Attorney's Evidence Information Form, even if a citation is issued;

    b. Photograph and fingerprint the juvenile on one (1) PGPD palm print card and roll the fingerprints on one (1) PGPD and one (1) MSP print card, and print the fingertips on one (1) PGPD card, if fully processed;

    c. In accordance with O §3-814, the officer shall immediately notify the juvenile's parents or guardian even if a citation is issued;

    d. Release the juvenile to his/her parents or guardian after they sign a Juvenile Release Form.

6. If the parent or guardian refuses to accept custody, the officer will immediately notify the Department of Juvenile Services either directly during regular business hours or via communications after 1700 hours on weekdays, weekends, and holidays.

B. When a juvenile is being detained by someone other than a police officer or SPO for a misdemeanor, and the criteria below are met, the juvenile will not be taken into custody, but officers will follow the procedures below:

1. If the juvenile's identity is established to the officer's satisfaction, and the juvenile is a MD resident, and not wanted as a result of the officer's wanted check, the juvenile will not be taken into custody and will not be issued a citation.

2. Obtain a Case number, provide it to the complainant or the store's representative if that is the case, and release the juvenile.

3. Officers will notify the juvenile's parent or guardian and will include the person's name, address, phone n umber, and the date and time notified in the Event Report, along with any statements the juvenile made.

4. The Event Report's narrative will begin with the wording, "This case is closed by exception, please refer it to Juvenile Processing for disposition."

5. A juvenile will be taken into custody and processes as indicated in Section V. A. sub-section 5 above, if:

    a. The juvenile has committed a felony; or,

    b. The juvenile cannot establish his/her identity to the officer's satisfaction; or,

    c. The officer believes the juvenile' s I.D. is false; or,

    d. The juvenile is not a Maryland resident; or,

    e. The Juvenile is "wanted."

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **CITATION ISSUANCE AND JUVENILE REFERRALS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Officers dealing with juvenile offenders will use the least coercive among reasonable alternatives, consistent with preserving public safety, peace and order and individual liberty. This may include, depending on the offense, release with no further action, citations, referrals to outside agencies, referrals to the criminal justice system, and arrest.

II. ISSUANCE OF CITATIONS TO JUVENILES

A. When Citations Are Issued

1. Whenever a citation is issued to a juvenile, the issuing officer will notify the juvenile's parent or guardian of the circumstances that led to the issuance.

2. Officers are not required to notify a parent or guardian of the issuance of a traffic citation to a juvenile as long .as:

   - The juvenile is a licensed driver,
   - The juvenile signs the citation,
   - The offence is not a "Must Appear," and
   - The juvenile is not operating in violation of a license restriction, Provisional License, or Learner's Permit.

3. Even though officers are not required to notify a parent or guardian of a citation's issuance if the above criteria are met, officers still may exercise their discretion to make the notification.

4. If a juvenile traffic violator is taken into custody pursuant to TA 26- 202, the juvenile may not be taken to a Court Commissioner (like an adult would be) because Commissioners do not have jurisdiction over juveniles not charged as adults.

    - If taken into custody for traffic, the juvenile will be transported without unnecessary delay to a processing facility (or home) and his/her parent or guardian will be promptly notified by the arresting officer, unless the juvenile is in need of emergency medical treatment, at which time, they will be immediately transported to the nearest hospital and the parent/guardian will be notified by the officer from there.

5. Under Maryland law, since citations are formal charging documents, whenever a citation is issued by an officer, the matter will automatically be referred to Juvenile Court for adjudication or an informal adjustment.

6. Issuing officers will be very clear and concise when they complete citations, and to ensure uniformity, they will also follow the procedures for issuance outlined in this and other directives, and as described in the Citation Manual.

B. When Issuance is Mandatory

1. A juvenile shall be issued a citation, pursuant to the provisions of CR §10-119, if an officer has probable cause to believe that the juvenile is violating CR § 10- 113, 114, 115, 116, 117 or 118 of the Annotated Code of Maryland relating to the possession, use or consumption of alcoholic beverages.

2. The citation will be completed in accordance with the procedures described in the Citation Manual.

C. When Issuance is Not Permitted

1. A juvenile will not be issued a citation for any felony that he/she is alleged to have committed.

2. A juvenile will not be issued a citation for possession of a pager (or beeper) on school property.

- Students caught with a pager at school, unless they meet at least one of the exceptions outlined in §26-104 of the Educational Article, shall be taken into custody.

D. Permissible Issuance

1. A juvenile may be issued a citation if he/she has been taken into custody by an SPO and, upon the officer's arrival:

   - The juvenile can establish his/her identity to the officer's satisfaction; and,
   - Is not wanted as a result of the officer's wanted check; and,
   - Is a Maryland resident; and,
   - The offense for which they have been taken into custody is a misdemeanor.

2. When a juvenile is charged by way of a citation, an Event Report will be completed and submitted for supervisory approval by the issuing officer to document the incident.

3. The report will be submitted prior to the end of the officer's tour of duty and will indicate the name, address, and phone number(s) of the parent or guardian notified by the officer, along with the date and time of the notification.

4. The citation and the report will be processed by the supervisor and sent to the Juvenile Court for disposition.

5. After the officer has issued the citation and there is no further need to detain the juvenile, the juvenile will be released.

III. REFERRALS OF JUVENILES OUTSIDE THE JUVENILE JUSTICE SYSTEM

When dealing with a juvenile that has allegedly committed a delinquent act or a status offense for which they can be taken into custody, officers have very little discretion in this area, especially if a victim has been identified and has indicated a desire to prosecute. Therefore, officers must be very careful when deciding whether to release a juvenile outright with no further action.

A. The metropolitan Washington area has several community-based programs to which a juvenile and his/her parent or guardian can be referred and officers have the authority to make referrals if believed to be in the juvenile's best interest.

B. When deciding whether or not to refer a juvenile outside the juvenile justice system,the officer must consider:

1. The nature of the alleged offense;

2. The age and circumstances of the alleged offender (in Maryland, a child under the age of seven is deemed incapable of harboring criminal intent);

3. The availability of appropriate community-based programs;

4. The seriousness of the offense;

5. The level of cooperation and attitudes of all parties involved (victim, juvenile's parents, etc.);

6. The possibility/probability of the offense being repeated

7. The degree of wrongful or malicious intent; and/or,

8. The use of violence or premeditation.

C. If an officer refers a juvenile outside the juvenile justice system, the officer will respect the juvenile's right to privacy and will ensure that the victim and the juvenile's parent concur.

- It is very important that the victim concurs with the officer's decision to release the juvenile outright with no further action because if the victim wishes to prosecute, the officer must assist the victim by completing an official report, etc.

D. If a victim wishes to prosecute, but the officer believes that a referral outside the juvenile justice system would be more appropriate and beneficial to the juveni le, the officer will discuss this with the victim.

- If the victim still wishes to pursue prosecution, the officer will complete an Event Report, and any other required report, and is still free to suggest certain applicable programs to the juvenile and his/her parent.

E. To protect the officer from criminal and/or civil liability, a juvenile taken into custody by an officer for the commission of a delinquent act will not be released outright with no further action, unless it is determined after the juvenile is in custody that probable cause no longer exists to formally charge the juvenile. If the juvenile is released, the

officer will write a Police Information Report and will fully inform the parent/guardian of the incident.

- As an example, based on probable cause developed at the time, a juvenile is taken into custody at the scene of an incident, but after further investigation, it is determined that the juvenile is neither involved nor should be formally charged in connection with the incident, the juvenile will be released and the incident will be reported by the officer.

IV. REFERRALS OF JUVENILES TO THE JUVENILE JUSTICE SYSTEM

Any time an officer completes and submits a report describing a juvenile's delinquent activity, the case, by law, is automatically referred to the juvenile authorities.

A. Officers must be cognizant that Section 3-810 of the Courts and Judicial Proceedings Article grant authority and discretion only to a Juvenile Intake Officer to informally adjust a case after a complaint has been made by a citizen or a law enforcement officer.

B. Section 3-810 requires the Intake Officer, when considering the complaint, to make a preliminary inquiry within 15 days as to whether the Juvenile Court has jurisdiction and whether judicial action is in the best interests of the public or the child. Based on this inquiry, the Intake Officer may authorize the filing of a Petition (to request the Juvenile Court to hear the case), or may conduct a further investigation into the allegations, or may propose an informal adjustment of the matter, or may refuse to authorize the filing of the Petition.

C. If an officer intends to refer a case to the Juvenile Court by taking the juvenile into custody, the below procedures will be followed:

   1. Any arrest made will be in accordance with the Laws of Arrest defined in CP § 2-102.

   2. An Arrest Report will be completed for those instances in which a juvenile is taken into custody for committing a delinquent act, but cannot be issued a citation.

D. If a lawful arrest cannot be made or is not made, the officer will conduct a thorough investigation of the event and complete and submit an Event Report (and Supplement Reports as necessary).

   1. The victim or complainant will be informed that a lawful arrest cannot be made, but that the matter will be referred to juvenile authorities for disposition.

2. The narrative of the Event or Supplement Report will begin with the wording: "This event is closed by exception and referred to F.D.S. for disposition.''

3. Officers will provide the victim or complainant with the CCN (Case Number}.

   - Officers should also provide the victim, complainant, and/or witnesses with the officer's phone number and that of DJS to stay informed of the case's status and in the event they wish to report further information.

V. CONFIDENTIALITY

A. All records and information pertaining to juvenile matters, especially relating to past involvement with police or juvenile authorities, are confidential and will not be released to victims, complainants, witnesses, etc.

B. An officer investigating a case will assist the victim, complainant and/or witnesses to the extent necessary to properly investigate the matter, but officers must be very sensitive to the type and amount of information they release.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **CUSTODIAL INTERROGATIONS OF JUVENILES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Juveniles have the same Constitutional rights as adults as they relate to police interrogations, and officers will take reasonable steps to ensure that a juvenile's Constitutional rights are protected while a juvenile is in custody and/or during an in-custodial interrogation.

II. ENSURING PROTECTION OF CONSTITUTIONAL RIGHTS

When a juvenile has been taken into custody, he/she shall be immediately advised of their rights if the juvenile is to be questioned or interrogated concerning his/her involvement in a delinquent act.

A. Whenever possible, the advice of rights will be read from Police Advice of Rights Form, but verbal advice is permissible.

B. A juvenile's parent or guardian does not have to be present for officers to interrogate a juvenile in custody; however, depending upon the severity of the delinquent act committed, interrogating officers should consider the parent or guardian's presence.

C. If a juvenile requests the presence of a lawyer; interrogating officers will stop the interrogation and will afford the juvenile the same rights as those afforded adults.

D. A telephone and an appropriate area will be provided to the juvenile so that a lawyer can be contacted, and since the juvenile's communication with a lawyer is privileged, officers will not monitor, eavesdrop, or listen- in on the juvenile's conversation.

III. CONFERRING WITH PARENT, GUARDIAN, OR CUSTODIAN

An officer(s) interrogating a juvenile shall confer with the juvenile's parent/guardian/custodian immediately after the interrogation.

A. When interrogating a juvenile, the parent, guardian, or custodian should be present so that the juvenile can confer with this person for guidance.

B. If a parent/guardian/custodian refuses to respond to the facility where the interrogation will take place, or refuses to be with the juvenile during the interrogation and the juvenile does not appear to understand his/her rights, the juvenile may be transported to a Court Commissioner's Office to be re-advised of his/her rights by the officer in the presence of a District Court Commissioner,

IV. DURATION OF INTERROGATION / NUMBER OF INTERROGATORS

The duration of a custodial interrogation shall be limited to one (1) hour and shall be conducted by no more than two {2) officers.

A. After a suitable break (i.e., 15 minutes), a second one-hour session may be attempted depending upon the severity of the offense committed and/or the significance of the investigation.

B. The aforementioned time period may be extended if the juvenile wishes to continue to talk to interrogators.

V. EXPLANATION OF JUVENILE JUSTICE SYSTEM PROCEDURES

An officer interrogating a juvenile shall explain to him/her the Department's procedures and the juvenile justice system's procedures.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **THE PATROL FUNCTION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The patrol function is a basic and primary law enforcement function that embraces much more than the act of patrolling. It is a generalized function in which officers engage in a wide variety of activities that include:

A. Preventive patrol oriented toward the prevention of crimes and accidents;

B. Identifying and solving problems that affect the quality of life within Cottage City;

C. Response to requests for service from members of the public;

D. Investigation of crimes and the arrest of offenders;

E. Traffic direction and control;

F. Maintenance of the public order;

G. Development of relationships between citizens and the Cottage City Police Department;

H. Provision of emergency services; and,

I. Crime prevention,

J. House checks.

II. PATROL COVERAGE

A. The Department with cooperation from PGPD will provide continuous 24- hour coverage, seven days per week. Patrol officers will remain available for calls until relieved by officers assigned to the next shift. Minimum staffing requirements are established by the Chief of Police.

B. Officers are required to be in uniform and prepared to begin their scheduled tour of duty 10 minutes prior to the actual beginning of their shift (i.e., officers scheduled to work the 0600 -1800 shift must be in uniform, and ready to begin patrol at 0550 hours.)

C. During shift change, overlapping coverage for emergency responses will be provided by PGPD.

D. All Cottage City officers will be assigned to patrol shifts.

E. The Department will provide patrol coverage in the following manner:

First Shift Second Shift

0700 hours to 1500 hours
1500 hours to 0100 hours

F. Officers assigned to patrol will normally work a 12-hour shift schedule: work three days, off two, work two days, off three. Shift rotation will take place every three months beginning with the First Shift and rotating to the Second Shift after three months.

G. Officers will patrol the entire Town, which comprises a "City-wide beat," unless assigned to patrol a "Contract Area."

III. ROLL CALL

Daily roll call will consist of a pre-shift contact or briefing by the officer coming off his/her shift to the officer coming on duty. Officers coming on duty will review the daily memo and teletype clipboards and indicate their review by initialing the daily memo boa rd. Officers will check their mail boxes for messages, changes in policies, work schedules, etc. Mailboxes should be checked at the beginning and end of an officer's shift.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **RESPONDING TO INCIDENTS OUTSIDE OF TOWN**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy that Department vehicles may not be taken beyond the Town limits of Cottage City except under the guidelines as set forth as follows, or as authorized by the Chief of Police.

II. PROCEDURE

A. Officers responding to an "Officer in Trouble" call outside the Town will only respond when the adjoining Agency does not have sufficient officers available in the area and the call is within one mile from the Town limits. Do not respond unless it is relatively certain you will be among the first on the scene.

   1. Officers must remember that when they are responding outside the Town limits that they are responsible for their actions and must use extreme caution when responding to any emergency call.

   2. Officers who respond outside of the Town limits for an "Officer in Trouble" will submit a written report of the incident before the end of their tour of duty.

B. If an officer is dispatched to a call for service that occurs outside the Town limits by the dispatcher, the officer will inform the dispatcher that the call is outside of the Town limits and be guided by the dispatcher's instructions.

C. Officers may provide routine backup on streets and roadways immediately adjacent to the Town limits.

D. Officers may go outside the Town limits during a shift to eat or pick up food. The absence should be at or near mid-way of the shift, and at a distance not to exceed one-mile.

E. Officers assigned to patrol or investigative duties shall notify the dispatcher by radio of their absence from the Town.

F. Officers responding to calls for service in an area covered by a Mutual Aid Agreement shall prepare an Incident Report outlining the response.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **BOMB THREATS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department will not take lightly bomb threats in the village, regardless of their location. Officers dispatched to bomb threats will respond safely and quickly in accordance with Department procedures. Upon arrival of the first responding officer(s), the primary concern will be the safety and security of individuals occupying the threatened facility and the safety and security of those in close proximity.

II. RECEIPTS OF BOMB THREATS

A. By Public Safety Communications (9-1-1Center)

1. On receipt of a bomb threat at the Public Safety Communications Center, call takers shall be governed by their Standard Operating Procedures.

2. Notifications of Fire/Rescue, the F.B.I., and other persons or agencies will be made by communications.

B. By Cottage City Station Personnel

1. In the event station personnel receive notification of a bomb threat call for a location outside Cottage City, the call taker will treat the call as an emergency and instruct the caller (but not the person making the threat) to hang up and call 9-1-1 in accordance with established Department procedures.

2. In the event station personnel receive notification of a bomb threat call for a location inside Cottage City, the call taker will treat the call as an emergency, request basic information so that a Cottage City police officer can be assigned, and instruct the caller (not the person making the threat) to hang up and call 9-1-1 in accordance with established Department procedures.

3. If the caller is the person making the threat, station personnel will attempt to obtain as much detailed information from the caller as possible. Station personnel, preferably the one who talked directly with the caller, will call 9-1-1 to advise communications of the threat.

4. Since communications is responsible for all notifications in this situation, this procedure will ensure that all appropriate notifications are made.

III. FIRST - RESPONDING OFFICERS' RESPONSIBILITIES

A. Upon arrival at the scene, responding officers must know who is in- charge until the arrival of a higher ran king officer.

B. To ensure an orderly and coordinated response to this type of incident, the first-arriving officer will be the officer-in-charge until the arrival of and relieved by an officer of higher rank.

C. Until the scene is secured and determined to be safe, all mobile and portable radio transmissions will be discontinued within 300 feet of the threatened facility.

D. Necessary communications will be made by land-line telephone (not cellular or portable phone).

E. Interview the person in charge of the threatened facility and evaluate the validity of the threat. Some factors to consider when evaluating the validity of the threat are;

1. The amount of detail provided by the caller when the threat was made.

2. The type of place threatened.

3. The notoriety of the person(s) who occupy the threatened facility (if a person was threatened).

4. The number of prior false threats received by the facility or person threatened, if known.

5. Whether the caller identified himself/herself with an organization known to carry out bombings.

6. Any other pertinent information in the officer's judgment.

F. If the owner/agent decides to disregard the threat, this will be noted in the Event Report, along with the owner/agent's name and position.

IV. EVACUATIONS AND SEARCHES

A. If the owner/agent decides that they want the premises searched, the highest ranking officer on scene will request via communications, a bomb detection canine team to search the premises and the area will be secured until the team arrives.

B. If investigating officers are requested to assist with the search by an owner/agent, the Sergeant or Chief of Pol ice will be contacted for authorization.

C. In the event a bomb detection dog is utilized in the search, the officer will advise the owner/agent that the premises must be evacuated prior to the dog's utilization.

D. If an evacuation of the threatened facility is deemed necessary, the officer will notify the supervisor, if not already on the scene, and assist the facility's owner/agent in coordinating an orderly and safe evacuation.

E. Prior to the beginning the evacuation, the highest ranking officer on the scene should consider developing and implementing a brief "evacuation message" to:

1. Convey the nature of the threat.

2. Encourage every occupant to visually check his/her work areas for any suspicious packages/objects and not to touch anything.

3. Advise occupants to take only their personal belongings with them as they evacuate.

4. Advise occupants before they exit the building, where they are to assemble after they get outside.

5. Advise occupants to report any suspicious sightings to the first police officer they see upon exiting the building.

V. SUPERVISOR'S RESPONSIBILITY

Upon Arrival at the Scene

A. Establish a command post,

B. Assign officers, as necessary and appropriate, to:

1. Divert and control traffic,

2. Assist with crowd control, and

3. Staff any staging area designated by the Chief.

C. Meet with the facility's owner/agent and obtain a floor plan, if available.

VI. IF A DEVICE IS LOCATED

Procedures

A. Officers will not make any attempt to touch, move, disarm, or otherwise tamper with any device that is suspected to be a bomb.

B. If a suspicious object that officer's believe to be a bomb, or the suspected device is encountered, officers will:

1. Note its exact location,

2. Note whether it is making a noise, and

3. Leave the area and proceed directly to the command post to advise the supervisor of the sighting. Do not use the radio.

C. If a supervisor or OIC is advised by searching officers or the bomb detection canine team of the location of a suspected device, the supervisor/OIC will:

1. Order all police personnel out of and away from the threatened facility,

2. Ensure that everyone is at least 300 feet from the threatened facility/suspected device,

3. Request additional officers through communications for purposes of possibly expanding the outer perimeter,

4. Have communications notify fire department bomb disposal unit and assign an officer to escort them to the scene, if necessary,

D. The Fire Marshall of Prince George's County or his/her Deputy, or State Fire Marshall, upon their arrival, shall inherit responsibility for the incident and officers remaining at the scene will take direction from the Fire Marshall and render whatever assistance is requested.

VII. IF AN EXPLOSION/BOMBING OCCURS

A. Procedures

1. Advise communications of the detonation and have them make all notifications.

2. Request an alternate radio channel from communications, unless the incident is already on an assigned channel.

3. If Fire/Rescue apparatus is in the staging area, have them respond to the scene for fire suppression, assist with search and rescue, etc.

4. Officers will not enter any structure, except when immediately necessary to save lives and/or prevent serious injuries.

5. Officers must make every reasonable effort to maintain order and to protect any physical evidence, while still allowing Fire/Rescue personnel to perform their tasks.

B. If the Fire Marshall is on the scene, officers will provide assistance as necessary and/or as directed.

C. If the Fire Marshall is not on the scene, officers will ensure that the scene remains secure until the Fire Marshall arrives.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **ALIENS AND FOREIGN SPEAKING NATIONALS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The purpose of this General Order is to establish guidelines for the questioning, arrest, and/or investigation of aliens/foreign speaking persons.

II. POLICY

It is the policy of this Department not to pursue deportation during the judicial process. It is a higher priority to prosecute the perpetrators of crimes rather than initiate deportation proceedings against victims/witnesses who happen to be illegal aliens. All individuals, regardless of citizenship, are entitled to basic rights and privileges which are set forth in common law, State and Federal law, and the Maryland and United States Constitution. In addition, aliens/foreign speaking persons may be entitled to rights and privileges set forth in the Vienna Convention and other international laws. It is the policy of this department to exercise its duties in conformance with all applicable laws, regardless of nationality or racial/ethnic background.

III. QUESTIONING OF ALIENS OR FOREIGN SPEAKING PERSONS/ARREST POLICY

A. The indiscriminate questioning of foreign speaking persons about their citizenship status (possession of their "green card") without a reasonable basis for suspicion of state/local traffic or criminal charges is unconstitutional according to the Supreme Court decisions.

Furthermore, the intimidating effect of such questioning creates fear, suspicion and distrust of the police.

B. Officers have no statutory authority to arrest an undocumented alien for violations of federal immigration laws. If an alien is arrested, the basis of that arrest must rest solely on state/local traffic or criminal charges.

C. If an individual who is stopped for a traffic violation is not wanted for other charges and has a valid permit, he should be treated the same as any other violator and not subjected to arrest or further questioning because of this nationality. Without reasonable suspicion of criminal activity, the individual cannot be detained longer than necessary for the traffic stop to be completed.

D. Officers do not have the authority to confiscate Resident Alien Cards (slang term - "Green Cards") or Employment Authorization Cards without the express authorization of an Immigration and Naturalization Service (INS) Department of Justice Officer.

IV. ALIENS AS VICTIMS/WITNESSES

A police report/investigation is not contingent upon a person's citizenship status. It is not the policy of this department to pursue deportation proceedings. However, if it becomes known that a victim/witness is facing possible deportation and the officer needs the victim/witness for the case, the officer must notify Immigration and Custom Enforcement {ICE) in writing, through the office of the Chief. This is to ensure that ICE is aware of the situation and may delay deportation of the individual. Approval by ICE to remain in the country does not constitute employment authorization or confer any benefit. Furthermore, if the victim/witness has a criminal history, they may not qualify for consideration for a delay in deportation.

V. ARREST PROCEDURES

When aliens, who are not United States citizens, are arrested for violations of criminal or traffic laws (those where a physical arrest is made), the following procedure will be followed after normal processing:

A. The arresting officer will notify the ICE by telephone as soon as possible after the arrest and provide the following information:

1. Full name of the arrested subject;

2. Date and place of birth;

3. When and where the alien entered the United States (if known);

4. Charges against alien; and,

5. The Registered Alien File Number. This number appears on the "green" identification card issued to the alien and should be in his/her possession. If no card is available, the investigator will advise the officer of what action to take. (The "green" card is actually pink or white in color but is known by all aliens as the "green card.")

B. The arresting officer's report will include:

1. A statement that the person arrested is in fact an alien;

2. The name of the U.S. Immigration Investigator and the date and time notified; and,

3. Registered alien file number if available.

VI. VIENNA CONVENTION ON CONSULAR RELATIONS (1963}

A. Certain provisions of the Vienna Convention on Consular Relations (1963) and customary international laws require that appropriate authorities of the United States, including state and local authorities, provide assistance to foreign consul officers in the performance of their duties.

B. The United States is obligated under international treaties and customary international to notify foreign authorities when foreign nationals are arrested or otherwise detained in the United States. Officers should follow these procedures:

1. Immediately inform the foreign national of the foreign national's right to his government notified concerning the arrest/detention.

2. If the foreign national asks that such notification be made, do so without delay by informing the nearest consulate or embassy and note that fact in the event report. Consulate phone number can be obtained from communications.

3. In the case of certain countries, such notification must be made without delay regardless of whether the arrestee/detainee so wishes. A list of these countries can be obtained from the same sources mentioned above.

C. Consul Officers should be given timely notification concerning the death of a foreign national and disposition of the deceased's property.

D. When requested, assistance should be given to any consul in ascertaining the whereabouts of their nationals. This does not include disclosing any information obtained through MILES or NCIC. This information is restricted to law enforcement only.

VII. TELEPHONE INFORMATION

A. When seeking information from or making notifications to ICE, the following numbers should be used:

1. 410-962-7449 (0800 -1630 weekdays)

2. 410-377-1500 (1630 - 0800 and weekends this number is an answering service ask for the duty agent)

B. Should an officer require from the Department of State, their Operations Center is manned 24 hours a day and can be reached at 202-647-1512.

C. If assistance is requested or a notification was made, a notation should be made in the incident report.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **DIPLOMATIC IMMUNITY**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

To ensure that Cottage City police enforcement procedures conform to federal law regulating diplomatic immunity which affect the department's enforcement procedures.

II. POLICY

These procedures are taken from the "Guidance for Law Enforcement Officers" paper issued by the State Department. It is understood that dealing with diplomatic immunity poses particular problems for law enforcement officers, and that officers may be overly generous in applying immunity if they do not understand its purposes or rules. However, allegations of serious crime or other serious difficulties with diplomatic or consular personnel should be fully investigated and promptly reported to the State Department as set out in this general order.

While officers will give every courtesy to diplomats, it is imperative that they also conduct good investigations, keep good records, and report whenever appropriate, to the State Department. To do so is to allow the State Department to exercise the tools it has to remove persons from the U.S. who are engaged in criminal activity. The State Department may also cause driver's licenses to be revoked.

III. DEFINITIONS

A. Diplomatic Mission - encompasses both the chancery where embassy work is performed and the residence of the head of the mission.

B. Diplomatic Immunity -full or limited criminal immunity which the personnel of a foreign diplomatic mission and, in varying degrees, their family member enjoy because they serve as representatives of a sovereign state and require special rights and guarantees for the effective functioning of the mission.

C. Diplomatic Agents - a term embracing heads of missions, ambassadors and charge d'affaires, and members of their diplomatic staff, i.e., those recognized by the U.S. Government as having diplomatic rank and title.

D. Administrative and Technical Staff - this category includes secretaries, clerical personnel, officer managers and certain professional security personnel. These persons also enjoy a high level of privilege, but somewhat less than diplomatic agents.

E. Service Staff - these persons are drivers, cleaners, and building/grounds personnel. They have much less in the way of immunity.

F. Private Servants of Members of the Mission - they and their families are hired by diplomats for their personal use and have no immunity for their criminal acts or private wrongs even if such acts occur in the course of the performance of their duties.

G. Consular Officers - are not to be confused with diplomatic agents and do not enjoy the privileges and immunities. Consular officers perform a variety of functions of principal interest to their countries (e.g., issuance of travel documents, attending to difficulties of their own countrymen who are present in the host country, and generally promoting the commerce of their countries).

H. Special Bilateral Agreements - there are some foreign countries in _ respect of which the categories set forth above are not applicable. These are countries with which the United States has bilateral agreements which grant significantly higher privileges and immunities to all members of their embassy staffs (provided the staff member is a national of the sending state) and to certain of their consular personnel (and sometimes their family members). In some cases, these privileges and immunities approximate those accorded diplomatic agents. This situation will be taken care of when identity documents are issued, but police officers should be aware of this distinction because

they may confront situations where a chauffeur or a mechanic from the embassy of one of these countries asserts a right to full diplomatic privileges and immunities.

IV. FULL CRIMINAL IMMUNITY

A. This type of immunity is given to diplomatic agents, administrative and technical staff of missions and their families.

B. Full criminal immunity means more than immunity from prosecution. It means that the residence, vehicles, papers, and correspondence of an individual with this immunity classification cannot be searched, the person cannot be detained, or arrested, and is not required to give evidence as a witness.

V. LIMITED CRIMINAL IMMUNITY

Service staff members have limited criminal immunity. They can be detained, arrested, and prosecuted for criminal acts. If prosecuted, service staff members can raise "official acts" immunity as an affirmative deferise. The court having jurisdiction will then determine whether or not the service staff member was acting in his capacity at the time of the offense. Service staff can be required to give evidence as witnesses, and their persons and effects can be searched, in accordance with local law.

VI. OUTLINE OF CRIMINAL IMMUNITY BY PERSONNEL CATEGORY OR FAMILY CLASSIFICATION

A. Diplomatic Agents - Full Immunity

1. Head of Mission (Ambassador or Charge d'affaires)

2. Carry diplomatic identification documents issued by the State Department

B. Diplomatic Staff of Mission - Full Immunity

1. Carry diplomatic identification documents issued by the State Department

2. Includes:

a. Members of the Delegation of the Commission of the European Communities;

b. Permanent representatives and senior staff of missions to the Organization of American States and the United Nations;

c. Senior officials of the United Nations Secretariat.

C. Administrative and Technical Staff - Full Immunity Includes:

1. Administrative Officers/Assistants

2. Security Officers

3. Purchasing agents

4. Budget and Fiscal Technicians

5. Archivists

6. Cryptographers

7. Receptionists/Secretaries

8. Stenographers/Typists

9. Clerks

10. Couriers/Messengers

11. Guards

D. Families of Diplomatic Agents, Staff of Mission, Administrative and Technical Staff - Full Immunity Includes:

1. Spouses

2. Dependent children until age 21, or age 23 if a full-time student at an institution of higher learning

E. Service Staff - Immunity only for acts in the course of duties (Court decides if acts are in the course of duties) Includes:

1. Chauffeurs

2. Drivers

3. Servants in missions

4. Employees performing domestic duties in missions

F. Families of service staff - No Immunity

G. Private servants and their families - No Immunity

H. Members of Consular Posts - Consular officers and their personnel must not be considered identical to embassies. Members of consulates have a significantly lower amount of privilege and immunity, reflecting the fact that consular officers are concerned with issuing travel documents, etc., and not with communication between countries. Consular officers have only "official acts" immunity in both criminal and civil matters. They may be arrested for felonies, with a warrant, but have immunity from providing evidence as witnesses where a case involves their official duties. Family members of consular officers enjoy no immunity.

Note: No police officer is expected to determine whether a given set of circumstances constitutes and "official act." Thus, a person enjoying "official acts" immunity may always be prosecuted if the alleged criminal act is believed outside the scope of "official duties." The court will decide whether the alleged crime was part of an "official act." Also note that consular service staff has no immunity except they do not have to serve as witnesses concerning "official acts." Family members have no immunity. U.S. nationals or permanent residents employed by a consulate have limited immunity, and honorary consuls have only "official acts" immunity and witness immunity regarding "official acts." Family members have no immunity.

VII. TRAFFIC VIOLATIONS INVOLVING DIPLOMATS

A. Moving Violations

When a driver believed to have diplomatic immunity is stopped for any moving traffic violation and has proper and valid identification indicating immunity, the officer may issue an appropriate traffic citation or warning notice. The issuance of a traffic citation does not constitute an arrest or detention. This paragraph shall not be construed as authorizing the arrest or detention of member of the Diplomatic Corps for any violation of the Transportation Code of Maryland.

1. It must be noted that the diplomat does not have to sign the citation and cannot be arrested for refusal to sign or accept the citation.

2. Failure of the diplomat to appear in court to answer the citation may cause action by the Motor Vehicle Administration in relation to the diplomat's driving privileges within this state.

B. Copies of Citations and Accident Reports

1. Officers should, in addition to usual procedure, advise the Sergeant/Chief on the next regular business day if one of the following situations occur:

   a. A citation is issued to the driver of a vehicle (or the accident involves a vehicle) with U.S. Department of State diplomatic license plates;

   b. A citation is issued to (or the accident involves) the bearer of a U.S. Department of State diplomatic driver's license; or,

   c. A citation is issued (or the accident involves) a driver whose identity has been confirmed by the U.S. Department of State, Office of Protocol, as a member of a foreign mission entitled to immunity.

2. The Sergeant/Chief will promptly forward the original report and/or citation with a cover letter under the respective official's signature addressed to the Office of Foreign Mission, DMVO, and Attention: Driver Services, 3507 International Place, N.W., Washington, D.C. 20008. A copy will be sent to the PGPD Director of the Records Division for official dissemination.

C. Driving While Intoxicated Violations

When an officer stops an individual with the intention of making an arrest for driving while intoxicated and that individual is entitled to diplomatic immunity, the officer shall extend the same courtesy and consideration to him as a member of the Diplomatic Corps as has existed in the past.

1. If the state of intoxication of the individual entitled to immunity, whether claimed or not, is such that his driving would endanger the safety of the community, the officer shall request that the diplomat not drive and provide assistance in parking the vehicle or securing another driver. Once the vehicle is parked, record the location on the CCPD Vehicle Impound Form, and provide the diplomat with a copy of the form.

2. An officer may issue a traffic citation to the person for DWI and any other related traffic charges; however, no physical arrest can be made.

3. A "Police Event Report" (not a DWI Arrest Report) will be written and submitted for supervisory review and approval, along with copies of all citations and reports.

4. If the diplomat refuses assistance or a claim is made that the officer's requested action would restrict the effective exercise of his function as a diplomat, the officer will politely inform the diplomat that he is free to go, but the vehicle may not be moved, and the embassy or legation concerned will be contacted immediately for advice or assistance in obtaining a driver and removing the driver.

5. If the driver is entitled to diplomatic immunity, he should not be restrained except in extreme cases and will not be subjected to any sobriety or any other mandatory test. Force must not be used except when necessary to prevent injury to the diplomat or others and then only the absolute minimum should be applied.

D. Towing

When it becomes necessary to have a vehicle bearing diplomatic registration towed, officers will comply with the Department's Towing Policy. It should be noted that a diplomat's vehicle is considered secure from violation and cannot be searched.

VIII. CLAIMS OF DIPLOMATIC IMMUNITY

A. When proper I.D. has been shown and status is verified, the immunity will be fully respected. Where there is full immunity as a diplomatic agent, the person may not be arrested and should not, except in the most extraordinary circumstances, be detained in any way. However, in any serious incident, the officer will record all pertinent details from the I.D. card and details and circumstances of the incident in accordance with usual police procedures.

An officer initiating such a report will notify the Chief on the next business day. The Chief will promptly forward the original report, with a cover letter under his signature, addressed to the Command Center, Office of Security, Department of State, 2121Virginia Ave., N.W., Washington, D.C. 20520. A copy will be sent to the Director of the PGPD Records Division for official dissemination.

Serious incidents should be reported by telephone as soon as possible to 202-663-0812, which is operational 24 hours a day. It is requested that officers notify the Prince

George's County Vice/Intelligence Section when they issue a traffic citation to a diplomat that would have resulted in an arrest for a person without immunity. This information should be provided either over the telephone or via a note sent through interoffice mail.

B. When an officer is confronted with a person claiming immunity and the person cannot produce satisfactory I.D. and the situation would normally warrant arrest or detention, the officer will inform the person that he or she will be detained just until proper identity can be confirmed. The State Department Protocol Office will be called immediately 202-663- 0812 to verify claims of Diplomatic Immunity. The "Blue Book" and "White List" will no longer be used to verify diplomatic immunity.

C. Inquiry should also promptly be made to the State Department in any case where an individual claims immunity and cannot present satisfactory identification or in any case where the officer has reason to believe that invalid identification is being presented. The following telephone numbers are provided for use in this regard:

REF:Diplomatic and Consular Personnel and International Organizations Other than the United Nations During normal business hours - Current Status of:

U.S. Department of State federal license tags, registration, or other motor vehicle information:
202-895-3512

U.S. Department of State driver's licenses and general licensing information:
202-895-3512

- After hours for both of the above: 202-647-7277

For reporting traffic accidents/incidents, issuance of citations, etc., involving foreign missions personnel:
202-895-3522

Diplomatic agents and family members: 202-647-4570
Embassy administrative and technical, service staff and families: 202-647-1405

Consular personnel and families: International organization:

- After normal business hours: 202-647-1404, 202-647-1402

All inquiries should be made to the Command Center of the Bureau of Diplomatic Security, Department of State, 202-647-7277 (operates 24 hours a day)

D. Where public safely is in imminent danger or it is apparent that a serious crime may otherwise be committed, police may intervene to the extent necessary to halt the activity. This naturally includes power of the police to defend themselves from personal harm.

REF: United Nations Personnel during normal business hours
U.N. (New York) verification information is available from the Host Country Section of the U.S. Mission to the United Nations: 212-415-4131.

Current status of U.S. Department of State license tags, registration, or other motor vehicle information: 212-826-4500

- After normal business hours:

Information is available from the Communication Section of the U.S. Mission to the United Nations: 212-415-4444 (operates 24 hours per day):

E. Tax Exemption, Auto Registration, License Plates and Driver's Licenses are not conclusive proof of diplomatic immunity. Again, these only indicate that the bearer may be entitled to some degree of immunity.

F. There are three types of identification cards: Diplomatic (blue border for diplomats); Official (green border for employees); and, Consular (red border for consular personnel). These identification cards are 3 %" x 2 Y," and contain a photograph of the bearer. The bearer's name, title, mission, city and state, date of birth, identification number, expiration date, and a U.S. Department of State seal appears on the front of the card. A brief statement of the bearer's immunity is printed on the reverse side. Space is also provided for the bearer's signature.

While this form of identification is generally to be relied upon, law enforcement authorities are nonetheless urged immediately to seek verification as indicated above in connection with any serious incident or in any case where they have reason to doubt the validity of the card.

Police officers should be alert to the fact that newly arrived members of the diplomatic and consular staffs may not yet have these official identity documents and should be prepared to contact the U.S. Department of State, Protocol Office, 202-647-7277 (24 hrs./day) for verification if confronted with such situations.

G. Even though individuals ultimately enjoy the protections afforded by diplomatic or consular privileges and immunities, as indicated above, it is for the benefit of the sending country that these protections are actually devised. This concept is well-established in international law and explains the fact that the individual concerned does not "own" the immunity; such immunity may always be waived, in whole or in part, by the country which employs such person.

While waiver of immunity in the face of criminal charges is not common, it is routinely sought and occasionally granted. The Department's ability to secure such a waiver may depend to a large degree on the strength (and documentation) of the case at issue. Similarly, it is of little avail for the Department to secure waiver of immunity in a particular case if the case has not been developed with sufficient care and completeness to permit a successful subsequent prosecution. Proper documentation and reporting by law enforcement authorities plays a critical role in both of these respects.

H. When a U.N. diplomat is involved in an incident or arrest, the initiating officer will notify the Chief the next business day. The Chief will promptly forward the original report, with a cover letter under his signature, addressed to the Host Country Section, U.S. Mission to the United Nations, 799 UN Plaza, New York, NY 10017. A copy will be sent to the PGPD, Director of the Records Division for official dissemination. Serious incidents should be reported by telephone as soon as possible to the Communications Section of the U.S. Mission to the United Nations in New York.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **HOUSE CHECKS**

NEW <u>REVISED</u> RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

One of the services provided to residents of Cottage City is "house checks" particularly when resident are away and their homes are vacant. Upon request by a Cottage City resident for a "house check", it is the policy of the Cottage City Police Department to check each house, including those homes with alarm systems, at least once each shift.

II. PROCEDURES

A. Residences in Cottage City that are vacant, or from which the resident(s) are away for a period of time greater than twenty-four (24) hours are eligible for house checks to be performed by Cottage City police officers.

1. Residents who request "house checks" may do so in person, by telephone, by e-form or to either a member of the Cottage City administrative staff or a member of the police department.

2. The employee will record the relevant information regarding the house check on the appropriate form.

B. House check request forms will be placed on a clipboard in a location known and readily accessible to all patrol officers and station clerks. Any department member receiving a house check request will ensure the house check form(s) are placed on the clipboard.

C. Officers will go out of service on the police radio on a Signal-18 when beginning each house check, and will return to service on the radio at the conclusion of each house check.

D. All homes in the house check clipboard will be inspected thoroughly by the on-duty patrol officer at least once each shift unless an incident of a higher priority involving public safety should prevent the completion of the house check

E. When inspecting houses, officers will check all reachable doors and windows to determine if they are secure. Officers will also comply with other reasonable requests from residents that would directly impact the physical security of the residence.

F. After a house check is completed, officers shall note any circumstances discovered that he/she reasonably believes to be suspicious or important, including, but not limited to, open garage doors, broken window or door glass, property missing from the residence or yard, damage to the residence, vehicles not listed on the house check form, security alarms that have been activated, or unsecured doors or windows. As soon as reasonably possible, an officer discovering any circumstances such as those described above shall advise the homeowner or the emergency contact individual provided by the homeowner to ensure that the security and integrity of the residence will be maintained. The date, time, and name of the individual contacted shall be noted on the house check form as well as any response(s) by the contacted individual to resolve the suspicious or important circumstance(s).

G. In some circumstances, (for example someone residing in a home) residents will request some extra coverage. A routine check will include, at a minimum, a spotlight inspection of the residence after dark and a slow drive-by inspection during the day. A detailed inspection of the accessible residence perimeter is not absolutely required unless suspicious circumstances discovered during the routine inspection would reasonably dictate that a more detailed inspection of the residence should be conducted.

H. Patrol officers performing house checks should vary their patrol pattern, "double back" to some of the residences, and conduct spot checks of the residences, if reasonably possible, throughout their patrol shift.

I. More pressing police business and severe weather are among the few reasons which justify not doing assigned house checks.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **TOWING OF MOTOR VEHICLES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. Officers are authorized to tow a vehicle if it is in violation of the law and presenting a hazard to public safety, interfering with the flow of traffic, or when the vehicle itself is evidence or may contain evidence.

B. Officers may also tow vehicles pursuant to the provisions of the Cottage City Code of Ordinances, Chapter 9-2 and Chapter 9-7A.

C. Officers may tow vehicles parked in fire lanes on public or private property.

D. An operator/owner/agent's may have the vehicle towed under a private arrangement with a licensed towing company. The officer is not obligated to do anything as this is strictly an agreement with the tow service and the owner/driver.

II. PROCEDURES FOR REQUESTING A TOW TRUCK

A. Officers requesting tow service shall make their request for a tow truck via the police radio through communications and must provide a description of the vehicle to include the make, model, color and registration, location of the vehicle to be towed, and reason for the tow, e.g. parking violation, disabled, accident, etc. Police Teletype will maintain records of all vehicles removed, stored, or towed at the direction of an officer.

1. Officers requesting tow service within the Cottage City boundaries will first utilize McDonald Towing via the police dispatcher. If McDonald Towing is unavailable then follow the procedures in II. A. above.

2. Officers will notify teletype of the full details of all vehicles towed involving the police.

B. Vehicles will be towed by the nearest available tow service unless circumstances dictate otherwise. Request by the owner/operator for a specific towing service may be honored based upon the existing traffic conditions and the proximity of the desired towing service.

1. If the MILES/NCIC system is up, a stolen check should be requested.

2. Officers shall complete a CCPD Impound Form on all towed vehicles including vehicles involved in accidents.

III. STOLEN VEHICLES

A. When a stolen vehicle is recovered, the recovering officer will make every effort to process the vehicle unless specific instructions in the "HIT" confirmation dictate otherwise, i.e. hold for processing, etc.

B. It is the responsibility of the recovering officer to notify the vehicle's owner. If the vehicle can be claimed in a short period of time at the location of discovery, the recovering officer will stand by and wait for the owner to arrive. The officer will conduct an evidence search before the vehicle is released to the owner. Any evidence seized will be taken to the station and stored in accordance with Department policy.

C. If the owner is unable to respond to the recovery location, the vehicle will be towed by McDonalds Towing if available or the nearest available tow service who will tow the vehicle directly to their storage lot. The officer will complete a CCPD Impound Form and an Event Report.

D. If the vehicle was reported stolen in another jurisdiction, the recovering officer is responsible for having a teletype sent to the police agency that entered the vehicle into NCIC, either by calling teletype or notifying the owner/agent directly by phone.

IV. ABANDONED VEHICLES

When it has been determined that a motor vehicle is abandoned in accordance with the Transportation Article (TA) Section 25-201,disposition of the vehicle will be made in the following manner:

A. The officer handling the complaint will obtain a listing and a stolen check. If the owner can be contacted, advise him of the complaint and request him to move the vehicle.

B. If unsuccessful in making contact with the owner, the officer should mark the vehicle for any law violations or violations of Cottage City ordinances and attach both the red copy of the CCPD "Warning Notice" and a parking citation, as appropriate, in the vicinity of the window or door of the driver's side and take appropriate action, to include the towing of the vehicle, in accordance with County, State, or local ordinances.

   1. The name, address, and telephone numbers (home and work) of the property owner/complainant will be entered on the impound form.

   2. If the vehicle is on private property, the officer handling the complaint will advise the property owner/agent of the ordinance requirements and direct the property owner/complainant to contact a towing company of their choice directly.

V. VEHICLES BEARING DIPOLOMATIC REGISTRATION

Prior to towing a vehicle bearing diplomatic registration, the officer will attempt to locate the owner or operator and solicit his cooperation in moving the vehicle. If unsuccessful, the officer will:

A. Have the vehicle towed by the closest available towing service to the nearest legal parking space or adjacent side street and issue the appropriate violation notice. Communications will be notified of the new location.

B. Accept the tow bill from the towing service and prior to the end of that shift, initiate a memorandum via the chain of command to the Chief of Police, detailing the facts surrounding the incident. Attach the tow bill to the memorandum. In the event the identity of the registered owner is ascertained prior to his claiming the vehicle, the officer will notify the owner or embassy by telephone of the location of the vehicle.

VI. INVENTORY SEARCHES

A. It shall be the policy of the Department for officers to conduct an inventory search of every vehicle they tow or seize to:

1. Identify and take possession of valuable property for safekeeping;
2. Protect officers from danger; and,
3. Protect the towing/seizing officer and the Department from claims of lost, stolen, or vandalized property.

B. This inventory policy does not include those vehicles driven or owned by a person who has diplomatic immunity as defined in General Order 5-48.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **FOLLOW UP INVESTIGATION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of the Department to provide guidelines for response by investigators, make efficient use of staff, ensure continuity of investigation for specific crimes, and provide on-scene support for patrol officers.

II. PROCEDURES

A. Patrol officers will conduct a preliminary investigation at the scene of a crime or incident and will also conduct the appropriate follow-up investigation of all non-criminal calls-for-service and for misdemeanor crimes.

B. Prince George's County Police Department (PGPD) Investigators, except as outlined in this general order, will be responsible for conducting the follow-up investigations of felony offenses and the more serious misdemeanors. PGPD investigators are on-duty 24 hours a day.

C. Once a patrol officer has notified the appropriate investigator; the patrol officer will adhere to the direction(s) of the investigator and will relinquish control of the scene to the investigator upon the investigator's arrival.

III. NOTIFICATION RESPONSIBILITY

A. In those cases described in this general order which require response by a PGPD investigator, the patrol officer will notify the respective PGPD investigative unit.

B. Except as otherwise noted in this general order, in those cases that have discretionary response, the following procedures will be followed:

1. The patrol supervisor will respond to the scene, determine the facts of the case, and contact the respective PGPD investigative unit via communications, to determine if an investigator will respond.

2. The decision to have an investigator respond is based on several criteria:
   a. The complexity of the case.
   b. The seriousness of the incident.
   c. The solvability.
   d. The availability of staff.
   e. Work priorities.

3. The PGPD duty commander will resolve questions regarding he call out of an investigator during non-business hours.

C. The officer who writes the initial report will note in the narrative the investigative unit that was forwarded a copy of the report.

IV. FOLLOW-UP INVESTIGATION

A. The follow-up investigation is an extension of the preliminary investigation. The purpose of the follow-up is to gather additional information/evidence that may affect the arrest of an offender and/or recover stolen property.

B. Basic activities of the follow-up investigation include:

1. Review information/evidence previously obtained and arrange for the analysis of evidence.
2. Keep record of all information obtained during the investigation.
3. Interview victims and witnesses.
4. Seek additional information from other sources (patrol officers, informants, etc.).
5. Plan, organize, and conduct searches; collect physical evidence and recover stolen property.
6. Identify and apprehend the offender.
7. Interrogate suspects to determine involvement in current investigation and other crimes.
8. Determine if the suspect has a criminal history.
9. Prepare the case for court and assist in the prosecution.

10. Make a second contact with principals involved in a case requiring follow-up investigation or which has been closed.

V. PATROL RESPONSIBILITY

A. Hate Crimes/Motivated Incidents

1. All incidents, criminal and non-criminal, require a written report and a follow-up investigation.
2. No incident should be characterized as a prank if it manifests evidence of prejudice based on race, religion, ethnicity, sexual orientation, or disability. The victim's belief/perception that the crime is a hate motivated incident is sufficient evidence in and of itself. PGPD investigators will follow-up any incident that shows evidence of prejudice.
3. On the Event Report, officers will check one of the blocks marked, "Hate/Bias."
4. Supervisors will be immediately notified of all verified incidents and will immediately notify the Chief of Police and the PGPD duty commander. It is the PGPD duty commander's responsibility to notify the PGPD Chief of Police.
5. PGPD Investigators will be immediately notified of all racial, ethnic, religious, sexual orientation, or disability related incidents.
6. The PGPD Public Information Office will be immediately notified if the incident involves a death, injury, arson, or if any news media are on the scene. After hours notification will be made by communications using the call-out lists.
7. In all cases, a copy of related event and supplement reports will be faxed to P.1.0. as soon as possible.

B. Gang Incidents

1. Patrol supervisors will ensure that all incidents involving suspected/confirmed gang members or gang-related criminal activity (including tagging) are documented. When a report is written, "Gang- Related" should be placed at the beginning of the narrative. A copy of the report will be forwarded to the PGPD district gang coordinator.
2. When an arrest is made, the officer will notify the PGPD gang coordinator prior to the suspect being taken to Processing. If the gang coordinator is not available, the PGPD Vice and Intelligence Section will be notified.

C. Cottage City Police Officers will be responsible for conducting and completing the investigation of all non-criminal calls for police service and for misdemeanor crimes except when the following conditions exist:

1. The offense appears to be a part of a pattern of such offenses.
2. Follow-up is required in widely separated locations outside the geographic boundaries of Cottage City/Contract Areas (when working Contract Areas), in which the offense occurred.
3. A misdemeanor offense that is of a sufficiently serious nature to warrant the assistance of specialized investigators.

D. The arresting officer will notify the appropriate PGPD Investigative Section in all situations involving the apprehension of an individual for homicide, burglary, robbery, sex offenses, or other trend type crimes.

E. Any officer who makes an arrest and believes that criminal intelligence information can be gained by interviewing the defendant should consider transporting the defendant to the District Station prior to Processing. If the officer feels that the use of a specialized PGPD investigator would be beneficial, normal callout procedures should be followed.

F. The responsibilities of the patrol supervisor are:

1. To ensure that an adequate and complete preliminary investigation has been made.
2. To assist officers under their control regarding questions as to whether a follow-up investigation should be made by Cottage City Officers or by PGPD investigators.
3. To determine whether continuing investigation by Cottage City Officers should be held until the investigating officer's next tour of duty or continued by personnel assigned to the oncoming shift. In either case, the assigned/relief officer, prior to securing for the day, must submit a preliminary or supplemental report if further information is developed.
4. To notify the appropriate PGPD investigative unit when there is a mandatory response to the scene required by the PGPD investigator.
5. To relinquish control of the scene to the PGPD investigator at the scene.
6. To submit the original event report when an employee has an accidental firearm discharge.
7. To have the employee submit a memorandum via the chain of command when the employee is not the subject of the accidental firearm discharge but is present at the time of the firearm discharge.

VI. PGPD INVESTIGATIVE UNITS: MANDATORY RESPONSE TO THE SCENE

PGPD investigators shall be responsible for conducting the follow-up investigations of felony offenses and the more serious misdemeanors. Investigations of certain offenses are of a sufficiently complicated nature or contain a sufficient degree of immediacy to warrant the assignment of investigators to immediately begin a follow-up investigation.

A. Homicide Investigators

Homicide Investigators shall be immediately notified of and will respond to the following incidents and arrests relating to these incidents:

1. All deaths except traffic related deaths. Investigators have a discretionary response for natural deaths.
2. Assaults when death is imminent in the opinion of the PGPD district investigator.
3. Missing persons when foul play is suspected.
4. All intentional firearm discharges by an employee regardless of whether an injury occurs or not (except for authorized range practice or destruction of animals).
5. All accidental firearm discharges by an employee that results in an injury to a second party, not the involved employee.
6. Solicitation/conspire to murder.

B. Robbery Section

Robbery Section investigators shall be immediately notified of and shall respond to crimes or arrests for:

1. Bank robberies.
2. Residential robberies.
3. All robberies that are the investigative responsibility of the Robbery Section involving serious injury.
4. All kidnapping regardless of age, involving ransom.

C. District Investigators

District Investigators shall be immediately notified of and shall respond to crimes or arrests for:

1. Bombings involving extensive damage or injury.
2. Arrests for any racial, ethnic, religious, sexual orientation, or disability related crimes.
3. All kidnapping where the victim is 18 years of age or older, except in cases involving ransom and/or homicide. District investigators will confer with PGPD Major Crimes reference kidnapping.
4. Arrests for weapons offenses involving firearms.

D. Sex Crimes

Sex Crimes Investigators shall be immediately notified of and will respond to:

1. All rapes, first, second, and third degree sex offenses and attempts where:
   a. A crime scene exists.

E. In offenses other than those listed above, PGPD Investigative personnel are not required to report to the crime scene unless requested by the patrol supervisor after conferring with the PGPD investigative supervisor.

F. Upon the arrival of the PGPD specialized investigator, the patrol officer shall relinquish responsibility of the investigation unless otherwise instructed by and investigative supervisor or the primary investigator due to extenuating circumstances (i.e.,the unavailability of an appropriate investigator).

VII. PGPD INVESTIGATIVE UNITS: IMMEDIATE NOTIFICATION NECESSARY

The following PGPD Investigative units shall be immediately notified of the listed crimes and are responsible for conducting the follow-up investigations.

A. Homicide Investigators

Homicide Investigators shall be immediately notified of and, depending on the circumstances of the case, may respond for all unattended natural deaths and all deaths of a suspicious nature and will respond to all homicides or suspected homicides.

B. District Investigators

District Investigators shall be immediately notified of and, depending on the circumstances of the case, may respond for:

1. All armed robberies and attempts not handled by the Robbery Section.
2. Assaults where medical attention is required by hospital personnel.
3. Burglaries/arson to county-owned facilities.
4. Burglaries with a total value stolen over $20,000.
5. Safe jobs.
6. Racial, ethnic, religious, sexual orientation or disability related crimes.
7. Arrests for strong-arm robbery.
8. Arrests for burglary.

9. Critical missing adults.
10. Strong-arm robberies, just occurred.
11. On-scene arrests for institutional abuse.

C. Robbery Section

Robbery Section Investigators shall be immediately notified of and, depending on the circumstances of the case, may respond for:

1. Commercial or commercial precedes robberies.
2. Carjacking robberies.
3. Attempts to commit all of the above.
4. Arrests for all of the above.

D. Narcotics Enforcement Section

The Narcotics Enforcement Section will be immediately notified of and may respond to crimes or arrests involving:

1. Possession of controlled dangerous substances in amounts indicative of distribution, such as:
    a. Cocaine HCL: one ounce or more.
    b. Crack Cocaine: one ounce or more.
    c. Marijuana: ½ pound or more.
    d. PCP: one ounce or more.
    e. LSD: 10 dosage units or more.
    f. Methamphetamine: 10 dosage units or more.
    g. Ecstasy: 10 tablets or more.
    h. Heroin: ½ ounce or more.

2. The arrest of any subject at a pharmacy attempting to obtain prescriptions by fraud.
3. Statements of suspects indicating knowledge of distribution of controlled dangerous substance activities of others.
4. Possession of large amounts of U.S. currency in circumstances indicative of distribution of controlled dangerous substances.
5. Any indoor or outdoor growing of marijuana in excess of five or more plants.

E. Vice and Intelligence Section

The Vice and Intelligence Section, Special Investigations Division, will be immediately notified of and may respond to crimes or arrests involving:

1. Illegal gambling and gaming devices.
2. Prostitution and related offenses.
3. Sale, manufacture, or distribution of pornographic material.

VIII. PGPD INVESTIGATIVE UNITS: FOLLOW-UP RESPONSIBILITY

According to PGPD policy, the following PGPD investigative units shall be responsible for follow-up investigations of the listed criminal offenses.

A. District Investigative Section

The District Investigative Section will be responsible for the follow-up investigation of:

1. Robberies/attempts not handled by Robbery Section.
2. Assaults involving serious injury.
3. Blackmail and/or extortion.
4. Repeated threatening/obscene annoying phone calls.
5. Missing persons when no foul play is suspected. If the district investigator determines that there was foul play, the case will be forwarded to Homicide/Sex Investigators.
6. Burglary.
7. Felony theft (value at least $1,000.).
8. Institutional abuse.
9. Fourth degree sex offenses and attempts of victims 18 years of age or older when:
   a. The offense appears to be part of a pattern.
   b. Follow-up investigation is required in widely separated locations outside the geographic boundaries of the district of occurrence.
   c. The offense is of a sufficiently serious nature to warrant the assistance of a specialized investigator.
10. Explosive devices, fire, arson, and post explosion investigations.
11. All weapons offenses involving firearms.
12. All other criminal offenses which require follow-up investigations and are not within the area of investigative responsibility of other specialized units.

B. Computer Crime Unit

The Computer Crime Unit will be responsible for:

1. Computer forensics.
2. Computers used as a tool in a crime.

3. On-line fraud schemes
4. Threatening/annoying e-mails.

Computer Crime investigators will be contacted prior to seizing computer equipment as part of an investigation.

C. Fraud Section

The Fraud Section will be responsible for the follow-up investigation of:

1. Forgery/uttering.
2. Fraud/fraud scams.
3. Embezzlement.
4. Counterfeiting of checks/credit cards.
5. Theft schemes.

Fraud Section investigators may be notified and may respond to assist officers conducting investigations or serving search warrants involving the above investigations to enhance retrieval and preservation of evidence. Note: Do not send evidence via interoffice mail to the Fraud Section.

D. Fugitive Unit

The Fugitive Unit will be responsible for the follow-up investigation of fugitive warrants.

IX. FBI NOTIFICATIONS

A. The events listed in Appendix A require the investigator, patrol officer, or communications personnel to notify the FBI at the Calverton office, 301- 572-5400, 0815 to 170 hours, Monday through Friday. For after hours and weekend notification, call the Baltimore office at 410-265-8080 and ask for the Calverton duty agent. Notification should be made as soon as practical after the responsible party confirms the occurrence.

B. Communications personnel will record the notification per their procedures and investigating officers will record the notification in the police report, to include the date, time and contact person.

C. Valuable works of art (stolen or recovered) are catalogued by the FBI in their computer supported National Stolen Arts File (NSAF). The computer is designed to store descriptive data, and in many instances, photographs of stolen fine art items. Items

catalogued should have a value of $2000 or more. To report such items or identify recovered property, an investigator must:

1. Complete FBI form FD-531 (available from any FBI field office).
2. Attach a copy of the PGPD case report and a photograph if available.
3. Forward the forms to: FBI Headquarters, Attention: National Stolen Arts File, Documents Section, and Laboratory Division. When the FBI makes a match on any request, the information will be provided to the respective agency as an investigative lead.

X. MEDICAL EXAMINER NOTIFICTION

In every instance in which there is a death of a person outside of a medical facility, an assistant medical examiner will be contacted, for authority to remove, or direct disposition of, the body. Medical facilities will notify the assistant medical examiner for deaths of person in their care. When officers are advised of deaths at medical facilities that are the result of injuries for which the deceased was being treated or deaths of infants, the officers should ensure that the assistant medical examiner has been notified.

Officers must also notify the Homicide Section. If in doubt, as to the proper course of action, officers should contact an investigator from the Homicide Section.

XI. INVESTIGATIVE TOOLS

A. Computer Crime Unit

The Computer Crime Unit (CCU), Fraud Section, is primarily responsible for investigating crimes where a computer was used as a tool and for conducting forensic examinations of seized computers. When an officer considers it necessary to consult CCU immediately, communications will contact an investigator.

B. Requesting Photos from MVA

To request a copy of a photograph of a Maryland driver taken after 1994, the officer must send a request to MVA on the approved MVA form which is available and in stock). The officer will receive a black and white photograph with demographics of the driver.

FBI NOTIFICATION RESPONSIBILITY

INCIDENT	NOTIFICATION RESPONSIBILITY
Bomb threats, bomb plants, or bombings	Police Communications
Robbery or burglary of a federally insured financial institution	Police Communications
Crime against a diplomat or a member of his family	Investigating Officer**
Extortion by mail, phone, or involving interstate travel	Investigating Officer
Crime occurring on a federal reservation	Police Communications
Theft of federal property	Investigating Officer
Kidnapping	Investigating Officer
Any crime or intelligence matter affecting the internal security of the United States	Investigating Officer
Civil rights violations	Investigating Officer
When an in-custody NCIC inquiry indicates the subject is wanted by the FBI	Police Communications
Theft of valuable works of art	Investigating Officer
Burglaries over $100,000 when the property is easily traceable because of its quantity or value	Investigating Officer

** Refers to both patrol officers and investigators, depending on who has the primary responsibility for investigating the event.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **COURT APPEARANCE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Attendance at a Court hearing, pre-trial conference, or other judicial proceeding that arose out of a member's course of employment with this Department is considered an official duty assignment.

II. COURT ATTENDANCE

A. Compliance With Subpoena or Summons Required

1. Pursuant to Maryland Rules 4-265 and 4-266, it is unlawful for a person to willfully disobey a summons after s(he) has received it.

2. Unless properly excused or released from the summons or subpoena by the Court or officer of the Court, Department members shall be prompt for Court and will stay until their attendance is no longer required.

B. State's Attorney's "On-Call" Program

1. The State's Attorney's Office "On-Call" program allows on-duty officers to remain on patrol and off-duty officers to go about their business, but with the understanding that they will immediately respond to Court if their attendance is required.

2. If a Department member wishes to be placed "on-call" it is the responsibility of that member to notify the appropriate State's Attorney to make this request.

3. When requesting to be placed on-call, members must provide the State's Attorney or Police/Court Liaison Officer with the names and case numbers of the parties involved, along with a phone number at which the member may be reached in the event s(he) is needed to appear in Court.

4. Because generally members receive summonses and subpoenas several days in advance of the trial date, members should not wait until the last minute to make their on-call request.

5. If an off-duty member has been placed on-call, s(he) will not be compensated for that period of time s(he) was in the on-call status. They will, however, be compensated if they are subsequently called and have to appear in Court.

6. If a member is unable to contact the State's Attorney's Office concerning the case, of if a member needs to be placed on Sick, or other type of Leave, on the day he/she is scheduled to appear in Court, it is the member's responsibility to contact the Court so that the Court is informed of the officer's whereabouts.

C. Resolving Scheduling Conflicts

1. Even though certain Department directives require members to attend a scheduled training session, any member who receives a summons/subpoena/traffic docket requiring their Court appearance at the same time they are to attend a training session or course shall resolve their scheduling conflict in favor of attending Court unless they have been properly placed "on-call."

2. If a member is scheduled for a Court appearance on the same day/time as a scheduled training session, it is incumbent upon the member to attempt to get placed "on-call", or to attempt to get their case(s) continued so that s(he) can attend the training session.

3. If the member cannot be placed on-call, or his/her cases cannot be continued, the member will ensure that the training session's instructor is notified of the scheduling conflict and the member will respond to Court.

4. After the member's Court appearance, s(he) will then respond to take part in the training session. If the member has missed too much of the training session and/or the instructor will not allow the member to attend, the member will be re-scheduled for the training session, if possible.

D. Requesting Court Continuances

If a member can foresee the need to have his/her cases continued (i.e., in a training course, planning a vacation, or extended sick leave, etc.), the member will notify the State's Attorney's Office as much in advance as possible prior to the Court date(s) explaining his/her circumstances that would require the need for a continuance.

E. Processing of Summonses and Subpoena

When a summons/subpoena/traffic docket is received by the Department requiring an officer to appear at a hearing, Court proceeding, etc., the document(s) will be handled in the following manner by the Administrative Clerk:

1. If the document requires a Court appearance, it will be entered on the schedule kept in the station area.

2. The original of the document will be dated and initialed by the Administrative Clerk and placed in the mailbox of the officer to whom the document pertains.

3. The copy will be maintained in the member's court summons file.

III. TESTIFYING IN COURT

A. Appropriate Attire Required

1. On-duty members appearing in Court will wear the uniform of the day, except that the black Department-approved sweater will not be worn in Court. In lieu of the sweater, a long sleeve uniform shirt with tie shall be worn.

2. Off-duty personnel will wear either appropriate business attire (coat and tie for males) or the uniform of the day. If personnel choose to wear business attire, they do so at their own expense for cleaning or damage.

3. Members shall present a neat and clean appearance being careful to avoid any mannerism which might imply disrespect for the Court.

4. Weapons will not be displayed unless the uniform of the day is worn.

5. Members possessing cell phones will ensure that the audible signal emitted by such devices is turned off so as not to disrupt Court proceedings.

B. Testimony by Department Members

1. Department members shall be truthful at all times whether under oath or not.

2. Department members will make every effort to be thoroughly prepared for the case in which they will testify.

3. Department members needing evidence from the Evidence/Property Room shall notify the Evidence/Property Officer at least 24-hours in- advance of the Court date to ensure that the evidence can be retrieved in an efficient manner.

4. Members shall not take the station copy of any reports or forms with them to Court, but will make photocopies of the documents they need to take to Court.

IV. RELEASING EVIDENCE/PROPERTY AT COURT

Requester to be referred to Evidence/Property Officer

A. In order to ensure that accuracy of Department records as they related to evidence and property, Department members that have signed-out evidence or property from the Evidence/Property Officer shall not release items after the Court case.

B. Persons requesting the return of such items will be referred to the Evidence/Property Officer by the case officer so that arrangements can be made to have the requester sign appropriate Department receipts.

C. Some persons may not be entitled to possess certain items (i.e. firearms), or the ownership of some of the items for which the requester is seeking the return may be in dispute and may have to be resolved in a separate civil case.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **FOLLOW UP INVESTIGATION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of the Department to provide guidelines for response by investigators, make efficient use of staff, ensure continuity of investigation for specific crimes, and provide on-scene support for patrol officers.

II. PROCEDURES

A. Patrol officers will conduct a preliminary investigation at the scene of a crime or incident and will also conduct the appropriate follow-up investigation of all non-criminal calls-for-service and for misdemeanor crimes.

B. Prince George's County Police Department (PGPD) Investigators, except as outlined in this general order, will be responsible for conducting the follow-up investigations of felony offenses and the more serious misdemeanors. PGPD investigators are on-duty 24 hours a day.

C. Once a patrol officer has notified the appropriate investigator; the patrol officer will adhere to the direction(s) of the investigator and will relinquish control of the scene to the investigator upon the investigator's arrival.

III. NOTIFICATION RESPONSIBILITY

A. In those cases described in this general order which require response by a PGPD investigator, the patrol officer will notify the respective PGPD investigative unit.

B. Except as otherwise noted in this general order, in those cases that have discretionary response, the following procedures will be followed:

1. The patrol supervisor will respond to the scene, determine the facts of the case, and contact the respective PGPD investigative unit via communications, to determine if an investigator will respond.

2. The decision to have an investigator respond is based on several criteria:
   a. The complexity of the case.
   b. The seriousness of the incident.
   c. The solvability.
   d. The availability of staff.
   e. Work priorities.

3. The PGPD duty commander will resolve questions regarding he call out of an investigator during non-business hours.

C. The officer who writes the initial report will note in the narrative the investigative unit that was forwarded a copy of the report.

IV. FOLLOW-UP INVESTIGATION

A. The follow-up investigation is an extension of the preliminary investigation. The purpose of the follow-up is to gather additional information/evidence that may affect the arrest of an offender and/or recover stolen property.

B. Basic activities of the follow-up investigation include:

1. Review information/evidence previously obtained and arrange for the analysis of evidence.
2. Keep record of all information obtained during the investigation.
3. Interview victims and witnesses.
4. Seek additional information from other sources (patrol officers, informants, etc.).
5. Plan, organize, and conduct searches; collect physical evidence and recover stolen property.
6. Identify and apprehend the offender.
7. Interrogate suspects to determine involvement in current investigation and other crimes.
8. Determine if the suspect has a criminal history.
9. Prepare the case for court and assist in the prosecution.

10. Make a second contact with principals involved in a case requiring follow-up investigation or which has been closed.

V. PATROL RESPONSIBILITY

A. Hate Crimes/Motivated Incidents

1. All incidents, criminal and non-criminal, require a written report and a follow-up investigation.
2. No incident should be characterized as a prank if it manifests evidence of prejudice based on race, religion, ethnicity, sexual orientation, or disability. The victim's belief/perception that the crime is a hate motivated incident is sufficient evidence in and of itself. PGPD investigators will follow-up any incident that shows evidence of prejudice.
3. On the Event Report, officers will check one of the blocks marked, "Hate/Bias."
4. Supervisors will be immediately notified of all verified incidents and will immediately notify the Chief of Police and the PGPD duty commander. It is the PGPD duty commander's responsibility to notify the PGPD Chief of Police.
5. PGPD Investigators will be immediately notified of all racial, ethnic, religious, sexual orientation, or disability related incidents.
6. The PGPD Public Information Office will be immediately notified if the incident involves a death, injury, arson, or if any news media are on the scene. After hours notification will be made by communications using the call-out lists.
7. In all cases, a copy of related event and supplement reports will be faxed to P.1.0. as soon as possible.

B. Gang Incidents

1. Patrol supervisors will ensure that all incidents involving suspected/confirmed gang members or gang-related criminal activity (including tagging) are documented. When a report is written, "Gang- Related" should be placed at the beginning of the narrative. A copy of the report will be forwarded to the PGPD district gang coordinator.
2. When an arrest is made, the officer will notify the PGPD gang coordinator prior to the suspect being taken to Processing. If the gang coordinator is not available, the PGPD Vice and Intelligence Section will be notified.

C. Cottage City Police Officers will be responsible for conducting and completing the investigation of all non-criminal calls for police service and for misdemeanor crimes except when the following conditions exist:

1. The offense appears to be a part of a pattern of such offenses.
2. Follow-up is required in widely separated locations outside the geographic boundaries of Cottage City/Contract Areas (when working Contract Areas), in which the offense occurred.
3. A misdemeanor offense that is of a sufficiently serious nature to warrant the assistance of specialized investigators.

D. The arresting officer will notify the appropriate PGPD Investigative Section in all situations involving the apprehension of an individual for homicide, burglary, robbery, sex offenses, or other trend type crimes.

E. Any officer who makes an arrest and believes that criminal intelligence information can be gained by interviewing the defendant should consider transporting the defendant to the District Station prior to Processing. If the officer feels that the use of a specialized PGPD investigator would be beneficial, normal callout procedures should be followed.

F. The responsibilities of the patrol supervisor are:

1. To ensure that an adequate and complete preliminary investigation has been made.
2. To assist officers under their control regarding questions as to whether a follow-up investigation should be made by Cottage City Officers or by PGPD investigators.
3. To determine whether continuing investigation by Cottage City Officers should be held until the investigating officer's next tour of duty or continued by personnel assigned to the oncoming shift. In either case, the assigned/relief officer, prior to securing for the day, must submit a preliminary or supplemental report if further information is developed.
4. To notify the appropriate PGPD investigative unit when there is a mandatory response to the scene required by the PGPD investigator.
5. To relinquish control of the scene to the PGPD investigator at the scene.
6. To submit the original event report when an employee has an accidental firearm discharge.
7. To have the employee submit a memorandum via the chain of command when the employee is not the subject of the accidental firearm discharge but is present at the time of the firearm discharge.

VI. PGPD INVESTIGATIVE UNITS: MANDATORY RESPONSE TO THE SCENE

PGPD investigators shall be responsible for conducting the follow-up investigations of felony offenses and the more serious misdemeanors. Investigations of certain offenses are of a sufficiently complicated nature or contain a sufficient degree of immediacy to warrant the assignment of investigators to immediately begin a follow-up investigation.

A. Homicide Investigators

Homicide Investigators shall be immediately notified of and will respond to the following incidents and arrests relating to these incidents:

1. All deaths except traffic related deaths. Investigators have a discretionary response for natural deaths.
2. Assaults when death is imminent in the opinion of the PGPD district investigator.
3. Missing persons when foul play is suspected.
4. All intentional firearm discharges by an employee regardless of whether an injury occurs or not (except for authorized range practice or destruction of animals).
5. All accidental firearm discharges by an employee that results in an injury to a second party, not the involved employee.
6. Solicitation/conspire to murder.

B. Robbery Section

Robbery Section investigators shall be immediately notified of and shall respond to crimes or arrests for:

1. Bank robberies.
2. Residential robberies.
3. All robberies that are the investigative responsibility of the Robbery Section involving serious injury.
4. All kidnapping regardless of age, involving ransom.

C. District Investigators

District Investigators shall be immediately notified of and shall respond to crimes or arrests for:

1. Bombings involving extensive damage or injury.
2. Arrests for any racial, ethnic, religious, sexual orientation, or disability related crimes.
3. All kidnapping where the victim is 18 years of age or older, except in cases involving ransom and/or homicide. District investigators will confer with PGPD Major Crimes reference kidnapping.
4. Arrests for weapons offenses involving firearms.

D. Sex Crimes

Sex Crimes Investigators shall be immediately notified of and will respond to:

1. All rapes, first, second, and third degree sex offenses and attempts where:
   a. A crime scene exists.

E. In offenses other than those listed above, PGPD Investigative personnel are not required to report to the crime scene unless requested by the patrol supervisor after conferring with the PGPD investigative supervisor.

F. Upon the arrival of the PGPD specialized investigator, the patrol officer shall relinquish responsibility of the investigation unless otherwise instructed by and investigative supervisor or the primary investigator due to extenuating circumstances (i.e.,the unavailability of an appropriate investigator).

VII. PGPD INVESTIGATIVE UNITS: IMMEDIATE NOTIFICATION NECESSARY

The following PGPD Investigative units shall be immediately notified of the listed crimes and are responsible for conducting the follow-up investigations.

A. Homicide Investigators

Homicide Investigators shall be immediately notified of and, depending on the circumstances of the case, may respond for all unattended natural deaths and all deaths of a suspicious nature and will respond to all homicides or suspected homicides.

B. District Investigators

District Investigators shall be immediately notified of and, depending on the circumstances of the case, may respond for:

1. All armed robberies and attempts not handled by the Robbery Section.
2. Assaults where medical attention is required by hospital personnel.
3. Burglaries/arson to county-owned facilities.
4. Burglaries with a total value stolen over $20,000.
5. Safe jobs.
6. Racial, ethnic, religious, sexual orientation or disability related crimes.
7. Arrests for strong-arm robbery.
8. Arrests for burglary.

9. Critical missing adults.
10. Strong-arm robberies, just occurred.
11. On-scene arrests for institutional abuse.

C. Robbery Section

Robbery Section Investigators shall be immediately notified of and, depending on the circumstances of the case, may respond for:

1. Commercial or commercial precedes robberies.
2. Carjacking robberies.
3. Attempts to commit all of the above.
4. Arrests for all of the above.

D. Narcotics Enforcement Section

The Narcotics Enforcement Section will be immediately notified of and may respond to crimes or arrests involving:

1. Possession of controlled dangerous substances in amounts indicative of distribution, such as:
    a. Cocaine HCL: one ounce or more.
    b. Crack Cocaine: one ounce or more.
    c. Marijuana: ½ pound or more.
    d. PCP: one ounce or more.
    e. LSD: 10 dosage units or more.
    f. Methamphetamine: 10 dosage units or more.
    g. Ecstasy: 10 tablets or more.
    h. Heroin: ½ ounce or more.

2. The arrest of any subject at a pharmacy attempting to obtain prescriptions by fraud.
3. Statements of suspects indicating knowledge of distribution of controlled dangerous substance activities of others.
4. Possession of large amounts of U.S. currency in circumstances indicative of distribution of controlled dangerous substances.
5. Any indoor or outdoor growing of marijuana in excess of five or more plants.

E. Vice and Intelligence Section

The Vice and Intelligence Section, Special Investigations Division, will be immediately notified of and may respond to crimes or arrests involving:

1. Illegal gambling and gaming devices.
2. Prostitution and related offenses.
3. Sale, manufacture, or distribution of pornographic material.

VIII. PGPD INVESTIGATIVE UNITS: FOLLOW-UP RESPONSIBILITY

According to PGPD policy, the following PGPD investigative units shall be responsible for follow-up investigations of the listed criminal offenses.

A. District Investigative Section

The District Investigative Section will be responsible for the follow-up investigation of:

1. Robberies/attempts not handled by Robbery Section.
2. Assaults involving serious injury.
3. Blackmail and/or extortion.
4. Repeated threatening/obscene annoying phone calls.
5. Missing persons when no foul play is suspected. If the district investigator determines that there was foul play, the case will be forwarded to Homicide/Sex Investigators.
6. Burglary.
7. Felony theft (value at least $1,000.).
8. Institutional abuse.
9. Fourth degree sex offenses and attempts of victims 18 years of age or older when:
   a. The offense appears to be part of a pattern.
   b. Follow-up investigation is required in widely separated locations outside the geographic boundaries of the district of occurrence.
   c. The offense is of a sufficiently serious nature to warrant the assistance of a specialized investigator.
10. Explosive devices, fire, arson, and post explosion investigations.
11. All weapons offenses involving firearms.
12. All other criminal offenses which require follow-up investigations and are not within the area of investigative responsibility of other specialized units.

B. Computer Crime Unit

The Computer Crime Unit will be responsible for:

1. Computer forensics.
2. Computers used as a tool in a crime.

3. On-line fraud schemes
4. Threatening/annoying e-mails.

Computer Crime investigators will be contacted prior to seizing computer equipment as part of an investigation.

C. Fraud Section

The Fraud Section will be responsible for the follow-up investigation of:

1. Forgery/uttering.
2. Fraud/fraud scams.
3. Embezzlement.
4. Counterfeiting of checks/credit cards.
5. Theft schemes.

Fraud Section investigators may be notified and may respond to assist officers conducting investigations or serving search warrants involving the above investigations to enhance retrieval and preservation of evidence. Note: Do not send evidence via interoffice mail to the Fraud Section.

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The Fugitive Unit will be responsible for the follow-up investigation of fugitive warrants.

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Crime against a diplomat or a member of his family	Investigating Officer**
Extortion by mail, phone, or involving interstate travel	Investigating Officer
Crime occurring on a federal reservation	Police Communications
Theft of federal property	Investigating Officer
Kidnapping	Investigating Officer
Any crime or intelligence matter affecting the internal security of the United States	Investigating Officer
Civil rights violations	Investigating Officer
When an in-custody NCIC inquiry indicates the subject is wanted by the FBI	Police Communications
Theft of valuable works of art	Investigating Officer
Burglaries over $100,000 when the property is easily traceable because of its quantity or value	Investigating Officer

** Refers to both patrol officers and investigators, depending on who has the primary responsibility for investigating the event.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **NOTIFICATION OF STATE'S ATTORNEY OFFICE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Members of the Department will notify and consult with the State's Attorney's Office as directed by this general order and as necessary to enhance case preparation and to assure the most effective prosecution of criminal and traffic offenders.

II. NOTIFICATION PROCEDURES AND CRITERIA

A. The procedures listed below will bring an Assistant State's Attorney into cases involving serious and habitual offenders as early as possible.

1. Officers will alert the State's Attorney's Office early about a major offender so that a senior Assistant State's Attorney can be assigned to assist in the enhancement of a case, and to monitor, as well as expedite, the processing of the defendant, including attending the initial Bond Review Hearing.

2. Officers shall notify the State's Attorney's Office of the following, unless relieved of that responsibility by the appropriate PGPD Investigator:

a. All murders and attempted .murders, regardless of the defendant's prior criminal history;

b. All arrests for rape, armed robbery, sexual offenses (1'' and 2"degree), assault with the intent to murder, rape, or rob and any (attempts to commit any of the above;

c. Any defendant who has a prior felony conviction as an adult from any jurisdiction or a serious juvenile record, if known;

d. Violent crimes;

e. Felonies which are u n usual and/or complex and generate media interest; and

f. Fatal or serious P.I.C.'s prior to the placing of charges.

3. Monday through Friday from 0830 to 1700 hours, contact the State's Attorney's Office directly. All other times, or if no answer, contact communications for the number for the on-call State's Attorney.

4. The on-call State's Attorney will be contacted whenever a major offender is charged (warrant obtained) and then whenever the offender is located, wherever that may be.

B. Fatal/Serious P.I.C.'s

Before an officer places charges in a fatal accident or an accident involving serious personal injury, the officer will contact the District Prosecution Tea m Leader as soon as possible, and not later than the next working day, to determine what and how the appropriate charges are to be placed, i.e., citation, warrant, indictment, etc.

C. Habitual/Repeat Offenders

1. The goal of identifying habitual and repeat offenders is to reduce the incidence of specific criminal offenses occurring in the City and in PGC by identifying and targeting the career criminal for prosecution and incarceration.

2. An officer arresting a habitual or repeat offender will notify the District Team Leader as soon as practical.

D. Use of the Bond Alert Form

1. A "Bond Alert" form is completed by an officer who, for good cause, wishes to recommend that the State's Attorney's Office oppose the release of a defendant on bond at a Bond Review Hearing because, among other reasons, the offender is a habitual offender.

2. The form will be completed in its entirety, listing clear reasons why the defendant is unsuitable to be released on bond and will be faxed as soon as possible after arrest and supervisory approval.

3. Use of the form is mandatory in cases where a firearm was used in the commission of a crime.

4. A copy of the form will be maintained with the station copy of the report.

E. DWI Repeat Offenders

1. Officers will use a DWI Repeat Offender Notification Form to notify the State's Attorney's Office of an individual that was arrested on a previous occasion for a DUI or DWI offense.

2. When the form is prepared by the arresting officer, it will include a copy of the officer's report and a copy of the defendant's driving record.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **NOTIFICATION OF MEDICAL EXAMINER**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Medical Examiner will be notified in all situations where an officer responds to a location where a death has occurred.

II. NOTIFICATION PROCEDURES

Notification will normally be made by communications at the request of the officer on the scene.

A. When communicating directly with the Medical Examiner, the officer will provide the victim's name, if known, age, location found and any preliminary facts pertaining to the death.

B. The Medical Examiner will decide whether to respond to the scene and/or will instruct the officer how to proceed.

C. Whenever the Medical Examiner is notified, the appropriate PGPD investigator will also be notified by the officer.

D. If the body is send for an autopsy at the Medical Examiner's Office in Baltimore, officers may use the following phone numbers for that office:
   - Main Office - 410-333-3250
   - Toxicology - 410-333-3240
   - Fax - 410-333-3063

E. The officer will include in his/her report the date, time and name of the Medical Examiner notified, and what action the Medical Examiner took, i.e., responded to the scene, ordered an autopsy, released the body to a particular funeral home, etc.

F. A body will not be moved unless authorized by the Medical Examiner.

III. GENERAL ORDER CROSS-REFERENCE

Because the Medical Examiner or Coroner must be notified in certain instances, the following Department General Orders are cross-referenced to this General Order:

a. Accident Investigation

b. Evidence Collection

c. Suicide Notes

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **NOTIFICATION OF OUTSIDE AGENCY**

NEW <u>REVISED</u> RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. Any time a situation exists that creates a hazard or potential hazard, the officer identifying the situation will request that communications or the station if appropriate, make the notification of County Public Works, State Highway Administration, Cottage City Public Works, motorist assistance agencies, etc. so that the situation can be corrected as soon as possible.

B. Some examples of situations requiring immediate notification include, and may not be limited to:

1. Essential traffic light in need of repair, missing essential signs;
2. Large holes in the road, defects in the roadway;
3. Large pieces of debris in the road, roadside hazards;
4. Snow/ice on roads or bridges;
5. Disabled or abandoned vehicles.

C. If an officer is unsure of what agency has jurisdiction over the road in question, a check of the MAARS Log Mile Reference Book may clarify the issue.

D. If an officer is confronted with a tree in the roadway or otherwise in need of removal, depending on location, the officer must advise communications via the radio, or Cottage City Public Works via the phone, of the approximate dimensions of the tree, i.e., length, diameter, and type if know, so that removal crews can be dispatched with the right equipment.

E. If an officer chooses to notify street/highway personnel himself/herself by station phone, he/she should make communications aware of the problem and the notification in the event a citizen calls 9-1-1to report the situation.

II. NOTIFICATION OF PUBLIC UTILITIES PERSONNEL

A. The notification of public utilities personnel will be made in the same manner described above. Situations requiring the immediate notification of utilities personnel include, and may not be limited to:

1. Power lines down;
2. Breaks in water, gas, or other utility mains; and,
3. Fire hazards needing immediate attention.

B. An officer confronted with a situation requiring the response of public utilities personnel will make communications aware of the specific problem and which utility needs to respond.

C. If an officer makes the notification himself/herself, the officer should still advise communications of the problem and the fact that the utility was notified in the event communications receives call from citizens.

III. NOTIFYING THE MEDIA

A. Pursuant to the Department's media policies, if an officer is on the scene of an incident which will likely disrupt traffic for an extended period of time, especially during rush-hour, the officer will request communications to advise the PGPD Public Information Section and make them aware of the situation.

B. If the officer chooses to make the notification himself/herself, the officer should still advise communications of the problem and the fact that Media was notified.

C. Metro Traffic Control should also be notified by the officer or communications so the information can be disseminated over radio and television.

D. The supervisor will ensure that the Media Section and Metro Traffic Control are notified as much in advance as possible, of situations that will likely disrupt traffic, i.e., the placement of new traffic signs that regulate or involve a new traffic pattern; the planned closing of a street, intersection etc.; and any other situation that the public should know about or be forewarned.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **NOTIFICATION OF NEXT-OF-KIN**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Subject to the availability of personnel, emergency messages of any legitimate type, as defined by the employee receiving the message, will be delivered promptly. Any message pertaining to a death, serious injury, or serious illness will be delivered, in person, by an officer.

II. NOTIFICAITON PROCEDURES

Notifying the next-of-kin in a case where there is a death, serious injury, and/or serious illness, can place the officer in a delicate and uncomfortable situation; therefore, the following procedures should be utilized whenever possible and practical:

A. Notifications will be make in-person as promptly as possible.

B. The presence of a minister, relative, neighbor or close friend should be obtained whenever possible prior to notification; however, if this cannot be accomplished prior to making notification, the officer should offer assistance to the next-of-kin by contacting one of the aforementioned persons.

C. When the officer is prepared to make the notification; the officer should refrain from ma king the notification outside the residence, and should ask the next-of-kin to step inside the residence.

D. The person receiving the notification should be advised of the mea ns used in transmitting the notification to the department, i.e., teletype, or call from another law-enforcement agency.

E. If an officer will be making a notification on behalf of another officer or agency, the officer should obtain all pertinent information in order to assist the relative to whom the message is to be relayed and to ensure that the information being delivered is accurate.

F. Notification of next-of-kin will be coordinated with any investigators on the scene, as generally they will take care of this function.

G. If an officer cannot locate the next-of-kin upon arrival at the residence, the officer should attempt to ascertain the next-of-kin's whereabouts from neighbors, co-workers (if known) etc.

H. If the officer determines the next-of-kin to be in a location outside the County, the officer will ensure that the agency requesting notification can make other arrangements.

I. Routine media inquiries should be referred to the Chief of Police.

J. For media inquiries that are not routine, such as at the scene of an incident, the supervisor and/or the Chief of Pol ice have the authority to make statements to the media in accordance with this directive and the Department's media policy.

K. The media will not be given a victim's name until the next-of-kin is notified, whether the victim is deceased or not.

   Members of the media seeking information prior to the next-of-kin notification will not be given the victim's name or address.

L. After the next-of-kin has been notified, the media may be given the victim's name and street name, and a synopsis of how the death or serious injury occurred, unless the disclosure of this information would adversely affect an on-going investigation.

III. REPORTING REQUIREMENTS

A. Field Reports

If an officer notifies the next of kin pursuant to an incident for which he/she is writing a report, the report will indicate the name, address, and phone numbers of the person who was notified.

B. Teletypes

If an officer makes a notification pursuant to a teletype, the officer will ensure that a reply teletype is sent back to the requesting agency with the result.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **NOTIFICATION OF FEDERAL LAW ENFORCEMENT AGENCIES OR THE NATIONAL GUARD**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Members of the Department will work closely with federal law enforcement agencies and will ensure that timely notifications are made to affected agencies when necessary.

II. EMERGENCY NOTIFICATIONS

A. Federal Law Enforcement Agency

1. If it is determined that a particular federal law enforcement agency is needed for an emergency situation, the highest ranking officer at the scene should make the request via communications after consulting with the Chief of Police if available. If either is not available, the officer will make the request and notify the Lieutenant and the Chief as soon as possible.

2. The incidents in #3 require F.B.I. notification by the patrol officer, PGPD investigator, or communications, depending upon the event. Contact the Baltimore Field Office as soon as possible after the incident has been confirmed.

3. In the list that follows, communications will automatically notify the appropriate federal agency upon receipt of the 9-1-1 call the investigating officer will be responsible for the notification from the scene:

a.	Bomb threats	Communications
	Bomb plants	Communications
	Actual bombings	Communications
b.	Robbery or Burglary of a federally insured institution	Communications
c.	Crime against a diplomat or member of his/her family	Investigating Officer
d.	Crime occurring on a federal reservation	Communications
e.	Theft of federal property	Investigating Officer
f.	Kidnapping	Investigating Officer
g.	Any crime or intelligence matter affecting the internal security of the United States	Investigating Officer
h.	Civil Rights violations	Investigating Officer
i.	When an in-custody NCIC inquiry indicates subject is wanted by the FBI	Communications
j.	Theft of valuable works of art	Investigating Officer
k.	Burglaries over $100,000 when the property is easily traceable because of its quantity or value	Investigating Officer

B. National Guard

1. Article 41, Section 2-101of the Annotated Code of Maryland provides for the Governor to order the National Guard into service during times of public crisis, disaster, rioting, catastrophe, or similar public emergency.

2. By law, only the Chief Executive of a municipality (Commission Chair) or County (County Executive) may request National Guard assistance through the Maryland State Police.

3. If it is determined by the highest ranking officer on the scene that the National Guard is necessary during an emergency situation, that officer will consult with the Chief of Police.

4. If the consultation confirms the need for National Guard assistance, the supervisor will notify the Chief of Police who will notify the Commission Chairperson so that a request can be made to the Governor via the Maryland Emergency Management and Civil Defense Agency.

5. When authorized by the Governor, the Maryland National Guard will support local law enforcement activities, provide additional communications equipment, assist in evaluation operations, and support other operations.

C. U.S. Secret Service

Threats to protectees: President, Vice-President, First Family, former Presidents, presidential candidates; counterfeiting

D. Department of State

Incidents involving foreign missions, diplomats (see G.O. 5-42 and 5-43)

E. Armed Forces Police

Crimes and serious incidents involving Armed Forces personnel

F. Supreme Court Police

Incidents involving Supreme Court Justices and/or their residences

G. U.S. Marshals

Incidents involving those in the witness protection program, federal judges, and their residences

H. Other federal agencies as appropriate

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **REPEAT OFFENDER PROGRAM ENFORCEMENT (R.O.P.E)**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department will participate in, and contribute information to, Prince George's County Repeat Offender Program, the goal of which is to reduce incidents of specific criminal offenses occurring in Prince George's County by identifying and targeting the career criminal for prosecution.

II. REPEAT OFFENDER PROGRAM

The Repeat Offender Project is a branch of the Criminal Investigations Division whose investigators are responsible for identifying, locating, and apprehending individuals designated as career criminals who are active in Prince George's County. They also gather intelligence data and other information and develop targets for arrest and prosecution.

III. CRITERIA FOR DESIGNATING "REPEAT OFFENDERS"

Adults and juveniles (16 and 17 years of age) with two or more arrests for crimes of violence, drug offenses, sexual offenses, breaking and entering, and theft over $300, including shoplifting, are designated as career criminals.

IV. REPEAT OFFENDER/CAREER CRIMINAL "TARGETS"

Career criminal targets are developed by employing the following strategies:

A. Investigative Targets -individuals who are not currently wanted, but for which a strong possibility exists that they are involved in criminal activity. These targets are developed primarily through criminal histories, referrals from officers, lists of high volume sellers to pawn shops, tips from "Crime Solvers," and informant information.

B. Warrant Targets -individuals who are currently wanted for offenses meeting R.0.P.E. criteria.

C. Case Enhancement Targets - R.O.P.E. investigators conduct criminal history checks on persons held for bond review or arrested and released on recognizance in order to quickly identify the repeat offender. This information is given to the State's Attorney's Office to enhance prosecution and seek maximum sentencing.

V. STATE'S ATTORNEY'S OFFICE INVOLVEMENT IN CASE PREPARATION

The State's Attorney's Office will be consulted by officers to assist with case preparation when a repeat offender is involved. (See G.O. S-52.1, Notification of State's Attorney's Office).

VI. REFERRALS TO R.O.S.

Officers may refer a subject to R.O.P.E. if the subject meets the guidelines stated in section IV. R.O.P.E. will perform a complete background check on the subject. The referring officer will be advised of the status of the referral by the R.O.P.E. investigator.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **MISSING PERSON REPORTS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. Any delay in reporting a missing person can hamper a subsequent investigation and negatively impact the effectiveness and perception of the agency within the community. This policy ensures that personnel understand the need for uniform and timely reporting of any missing person reported to this agency.

B. Individuals may be missing for a variety of reasons, including, but not limited to home, employment, or financial stresses or problems, physical or mental illness, juvenile runaways or more serious instances of parental abduction or the victim of a crime. Occasionally, persons, adults, juveniles or young children are found by police officers or others under circumstances and have not been reported as missing, but are in need of some type of supervision or care. On rare occasions, these persons may be unidentified, abandoned, incapacitated or deceased. In these instances all efforts will be expended to identify these individuals, ascertain the circumstances of their discovery, to provide any medical or mental health assistance as may be appropriate and to notify the next of kin or the appropriate care giver.

1. Members of the department will accept, without delay, a report of a missing person whether such report is made in person, by telephone or any other means.
2. Officers shall immediately process a report from anyone reporting a missing person by telephone or other electronic means and to have the person making the report complete the report in person as soon as possible. Members are reminded that there is no mandatory waiting period before filing a missing person report.

3. Officers taking a missing person report shall only utilize the Uniform Maryland Missing Person report form supplied by the department which contains the agency's ORI pre-printed on the upper right-hand corner or a space to include the ORI.
4. Only one (1) person may be reported on the Missing Person form. If there additional persons being reported at the same time, additional report forms shall be used and the cases linked, if necessary.
5. Missing Persons reports shall be classified as either CRITICAL or NON-CRITICAL as determined by the conditions set forth in this order. The appropriate classification code shall be entered in the upper left-hand corner of the report.
6. A Continuation Report shall be used if necessary to include additional information or narrative.
7. The complainant/reporting person is required, under the penalty of perjury, to sign the report form in the space provided.

II. PROCEDURES

A. After completing a report of a missing person(s), officers shall immediately notify the Prince George's County Public Safety Communications and request the broadcast of the description of the missing person.

B. Officers shall notify the appropriate investigative unit (CID or District 1Investigators) of the Prince George's County Police and record the notification, to include the investigator's name and ID number, and any instructions provided on the report.

C. Officers will conduct a neighborhood canvass and search of any area within the Town known to be frequented by the missing person. Officers shall request, if necessary, the assistance of other units to aid in the search of the missing person.

D. Officers shall contact the Teletype Section of the Prince George's County Police by telephone at their earliest convenience and request that the missing person's information be entered into the Maryland interagency Law Enforcement System (MILES) and the National Crime Information Center {NCIC) and record the name and ID number of the person notified in the report.

E. Officers shall immediately notify the Chief of Police, the Acting Chief of Police or the senior supervisor on duty of any missing person that is classified as CRITICAL, as determined by:

1. Diminished mental capacity,

2. Medical concerns,

3. Known or suspected suspicious circumstances,

4. Any juvenile under the age of 12.

F. In instances where the missing child is classified as CRITICAL, the investigating officer should, if circumstances warrant, contact the Crisis Intervention Team through the police dispatcher to assist the family members.

III. RESPONSIBILITIES RELATING TO MISSING CHILDREN

A. Consistent with the Maryland Annotated Code, Family Law Article §9-402, officers will include or be guided by the following when investigating a report of a missing person.

B. On receipt of a report of a missing child by a law enforcement agency, the law enforcement agency shall immediately determine if:

1. The missing child has been the subject of a prior missing person's report;
2. The missing child suffers from any mental or physical handicap or illness;
3. The disappearance of the missing child is of a suspicious or dangerous nature;
4. The person filing the missing person report has reason to believe that the missing child may have been abducted;
5. The missing child has ever been the subject of a child abuse report filed with the State or any local law enforcement agency; or
6. The missing child is under 14 years of age.

C. Upon conclusion by the law enforcement agency that of the conditions specified above exists, the law enforcement agency shall immediately:

1. Enter or cause to be entered all necessary and available information into the MILES and NCIC computer networks;
2. Institute appropriate intensive search procedures including a thorough search of the missing child's residence, if applicable;
3. Notify the National Missing Children Information and forward to the State Clearinghouse for Missing Children a copy of the missing person's report involving the missing child;
4. Notify the appropriate local law enforcement agency and, to the extent possible, obtain any information that may assist in locating the missing child; and
5. Enlist the aid of the State Police, when appropriate, in locating the missing child.
6. If the disappearance of the child is of a suspicious nature or abduction, contact the Public Safety Communications supervisor's office and cause an AMBER Alert to be issued.

D. If the conditions specified above in Part A do not exist, the law enforcement agency shall:

1. Immediately seek to determine the circumstances surrounding the disappearance of the missing child; and
2. Implement the procedures set forth in Part B.

E. Notwithstanding any provisions of law to the contrary, if a missing child has not been located within 24 hours of filing the missing person report and either the local law enforcement agency or the State Police have reason to believe that the missing child may be located in a jurisdiction other than in the jurisdiction where the missing person's report was filed, the State Police shall enter the investigation and, in cooperation with the appropriate local law enforcement agencies, assist state and national efforts to locate the missing child.

F. I n instances where a minor child or an at-risk person is reported missing, an on duty supervisor shall respond to the scene of the incident to ensure the provisions of this directive and the applicable laws are followed.

IV. FOLLOW UP INVESTIGATION RESPONSIBILITIES

A. Officers initiating missing persons reports shall in addition to the procedures outlined above, shall check with hospital admissions of the local hospitals and note the results in the narrative section of the report. In certain circumstances, reporting officers shall check with the Medical Examiner's Office.

B. In instances where the missing person is considered non-critical, reporting officers shall contact the reporting person, or cause contact to be made, to ascertain if there has been any additional information concerning the missing person. A Supplemental Report shall be prepared at any time additional information is obtained, but no later than seven (7) days after preparing the initial report.

C. If the missing person is classified as CRITICAL, period in contact shall be maintained with the reporting person after twenty four (24) hours and any information that would be useful in locating the individual shall documented on a Supplemental Report.

D. When a missing person is located; the missing person shall be interviewed. A report shall be prepared to indicate contact with the missing person and the case closed. The Teletype section of the Prince George's County Police Department shall be contacted by the reporting officer to have the missing person removed from MILES and NCIC. A

notation to the effect shall be included in the report along with the Teletype operator's ID or name and the date/time of notification.

E. The reporting person shall be contacted and informed the missing person was located. It shall be noted that if the missing person is classified as a non-critical adult and requests his/her whereabouts not be disclosed, that information shall not be related to the reporting person and the whereabouts not be included in the police report.

F. Upon locating a critical missing person, officers shall attempt to determine the physical and/or mental condition of the individual and render any necessary first aid or have the person transported to a hospital. Every attempt shall be made to determine the missing person's whereabouts and the reason(s) the person was missing.

V. REPORT DISTRIBUTION

The Missing Person Report form, MSP Form 79, is a 4 part form-set that includes a code sheet. The report is available from the Quartermaster, Maryland State Police. Completed missing person reports shall be distributed as follows:

Page 1-Agency copy. This copy shall be duplicated once approved and the original forwarded to the Prince George's County Police Records Section with the duplicated copy retained for our records.

Page 2 - Maryland Center for Missing Persons - To be forwarded to the Prince George's County Police Records along with Page 1who will forward it to the Maryland Center for Missing Persons.

Page 3 - Investigator's Copy. To be forwarded to the Prince George's County Police Records Section along with Page 1and 2 who will forward the report to the appropriate investigative unit for follow-up.

Page 4 - Complainant's Copy. To be furnished to the complainant after completion. There is no charge to the complainant or reporting person for a copy of this report.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **RUNAWAYS FROM OTHER STATES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A juvenile taken into custody in this jurisdiction because he/she has been reported as a runaway in another state or the District of Columbia, or other U.S. possession, will be considered and treated as a Status Offender, unless charged with committing a delinquent act.

II. TAKING CUSTODY

A. Before a juvenile is taken into custody, the juvenile's status will be checked in NCIC to determine if he/she has been reported as a runaway. (CALEA 44.2.2-a)

B. If the computer check does not reveal the juvenile as a runaway, and he/she is not otherwise "wanted," Maryland law allows the juvenile to be taken into custody if the juvenile has been harmed and/or is in imminent danger due to their surroundings and the investigating officer believes this to be the case. (CALEA 44.2.2-b)

   If the juvenile is in need of medical attention, he/she will be transported without unnecessary delay to the nearest hospital. (CALEA 44.2.2-d)

C. If the juvenile is in the computer as a runaway and the computer entry has been confirmed, or the officer's further investigation (through phone calls, faxes, teletypes, etc.) determines that the juvenile is a runaway, the juvenile will be immediately taken into custody and the officer will:

1. Request teletype to enter a "Locate Message" into NCIC so that the computer entry will indicate that the runaway's whereabouts are known; {CALEA 81.2.9)

2. Contact the law enforcement agency that entered the juvenile into the computer to:

   a. Request that they notify the runaway's parent/guardian; (CALEA 44.2.2-e)

   b. Ascertain the parent/guardian phone numbers so that the officer taking custody can contact them directly; {CALEA 44.2.2-e)

   c. Protect the juvenile from harm and ensure that other Constitutional Rights to which the juvenile is entitled are protected. (CALEA 44.2.2-c)

3. Do not handcuff the juvenile (because he/she is a status offender) unless the juvenile is a threat to the officer; and,

4. Immediately notify the PGPD Juvenile Services at District 3.

   This notification is especially important if the juvenile is in need of shelter until his/her parent(s) arrive to pick-up the juvenile, or until PGPD Juvenile Services can arrange for the juvenile to be transported back to his/her parent/guardian.

5. Transport the juvenile to the shelter facility designated by PGPD Juvenile Services.

III. PROCESSING PROCEDURES

A. No Pending Criminal Charges.

If there are no pending criminal charges to be placed against the juvenile, the officer taking custody of the juvenile will after interviewing the individual:

1. Complete, and submit for supervisory approval, a Runaway/Missing Person Report, or "Missing Person/Runaway -Other Jurisdiction," describing in complete detail the circumstances under which the runaway was encountered and subsequently taken into custody.

2. Photograph the juvenile.

B. Placing Criminal Charges.

1. If the juvenile will be charged criminally as a juvenile (i.e., runaway from another state caught shoplifting or in a stolen vehicle, etc.), the officer taking custody of the juvenile will complete and submit for supervisory approval:

    a. A PGPD Arrest Report listing the appropriate charge(s) and obtain from PG PD Records Section a Juvenile PGPD ID Number;

    b. A PG PD Event Report to describe the incident that led to the placing of criminal charges;

    c. A (shaded) Runaway/Missing Person Report;

    d. One Maryland State Pol ice Finger print card;

    e. One PG PD palm print card;

    f. Two PG PD fingerprint cards (1with fingers rolled and 1with just the fingertips);

    g. A State's Attorney's Evidence Information Form;

    h. A State's Attorney's Witness Information Form;

    i. Two color photographs of the juvenile; and ,

    j. Notify DJS.

2. If the juvenile has committed an offense for which he/she can be charged as an adult, the officer will:

    a. Obtain an adult PGPD ID Number from PGPD Records Section;

    b. Complete a Statement of Charges and all other reports listed in paragraph 1above;

    c. Fingerprint the juvenile on an F.B.I. print card, and on all the other print cards listed in paragraph 1above;

    d. Notify the juvenile's parent/guardian that the juvenile is in custody and will be charged as an adult;

    e. Take two (2) color photographs of the juvenile;

f. Advise the juvenile of his/her rights if he/she is to be interrogated by the officer (do not advise them of their rights if they will be interrogated by an investigator, let the investigator advise them); advise the juvenile of his rights to obtain counsel.

g. Take the juvenile and the Statement of Charges to the Commissioner for an Initial Appearance;

h. Inform the Commissioner of the juvenile's "runaway" status.

C. Teletypes/Cancellations.

1. The officer who took the juvenile into custody may not cancel the computer entry because only the agency that made the entry can remove it.

2. Because the NCIC "Locate Message" does not automatically cancel the computer entry, the officer who took the juvenile into custody is responsible for ensuring that a "cancellation teletype" is sent to the law enforcement agency that entered the juvenile into the system as a runaway.

3. When the teletype is sent, the following information will be provided to the other agency:

a. Juvenile's name,

b. The other agency's case number,

c. Our CR Number,

d. Status of the juvenile, i.e., in a temporary shelter facility, incarcerated in PG DC or detained, etc.,

e. Whether the parent/guardian was notified by the sending officer, and said parent/guardian's name, and

f. What, if any, local charges were placed.

4. A copy of the teletype will be maintained in station files with the report.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **USE OF INFORMANTS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of the Department to encourage the proper development and use of informants by all officers. An informant is a person who provides information. A person who has been arrested and provides information about other participants in a crime is an informant. In many situations, information will flow as a result of friendly, courteous conversations and questioning; by building a good rapport and by just listening. A juvenile will not be used as an informant, except with parental consent and Juvenile Services Administration consent, if the juvenile has been assigned an Intake Officer. Persons currently on probation will not be utilized as informants until the probationer's Probation/Parole Agent has been consulted.

11. OFFICER RELATIONSHIPS WITH INFORMANTS

A. Background Information

1. To ensure officer safety and the informant's credibility and character, any patrol officer who develops an informant will conduct a check of the informant's background, to include biographical and background information, criminal history record, if any, and code name or number of each informant. This information will be documented utilizing an Inter-Office Memorandum format.

2. The following items will be attached to the Inter-Office Memorandum and placed in a file:

a. A print-out containing the results of a wanted check at the State, Local, and National Level (M.I.L.E.S., and N.C.I.C. and WARRS)

b. A print-out containing the informant's criminal history, and

c. A print-out containing the informant's driving record.

3. During the officer's background check of the prospective informant, the officer will contact the Division of Parole and Probation to determine if the informant is currently on parole or probation, and to determine to what extent the informant's involvement with the police would violate the terms and conditions of the informant's probation.

4. The officer will check with PGPD Narcotics Investigations Division and the District Investigative Section to determine if the informant has had any prior dealings with them for the purpose of documenting the informant's accuracy and credibility.

B. Informant Master File

1. Once the Inter-Office Memorandum and the background investigation have been completed, the officer will submit all paperwork directly to the Chief of Police for inclusion into a locked Master File maintained in the Chief's Office.

2. Patrol officers will also include a current Polaroid picture (full face) of the informant for inclusion in the Master File.

3. The Informant Master File will contain any code names or identifiers used by the informant, and a record of funds paid to, and receipts signed by, the informant.

4. An informant's identity will not be made known to anyone, except by Court Order.

C. Procedures for Informant Use

1. During the course of an investigation, patrol officers will not allow an informant to do any of the following:

a. Search any suspect, person, house, papers or personal effects,

b. Use his/her sex, sexuality, or sexual activity to induce or persuade any individual to sell or deliver a CDS to any member of this Department.

c. Become involved in activities that would likely constitute "entrapment" and/or,

d. Represent himself/herself as a representative or employee of the Cottage City Police Department.

2. Officers will take precautions when dealing with informants which include but are not limited to:

   a. Keeping accurate records,

   b. Letting another officer know that you intend to meet with your informant,

   c. Whenever practical, selecting a location at which to meet an informant that provides for officer safety,

   d. Maintaining a professional and business-like atmosphere, especially when dealing with:

      - An informant of the opposite sex, or

      - An informant whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties, in which case the officer should attempt to have someone accompany the officer.

      - Ensure that the informant is searched prior to any narcotics transaction and again after conducting a buy. Informants shall not possess or carry firearms at any time.

3. In the event an arrested person agrees 'to give information to a patrol officer in exchange for charges being dropped or dismissed, the State's Attorney's Office shall be consulted.

   a. A patrol officer is not authorized to make any deals in this regard. However, an officer may use some discretion with respect to charging the individual with an included lesser offense in exchange for the information if the officer believes the information is valid, useful and will have a significant impact on the officer's case.

   b. If this is done, the supervisor or Chief of Police, if available, will be contacted before the actual placing of charges.

4. If an officer wishes to pursue an "included lesser offense", the victim will also be consulted in accordance with Article 27, Section 761.

D. Criteria for Paying Informants

1. The criteria for paying informants shall be their demonstrated prior reliability. As the Cottage City does not have a budgeted Informant Fund, officers are encouraged to work with a District Investigative Officer who then can access the PGPD Informant Fund.

2. When a payment is made to an informant, PGPD policy will prevail. Normally, this requires two (2) officers, one making the payment and the other witnessing the transaction. The informant will be required by PGPD policy to acknowledge by signing a receipt. The officer making the payment will also sign and the other officer will sign as a witness.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **REQUESTING PG COUNTY POLICE (SERT)**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. The Department will have procedures for officers from the perspective as first-responders when officers are called upon to respond to situations in which a person is barricaded in a room, building, or vehicle, or an apparent docile situation to which an officer has already responded, WHICH has erupted into a confrontation with police. {CALEA 46.1.4)

B. A barricaded situation is an incident where an individual is believed to be armed and is committing or has committed some criminal act and/or is holding a hostage and it is apparent the individual intends to unlawfully defend a fixed position against police entry.

II. EVALUATING THE NEED FOR ERT AND SWAT CALL-OUT

A. First-Arriving Officer's Responsibilities

1. Officers dispatched to an incident where a hostage has already been taken or a person has already barricaded himself/herself will evaluate the situation to determine the need for activation of SERT.

2. Request Communications to alert SERT.

3. Request the supervisor and the PGPD on-duty Supervisor to respond, unless already on the scene or in route.

After the Sergeant/supervisor arrives and assesses the situation, he/she will ensure that Command Staff are notified and establish a command post.

4. Take immediate steps, prior to the Sergeant/supervisor's arrival, to ensure the protection of innocent persons in the immediate area and attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of SERT.

5. Request additional officers to:

    a. Respond to the scene for containment and to establish inner and outer perimeters until SERT arrives and take-up the inner perimeter.

    b. Assist with diverting vehicular and pedestrian traffic away from the area.

    c. Evacuate injured persons those in imminent danger and bystanders to a safe area beyond the outer perimeter if this can be done safely.

6. It is imperative that firearms discipline be maintained, especially if a hostage has been taken. Officers must refrain from engaging in fire fights, except to defend the officers or other persons in danger, or to provide cover for personnel engaged in evacuating wounded persons.

7. Isolate all witnesses and evacuated persons for identification and debriefing.

8. Request Fire/Rescue and any other resources from communications (i.e., K-9, air support) and advise communications where the apparatus is to respond or stage until needed.

9. Brief the first-arriving supervisor/Ole and assist him/her as needed.

10. Attempt to gather the following information so that officers of higher rank, members of the SERT can be briefed upon their arrival:

    a. The location of family members of the hostage-taker/barricaded person.

    b. The hostage-taker/barricaded person's medical history.

    c. The names and locations of medical personnel who are/have been caring for the hostage-taker/barricaded person.

d. The hostage-taker/barricaded person's phone number.

e. The number of hostages that have been taken, their ages, names, and nature of their injuries, if any.

11. Once trained Hostage Negotiators have begun a dialogue with the hostage-taker/barricaded person, no officer will become involved in negotiations with the hostage-taker/barricaded person unless directed to do so by the Hostage Negotiation Team Manager.

12. Once the Hostage Negotiation Team Manager arrives, all personnel at the scene will be placed under his/her command and communications among and between PGPD and Cottage City Officers will be on a radio frequency designated by the Team Manger.

13. If members of the media have gathered, the Team Manager will be notified. Members from this Department will not speak with the media representatives about the incident, unless directed to do so by the Team Manager.

    Since this incident involves a mutual response by this Department and PGPD, the Team Manager will most likely request communications to have a representative from PGPD Public Information Office to respond and brief members of the media.

14. The SERT Team will relieve patrol officers and maintain the inner perimeter during the negotiation process, and will also develop and implement tactical plans, evacuate civilians as necessary, communicate with the Team Manager, assume command of the situation when negotiations are terminated and conduct tactical operations to resolve the situation. At the conclusion of the situation, relinquish control of the inner perimeter and location of occurrence to the District Investigative personnel.

    - If at any time during the negotiation process, the Team Manager finds it necessary to terminate negotiations either at his/her own discretion or upon the recommendation of the negotiators, command of the incident will be relinquished to the senior tactical officer for resolution of the incident. Authority for the use of force and chemical agents rests with the senior tactical officer.

15. The Team Manager will determine and arrange for the need for pursuit/surveillance vehicles and the control of travel routes. If Cottage City vehicles are assigned as

pursuit or surveillance vehicles, the actions of the officers operating them will be governed by our General Orders on Pursuit and Road blocks.

16. After the incident's resolution, the Team Manager will arrange for a critique of the incident and all Department personnel who were involved will participate, unless excused by the Team Manager. Each officer will coordinate with the Tea m Manager and the officer assigned to write the report so that each officer is identified in the report and the actions each took are documented.

B. If a call-for-service results in a hostage/ barricade situation, officers will:

1. Assume a position of safety.

2. Immediately advise communications of the situation.

3. Request a 10-3 on the radio channel.

4. Direct additional responding officers to the scene, taking into consideration fields-of-fire and potential hazards generated by the hostage-taker/barricaded person.

5. Request Fire/Rescue apparatus and specify what type is needed (ladder truck, ambulance, etc.), and direct them to a safe staging area until needed.

6. As time and man power permits, select a safe staging area for the media personnel to gather and inform PGPD Public Information Office personnel of the location.

7. Follow the procedures listed in Section II, A of this General Order.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **VICE, DRUG, AND ORGANIZED CRIME**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department is committed to the detection and suppression of vice activities, drug offenses, and organized crime in Cottage City. The goals and objectives of the Department's vice control effort include, but are not limited to:

A. Encouraging citizen involvement and assistance with vice-related activities in Cottage City;

B. Endeavoring to obtain as much intelligence information as possible, either through citizen complaints or through self-initiated investigations; and,

C. Exchanging information with other law enforcement agencies for informational purposes so that they can follow-up on information.

II. GENERAL RESPONSIBILITIES OF PATROL OFFICERS

A. In detecting and suppressing vice and drug activities, patrol officers are responsible for enforcing laws pertaining to:

1. The use of illegal substances or legal substances used in an illegal manner, to include controlled dangerous substances, uncontrolled substances, and alcohol;

2. Prostitution and related offenses;

3. The manufacture, distribution or possession of obscene or pornographic materials;

4. Any other illegal activity of concern to Cottage City residents when directed by the Chief of Police.

B. In suppressing organized crime activities, officers are responsible for enforcing laws pertaining to:

1. The sale of illegal substances or legal substances sold in an illegal manner;

2. Extortion;

3. Arson;

4. Trafficking in stolen goods;

5. Hate/Violent acts committed by members of extremist groups;

6. Criminal acts committed by organized cults and deviant movements;

7. Any other organized criminal activity of concern to Cottage City residents when directed by the Chief of Police.

C. Officers engaged in the investigation if vice, drugs, and organized crime activities will keep the Sergeant/lieutenant and Chief of Police constantly informed and updated with accurate information.

1. On a daily basis with copies of officer's reports forwarded to the Sergeant/lieutenant and Chief of Police for review.

2. City officers learning of vice, drugs, and organized crime activities in the City will complete a Cottage City Incident Report and submit it to the Chief. The Chief of Police will maintain these reports in a secure file in his office.

III. PROCEDURES FOR RECEIVING, PROCESSING AND INVESTIGATING COMPLAINTS

A. The Department will receive, process, and when appropriate, investigate complaints/information relating to vice, drugs, and organized crime activities. When necessary and appropriate, such complaints and information will be disseminated to

other law enforcement agencies, especially those having primary jurisdiction over investigations to which the information may be of value.

B. Receiving and Processing Information/Complaints

1. At the Station Level

If non-sworn personnel receive a "walk-in" complaint or information related to vice, drugs, and/or organized crime activities, they will have the on-duty officer respond to the station. If the complaint/information comes in over the telephone, the dispatcher will get the caller's name and phone number and have the on-duty officer contact the caller or dispatch an officer if the caller wants to be seen. If the caller refuses to leave a name or number, the call- taker will obtain as much information as possible and provide it to the on-duty officer who will, at a minimum, initiate a Cottage City Incident Report.

2. An officer will not conduct an investigation of the activities unless he/she:

a. Contacts the PGPD Narcotics Investigations Division, and ensures that they are not investigating the target.

b. Receives authorization from the Sergeant/Lieutenant or Chief of Police in investigate further.

c. In the event an immediate response is necessary, permission to investigate further may be granted by the Supervisor.

C. Record Maintenance

1. Active complaints/information received by this Department pertaining to vice, drugs, and organized crime activities will be maintained by the Chief of Police in a secure file separated from general Department records.

2. Information will be purged pursuant to the Department's Records Retention Schedule, unless it is determined to be needed for future use by the Chief of Police.

3. When records are purged, they will be destroyed/shredded or otherwise disposed of as directed by the Chief of Police.

D. Investigative Procedures

1. Because of the complex nature and significance of vice, drugs, and organized crime activities and their detrimental impact on the community, the Department recognizes the importance of establishing procedures by which its officers will conduct investigations of such activities.·

2. Although the Department does not have an organized crime/vice control component, the Sergeant and/or Chief of Police may authorize officers to engage in covert operations to enforce vice, drug, and organized crime activities.

3. To aid in this Department's investigation, if any, and/or another law enforcement agency's investigation of the information, officers will endeavor to obtain as much intelligence information pertaining to vice and organized crime activities needed to verify the substance of the complaint.

4. Officers must facilitate timely information exchange between other officers and supervisors of this Department and other agencies.

5. Officers will not notify victims or complainants of any aspect of an on- going investigation (other than to inform them of the Department's continued interest in the case), unless authorized by the Chief of Police.

6. Officers conducting investigations will, at a minimum, attempt to determine the following about the target:

   - Criminal history record information
   - Motor vehicle and driver's license information
   - Wanted status
   - Prior involvement with this Department
   - Prior involvement with PGPD

7. Due to the nature of this Department's role in the investigation, the submission of reports will be on a case-by-case basis and as directed by the Sergeant, especially since police reports are regarded as a matter of public record.

8. The Chief of Police will be frequently updated by the officer.

9. If the investigating officer determines that his/her investigation will require the assistance of additional officers, specialized investigators, or equipment beyond the

realm of Cottage City capabilities, he/she will discuss this matter with the Chief of Police.

10. Officers investigating a case jointly with PGPD and/or with other law enforcement agencies will cooperate and coordinate ensuring appropriate information exchange, especially in the areas of public safety and officer survival.

E. Sharing/Disseminating Information

1. Information maintained by the Department will be strictly controlled.

2. Information conveyed to or received from another agency will be documented on a City Incident Report or supplemental if a City Report already exists.

3. The Chief of Police will review all reports relating to vice and organized crime activity and will ensure that copies are forwarded to the PGPD Special Investigations Division, and/or other law enforcement agencies at the federal, state, and local level, as appropriate.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **CRIMINAL INTELLIGENCE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

All officers will be responsible to some degree, for participating in and enhancing the Department's intelligence-gathering efforts. This will involve gathering and analyzing, appropriate dissemination, and cooperating and exchanging information with other law enforcement agencies.

II. POSITION RESPONSIBLE FOR THE INTELLIGENCE FUNCTION

A. The Chief of Police shall be responsible for the intelligence function and shall maintain all records in a locked cabinet, separate from other records.

B. To safeguard and protect information, access to it will be strictly controlled and on a need-to-know basis only.

III. PROCEDURES TO ENSURE LEGALITY AND INTEGRITY OF INTELLIGENCE

A. Methods For Ensuring Anonymity

1. A person who provides intelligence information and who desires anonymity will be assigned a number as an identifier which will be entered on a Cottage City Incident Report in place of the Cottage City Incident Number.

   - The numbering system used will be the year, followed by the number, i.e., 09-001,09-002, etc.)

2. Information concerning "information providers," such as their Department-assigned number, will be maintained confidentially and only the following person will be made aware of it:

   - The officer directly involved in the investigation,
   - The officer who received the information, and
   - The Chief of Police

3. If a Statement of Charges is prepared based upon an informant's information, the informant's real name will not be used and will not be revealed, except by Court Order.

B. Information Collected Limited to Criminal Activity/Threat to Community

1. To ensure that information collected is limited to criminal conduct and relates to activities that present a threat to the community, the following procedures will be adhered to:

   - The information collected must relate or pertain to criminal conduct and/or be of a threat to the community;
   - The information collected will not be distributed or disseminated to anyone unless they are directly involved in the case, or in the interest of officer/community safety;
   - Information collected pertaining to a certain type of activity, outside the purview of this Department, will be provided to the appropriate federal, state, and/or local law enforcement agency that collects such information.
   - To ensure that potential criminal intelligence information meets the requirements of this general order, any Department member learning of potential intelligence information will advise the Chief of the information.

2. A Criminal Intelligence Report will be completed by any officer who learns of information falling within the guidelines of this general order. Examples of when the completion of a Criminal Intelligence Report would be appropriate include, but are not limited to:

   - An officer becoming aware of gang-related activity,
   - An officer becoming aware of vice or prostitution-related activity,
   - An officer becoming aware of drug-related activity,
   - An officer learning of or encountering an individual who has numerous weapons in his/her residence.

3. The Criminal Intelligence Report will be submitted to the Chief of Police, for approval, and copies may be made for, and the information disseminated to, PGPD Vice and Intelligence and/or the law enforcement agency with jurisdiction.

C. Procedures for the Use of Intelligence Personnel and Techniques

1. Although all Department personnel come into contact with potentially valuable information to be used for intelligence purposes, the Department may at times utilize personnel from the PGPD Vice and Intelligence Section for the specific purpose of gathering intelligence information.

2. Utilization of electronic equipment and operational techniques by PGPD personnel will be in accordance with PGPD directives. City officers may be utilized as support personnel on a need basis.

D. Types and Quality of Information to be Included in the System

As long as information meets the requirements described in this general order, information entered into the system may include, and may not be limited to:

1. Criminal history information about the "target"

2. Photographs

3. Acquaintances of the target

4. Modus Operandi (M.O.)

5. A synopsis of the target's criminal activity

E. Purging Information

1. Records and information considered being out-of-date and/or of no further use for law enforcement purposes will be shredded by the Chief of Police and witnessed.

2. The disposition of the record(s) will be recorded on a Memorandum- To-File, by its Department-assigned number and placed in a file folder in a secure file cabinet in the Chief's office.

3. Records that are incorrect will be destroyed and corrected information will be inserted in the file unless said information is of no further use to law enforcement.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **THE RECORDS FUNCTION**

NEW <u>REVISED</u> RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The records function is important to the effective delivery of law enforcement services. This order addresses those records functions that are basic to meeting the managerial, operational, and informational needs of Cottage City. The Cottage City Police Department (CCPD) utilizes the Prince George's County Police Records Division (PGPDRD) and NCIC as the primary sources for records information. Criminal history and warrant information is immediately accessible through these systems at all times. Cottage City Police maintains a supplementary records section which contains copies of County reports and Cottage City reports, some of which do not need to be distributed to PGPDRD.

II. ORGANIZATION

A. Records Component

The CCPD records personnel consists of the Administrative clerk. A Supervisor may assign others to assist as necessary.

B. Records Function

The functional responsibilities assigned to the records personnel include, but are not limited to, the following:

1. Verifying that the correct Cottage City report numbers are assigned to each report;

2. Logging report and ticket information into the records database (as described in G.O. 6-2);

3. Filing reports;

4. Maintaining arrest and premise history files;

5. Handling distribution for reports and tickets (As described in G.O. 6-6);

6. Other duties as necessary.

C. Security

1. Access to files contained in the records room is limited to Cottage City Police employees, Police supervisory staff members may copy and release documents in the records room in accordance with the Freedom of Information Act and the following Department of Criminal Justice Information System rules and regulations, copies of which will be kept on file in the future for review:

   a. Article 27 -Sections 45A, 146, 736, 737, 739, 742-755;

   b. Title 10, Sub-Titles 611through 625 of the State Government Article; and

   c. Title 28, Part 20 of the United States Department of Justice "Code of Federal Regulations."

2. Original reports or any portion thereof are not to be removed from the control of the CCPD records f unction, with the exception of County reports which are distributed according to Prince. George's County's Field Operations Manual.

3. Security precautions for control of criminal history records will be in accordance with regulations governing NCIC use.(See CC G.O. 7-8)

4. Access to the records database is controlled by the Administrative Clerk.

D. Records Retention

Records are kept on file for a period of three years plus the current year. Information will remain in the records database indefinitely, unless the Court orders expungement of the record.

III. REPORT NUMBERING

Every report initiated by a CCPD officer shall be issued a report number. It is the officer's responsibility to advise the dispatcher, either over the radio that a report will be written. Numbers are constructed and assigned based on the following procedure:

A. Report numbers are made up of three sets of numbers

1. Two-digit year number (i.e. 09);

2. Three-digit Julian day number (i.e. 254 for 9-11-09);

3. Three-digit number signifying which report of the day it is (i.e. 002 for the second report of the day).

B. When the officer advises that a report will be written, the dispatcher will assign the officer the case number.

C. Officers will include this number on the top-right hand corner of their report or in the appropriate block.

D. Any mistakenly-assigned numbers or missing numbers will be corrected by the Supervisor or the Sergeant.

IV. ARREST INFORMATION POLICY AND PROCEDURES

A. Adult Arrest Information - Prince George's County

Cottage City Police Officers will follow the provisions established in the General Orders of the Prince George's County Police Field Operations Manual when initiating an arrest.

1. Cottage City Police Officers utilize the Central Processing Unit (CPU) for processing all non-juvenile arrests. Upon the officer's arrival at CPU with an arrested person, they will take custody of the prisoner and:

a. Complete an arrest report;

b. Assign the prisoner an identification number if they do not already have one;

c. Photograph and fingerprint the prisoner;

d. Do any other processing as necessary.

2. CCPD Officers may request copies of the relevant reports from PGPDRD.

3. CCPD Officers will complete an event report to be distributed both to PGPD and in-house.

B. Adult Arrest Information - Cottage City

1. Aside from storing every report that Cottage City Officers write on file in the CCPD Station, CCPD maintains an alphabetical Criminal History File for every individual who is arrested by a Cottage City Officer.

2. The CCPD Criminal History File contains:

a. Every City-initiated report which involves that individual;

b. Any photographs taken of that individual;

c. Copies of the individual's arrest package, if available;

d. Criminal History transcripts, if available.

C. Juvenile Criminal Records and Arrest Information

Hard-copies of juvenile criminal records are stored separately from adult criminal records. When juvenile information is accessed through the Records Database, the system will warn the user of the legal responsibilities he or she is responsible for and will ask them to acknowledge their understanding before revealing any information.

1. Fingerprints and photographs are to be taken by the officer as required in accordance with the PGPD's Field Operations Manual. Juvenile fingerprint packages will be forwarded to PGPD Records Section for retention by PGPD. The Cottage City police department will not maintain juvenile fingerprints as part of a Juvenile arrest file. Juvenile records, including any photographs, will be destroyed when the juvenile reaches the age of eighteen (18) or when a court-ordered expungement is received by the Department. Any juvenile arrest records maintained by this Department are confidential, will be stored separately from adult records, and will not be disseminated to anyone, except on a "need to know" basis. When the juvenile reaches the age of eighteen (18), fingerprints and photographs will be removed from the arrest file and destroyed.

V. WARRANT AND WANTED PERSONS FILE

A. The Cottage City Police does not maintain a warrant/wanted persons file. Instead, Cottage City Police use MILES and CJIS to:

   1. Perform wanted person and warrant checks;

   2. Initiate, cancel, and update warrants;

   3. Confirm warrant hits and ask for confirmation on warrant hits.

B. Warrants are entered into the NCIC or County Warrants systems by the PG Sheriff's Department Warrant Control Section. Officers are not authorized to enter warrant information into those systems.

C. All cancellations of wanted persons (adult warrants) will be accomplished through the PG Sheriff's Department Warrant Control Section.

D. Hit confirmation requests are governed by the NCIC policies specified in the NCIC manual located in the station.

E. A Cottage City report, Prince George's County report, or a supplement report will be written whenever a Cottage City officer applies for a warrant or arrests a subject on an open warrant. Like all other reports, a copy will be kept on file in the police station.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **RECORDS DATABASE**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The CCPD Records Database stores information from all field reports and tickets written by CCPD officers in a computerized database. The database is maintained by the Administrative Assistant. The database contains such information as dates/times, infractions, and suspect information. Every month the information in the database is used to create a series of statistic reports for the Chief and the Commissioners. An index for all of the reports currently on file is created as new reports are added.

II. CONTENTS

The records database contains the following information from every report and ticket written by a Cottage City Police Officer:

A. Event Reports

1. Dates and Times
2. Incident Description
3. Location
4. Suspect/Vehicle Information
5. Complainant Name and Address

6. Victim Name and Address
7. Report Number
8. Arrest Information
9. Supplement Report Information
10. Officer Involved
11. Other Information (i.e., Property Stolen, Narrative -for some incidents, etc.)

B. Accident Reports

1. Date and Time
2. Location
3. Persons and Vehicles Involved
4. Type of Accident
5. Witness Information
6. Officer Involved
7. County Report Number

C. Tickets

1. Date and Location
2. Ticket Disposition (Citation, Warning, ERO)
3. Ticket Type (Parking, Speeding, Civil, Criminal)
4. Driver Information
5. Vehicle Information

6. Citation Number

7. Officer Involved

III. INDICES

The records database has the capability of creating and searching the following indices:

A. Master Name Index (CALEA 82.3.1)

The Master Name Index file is located on the station computer names can be searched or listed alphabetically from the following databases:

1. Event Reports

    a. Complainants

    b. Suspects

    c. Victims

2. Accident Reports

    a. Drivers

    b. Witnesses

3. Tickets

    a. Drivers

B. Incidents by Locations and Type

1. A comprehensive index of all the reports currently on file is provided after new reports are entered into the database. The index gives the following information:

    a. Report Number

    b. Date and Location

    c. Complainant, Victim, and Suspect's Name (for event reports)

d. Driver's Name and Vehicle License Number (for accident reports)

e. Incident Type

f. Officer Involved

2. The database has the capability to show a premise history for addresses entered by the user. The following information is displayed:

a. Report Number

b. Incident Type

c. Date

C. The Administrative Assistant can create indices based on almost any criteria.

D. The Chief maintains a record of all found, recovered, and evidentiary property in a separate database

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **ADMINISTRATIVE REPORTING SYSTEM**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Chief of Police is responsible for assembling data and other information to effectively and efficiently operate the Police Department. The Chief may assign officers the responsibility to forward certain information to him. These reports have a wide variety of objectives including budget justification, workload measures, enforcement needs, criminal and traffic trends, identifying policy failure, potential liability issues, etc.

II. ADMINISTRATIVE REPORTS

A. Daily Shift Activity Report

1. All sworn employees of the Department will be responsible for completing the Daily Shift Activity Report. The Daily Shift Activity Report contains a record of all activity for each patrol officer.

2. The contents of the Daily Shift Activity Report will be reviewed by the supervisor on duty during shift change.

3. The Daily Shift Activity Reports are considered an internal document and will not be distributed outside the Department without approval from the Chief of Police.

B. Monthly Reports

1. The following is a list of comprehensive monthly reports which reflects officer's activities for a given month and the persons responsible for completing them:

    a. Police Activity Report - to be completed by the Administrative Assistant for the Chief.

    b. Significant Event Report - to be completed by the Administrative Assistant.

    c. Code Enforcement Report - to be completed by the Code Enforcement Officer.

    d. Officer Statistic Report - to be completed by the Administrative Assistant.

2. Distribution - Cottage City Police Reports

    Copies of the Cottage City Police Monthly Reports will be made available to:

    a. Members of the Department and placed on the clipboard.

    b. Cottage City Commissioners

    c. General Public at Town Meetings

3. Distribution - Contract Area Reports

    a. Members of the Department and placed on the clipboard

    b. Town councils of any contract patrol areas

C. Annual Reports

1. The following is a list of persons who will be responsible for compiling the necessary data to publish the annual reports listed below for the purpose of highlighting the Department's accomplishments and significant incidents that occurred in the City and the contract patrol areas during a given calendar year.

    a. Annual Police Activity Report -to be completed by the Administrative Assistant for the Chief.

    b. Annual Code Enforcement Report -to be completed by the Code Enforcement Officer.

c. Officer Statistics Report -to be completed by the Administrative Assistant.

2. Copies of the Department's City Annual Report will be made available to:

   a. Members of the Department

   b. Cottage City Commissioners

   c. City Residents at the Town Meeting

   d. CALEA Staff

1. The Department's Accreditation Manager will be responsible for compiling and formulating data with which to publish various reports and evaluations required by CALEA standards and applicable to this Department.

2. The reports and evaluations required by applicable CALEA standards will be evaluated to determine appropriate distribution outside the Department.

3. The frequency of the reports and evaluations will be as required by the standard to which a particular report or evaluation pertains.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **DEPARTMENT FORMS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department will maintain a system of accountability for all forms used by its members. This policy is necessary to protect the Department and its members from accusations of impropriety. The Chief will be responsible for all Department forms.

II. ACCOUNTABILITY FOR DEPARTMENT FORMS

A. Development Procedures

1. Department forms will be developed based on:

   a. The need to capture information;

   b. A statute, policy, or Court decision requiring the use of a particular form;

   c. The need to ensure proper record keeping;

   d. A mandate by the Chief of Police.

2. Whenever practical, all Department forms will contain a number consistent with the Section in which the General Order is found or the applicable CALEA standard number.

B. Modifications of Forms

1. When a form is modified, Department members will be made aware of the modification through the Department Memorandum clipboard and/or Inter Office Memorandum.

2. Whenever practical, Department members will be requested to provide input.

C. Approval of Forms

All new forms will be reviewed by the lieutenant and submitted to the Chief of Police for approval.

III. OTH ER FORMS USED BY TH E DEPARTMENT

A. Citation Books

1. Books containing traffic citations will be kept under strict control.

2. Traffic citation books shall be kept in a locked storage cabinet. The Administrative Assistant will have keys.

3. Any citation book issued to an officer will be logged in a record book with the following information:

   a. The officer issuing the citation book;

   b. The officer to whom the book is issued;

   c. The citation numbers contained in the issued book; and,

   d. The date the citation book is issued to the officer.

4. Traffic citations from a book issued to one officer may not be given to another officer.

5. For accountability purposes, the name of the person issued a citation will be entered in the Master Name Index by the Supervisor or his designee.

6. Unused citations or those replaced by a revised edition, will be:

a. Destroyed by the Lieutenant if appropriate.

b. Returned to the Maryland Motor Vehicle Administration and/or District Court if they are traffic or petty offense citations.

B. Other Forms and Documents

1. Other forms and documents used by the Department (incident reports, accident reports, etc.) are for official use only and shall be used only their intended purpose.

2. Cottage City stationery and Department Letterhead will be considered Department "forms," and their use must be authorized by the Chief of Police.

3. The Sergeant is responsible for ensuring that an adequate stock of Department forms is on-hand at all times.

4. The Sergeant will keep a master of Department Forms.

5. Department personnel will be notified of discontinued forms.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **UNIFORM CRIME REPORTING (UCR)**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department will contribute the accurate and appropriate classification of Part I and Part II Event Reports to the State of Maryland and the F.B.I.

II. REPORTING CRITERIA AND PROCEDURES

A. Completion of Reports

1. To ensure that information is collected for UCR purposes, officers will complete and submit the appropriate report in accordance with the PGPD Report Manual and the incident classification and coding system.

2. A report is required for all Part I and serious Part II offenses that an officer verifies.

3. A report is discretionary for non-serious minor or miscellaneous offenses.

4. Officers will clear calls-for-service, and classify their written reports using the most accurate clearance listed on the incident clearance card.

B. Review of Reports

1. The supervisor will review all reports to ensure that:

   a. The reports are classified with a correct and appropriate UCR classification.

b. The contents of the reports are legible so that accurate statistical information can be extracted from them for UCR submission.

c. Information Submission to UCR

1. The original copy of reports that officers submit will be sent to the PGPD Records Division.

2. The Cottage City Police Department will submit all UCR information directly to the Maryland State Police Uniform Crime Reporting Section on the appropriate UCR Form(s) on a monthly basis no later than the 7TH day of the month following the month in which the crime(s) were reported.

3. The agency copies of the monthly UCR Reports will be filed with the appropriate, corresponding monthly report.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **COMPUTER USE AND SECURITY**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Cottage City Police Department uses several types of computers in its daily operations. Some of these computers access sensitive personal information to include motor vehicle records and criminal history records. Members of the Department will only access this information for official purposes and will maintain the security of the system to prevent unauthorized persons or personnel from viewing or obtaining the records.

II. SECURITY

A. Each Department computer has its own function and security features. The CJIS computer which is used to access NCIC and Maryland MVA is NCIC 2000 Compliant and every user must have a unique logon ID, password and security token to access the system and retrieve a record. An electronic record is maintained of all uses and users.

B. The Department also utilizes laptop computers in the patrol cars for the Mobile Data Terminal (MDT) functions which allow the user to receive and access C.A.D. (dispatch and calls for service information) functions from police communications and make inquiries of CJIS, NCIC and MVA records as a secondary user through the Prince George's County Police Department. These records can include wanted status of offenders, arrest information for adults and certain limited information pertaining to juveniles.

1. Juvenile arrest records are generally considered closed and not readily accessible unless charged previously as an adult. Juvenile missing persons records are available.

2. The user must have a CJIS logon, a unique county issued ID and password and be certified in the use of the M.D.T.

C. The Automated Enforcement computer for red-light camera enforcement uses a series of logons and passwords through a Virtual Private Network (VPN) to gain access to the records. This system also creates an electronic chain of the uses and users. The operators will be trained in the use of the system. Manuals for the use and to answer questions are maintained next to the computer.

D. The office desktop computers allow users access through their own individual login screens. These computers contain such records as ticket and report files, Master Name Index and arrest files along with internet access, e-mail and word processing functions. Juvenile arrest files are not computerized and are maintained in a locked file drawer.

E. The Department has an assigned Terminal Agency Coordinator who is responsible for requesting CJIS/NCIC logon ID's, scheduling personnel for training, both through the State Police for CJIS and the County Police for M.D.T. training, requesting maintenance, and assigning e-mail addresses.

F. No member shall install or download any program, software or any file(s) into any computer without the permission of the T.A.C.

G. No member shall alter or manipulate any authorized program that is installed on any Department computer.

H. No member shall attempt to repair or replace any software or hardware installed on any Department computer without authorization from the T.A.C.

III. PROCEDURES

Members using the station's CJIS/NCIC/MVA computer will logon through the V.P.N. by entering their assigned username, password and token code. The member will then be able to enter the CJIS/NCIC/MVA domain by again entering their assigned logon and their self-assigned password. The use of this computer is strictly monitored and the user may be required to log certain requests, such as Interstate Identification Index (Ill) checks and where information is disseminated to a secondary user. Manuals detailing the use of, access codes and to record secondary disseminations are kept next to the computer. Maryland Annotated Code, Criminal Law (CL) § 7- 302 and § 8 - 606 govern the use and dissemination of criminal justice files.

A. Members using the in-car Mobile Data Terminal will logon by entering their assigned ID, which is either their assigned radio call sign or their county issued ID number and unique password.

B. Members using the Department's Automated Enforcement System computer will login through the V.P.N. by entering their assigned logon ID and password at each screen prompt.

C. Members accessing the internet will do so only through their own screen by entering their password at their name prompt.

D. No member shall allow another to access any computer without being authorized.

E. No member shall give their logon ID, password or token to another for the purpose of allowing that person to logon to any department computer.

F. No member shall access official records except for official purposes.

G. No member shall disseminate any record, either verbally, in writing or printing to another except for official purposes.

IV. TERMINAL AGENCY COORDINATOR

The T.A.C. will maintain records of all authorized computer users to include their level of access, logon ID's and training and re-certification records.

A. The T.A.C. will also maintain the necessary Memorandums of Understanding between the Cottage City Police Department and the Maryland State Police, Prince George's

County Police Department, Cap WIN and any other agency or sub-user who has or may have access to any secure Department computer.

B. Spot audits will be conducted by the T.A.C. at various unannounced times to maintain security of the systems. In addition, the Maryland State Police will conduct annual, announced audits of the CJIS computer system to ensure agency compliance.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **MARYLAND CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS)**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of the Cottage City Police Department that only those authorized employees instructed in the proper operation of the CJIS/MILES/NCIC terminals utilizes it. A terminal shall include the station computer and any laptop computer that has access to CJIS/MILES/NCIC. Proper operating procedures shall be followed when utilizing the terminals at all times.

A. Authorized employees are those employees who have received a personal log-on ID from the State CJIS Security Administrator and that ID is valid.

B. The use of a log-on ID belonging to another employee for non-training purposes is strictly prohibited. The trainee must be in the presence of the trainer any time the CJIS/MILES/NCIC terminal is used.

C. The use of the CJIS/MILES/NCIC terminal for personal or non-CCPD business is against the law and is strictly prohibited.

II. GENERAL

A. The primary purpose of the CJIS/MILES/NCIC terminals is to provide rapid communications with other law enforcement agencies throughout the State of Maryland and with the National Crime Information Center (NCIC).

B. The CJIS/MILES /NCIC terminals have the capability of extracting information from NCIC, NLETS, MILES, WARRS, and the Motor Vehicle Administration (MVA).

C. There are manuals in the station offering reference materials for the proper administration of entry codes and extracting information from the terminals. Employees experiencing difficulty using the system should consult these manuals. If a solution is not located, then call the CJIS 24-hour help desk.

D. There are three types of messages which pertain to the CCPD's use of the CJIS/MILES terminals:

1. System queries - tags, wanted checks, stolen checks, hit confirmations, etc.;

2. Criminal history checks;

3. Incoming messages - lookouts, informational, and requests for services.

III. PROCEDURES

A. Queries

Officers or the Administrative Assistant receiving a request to run tag listings, wanted checks, etc., must note the time and location of the officer making the request in the shift log. The member receiving the request may, at the officer's request, make a hard copy of the return. The hard copy will be placed in the officers' mailbox or on their desk. Members may not leave the return in plain sight in the station.

B. Federal and Maryland Criminal History File (Interstate Identification Index - "Triple I")

1. Existing NCIC policy mandates certain requirements for terminal users insofar as utilizing the Computer Criminal History file (CCH). The State of Maryland requires that only "trained and authorized personnel" operate the terminal under specific guidelines. CCPD employees only may utilize CCH records for criminal justice purposes only.

Supervisors may utilize CCH records in consideration for the background investigation of prospective employees.

2. If a hard copy of a CCH record is made, it must be given to, and only to, the requesting officer.

3. NCIC policies regarding the use and dissemination of CCH files are specified in the NCIC manual located in the station.

C. Incoming messages

Whenever a message is received, either on-screen or via the teletype printer attached to the system, the person receiving the messages must route the message appropriately according to its content.

1. Any messages that pertain or are of interest to CCPD officers should be saved on the clipboard set aside for that purpose.

2. All other irrelevant teletypes must be shredded.

3. Hit confirmation requests are governed by the NCIC policies specified in the NCIC manual located in the station.

IV. MAINTENANCE

All CCPD members will become familiar with how to maintain the CJIS/MILES terminal, how to recover the system after a minor crash, and the procedure for recovering from a major crash as part of their training. This information is contained in hand-out information which is given to new employees at the initial CJIS/MILES/NCIC training.

V. SECURITY OF INFORMATION

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **COMPUTER AIDED DISPATCH (CAD) SYSTEM**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

It is the policy of the Cottage City Police Department that only authorized and properly trained Cottage City employees utilize the CAD system. Proper operating procedures must be followed when accessing the CAD terminal.

A. Authorized employees are those Cottage City employees who have obtained a valid log-on ID and a password from the PG CAD Supervisor.

B. The use of a log-on ID belonging to another employee for non-training purposes is strictly prohibited.

C. The use of the CAD system for personal or non-CCPD business is strictly prohibited.

II. GENERAL

A. The primary purpose for the CAD system is to provide a link between Cottage City officers and the Public Safety Communications Center dispatchers.

B. CPD officers are limited in their access to the CAD system. The following is a list of authorized uses:

1. Displaying incident information;

2. Entering and modifying file-only calls;

3. Submitting and modifying the daily officer line-up;

4. Keeping in contact with PGPD Dispatchers via the CAD's messaging capabilities.

5. As a "Secondary User", the ability to access Maryland MVA records and criminal warrant information through NCIC, CJIS, and Sheriff's Department.

III. PROCEDURES

A. Displaying incident information

1. It is part of the on-duty Cottage City officer's duty to monitor the CAD for all calls in Cottage City. Any critical or relevant information available for the location (call-taker's remarks, premise history, hazards, etc.) will be displayed to the officer responding to the call.

B. Entering/Modifying "file only" calls

1. Any calls entered (also called "creating numbers") must be submitted using the "file only" command to prevent them from being sent to the dispatcher.

C. Messaging System

1. The messaging system gives the Cottage City officer the capability of communicating with any other CAD terminal in the system.

2. Messages can be sent to a specific recipient or to the dispatcher of a particular district/station.

3. Members may also use the Cap Win system to send messages to any CapWin user on the system.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **CITIZEN COMPLAINT**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

Citizen Complaints.

(a) Whenever an individual believes that he or she has been the object of police misconduct, such individual may file a written complaint with the Chief of Police on a form provided by the Police Department.

(1) The complaint shall include the name of the complainant and, to the extent known, the name of the law enforcement officer allegedly involved, and the time, place, and circumstances involved in the incident. The complaint shall also include an explanation of the conduct that is deemed to be wrongful.

(2) Sufficient supplies of citizen complaint forms shall be readily available at the Cottage City Police Department. These written complaint forms may be submitted in person or sent by mail to the Cottage City Police Department

(b) Individuals who present oral complaints by telephone or in person to police headquarters or to individual law enforcement officers shall be instructed to fill out a written citizen complaint form.

The law enforcement officers shall advise such individuals of the correct procedures to be followed under this Section. Upon request, a copy of the citizen complaint form will be mailed to the complainant at the address furnished.

(c) The Cottage City Police Department will post instructions in the Cottage City Town Hall on how to explain the procedure for filing a complaint.

(d) An explanation of the complaint procedure shall be made to all officers of the Cottage City Police Department.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **SEARCH AND RESCUE MISSIONS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department will initiate or participate in search and rescue missions to the extent necessary to locate missing, lost, or unaccounted-for-persons with the intent of removing them, if not trapped or injured, to a safe location, or to identify their location if they are trapped or injured, so that extrication and/or emergency medical treatment or evacuation can be accomplished by appropriately trained personnel.

II. SEARCH AND RESCUE

A. If a search and rescue operation involves Police and Fire/Rescue personnel, Department personnel will coordinate all efforts involving the search and rescue with the Fire/Rescue Incident Commander.

B. The officer-in-charge of Department personnel participating in a search and rescue mission will:

1. Ensure that the Supervisor and the Chief of Police are notified as soon as practical;

2. Establish a command post in close proximity to the Fire/Rescue Incident Command Post;

3. Ensure that all officers involved are appropriately equipped and attired with suitable clothing, portable radios (tuned to the same frequency), flashlight, and any other specialized equipment deemed necessary.

4. Arrange for the Department's Cottage City maps to be brought to the scene, if deemed appropriate;

5. Authorize a trained officer to utilize the Department's bicycle, if the terrain is not suitable for searches by conventional motor vehicles;

6. Request the assistance of PGPD Canine teams to respond; and,

7. If necessary, request air support from PGPD, MSP or U.S Park Police helicopter, unless already requested by the Fire/Rescue Incident Commander.

C. Officers participating in the search and rescue mission will:

1. Keep the officer-in-charge informed as to their location and status so that maps can reflect the areas covered by the search and to prevent officers from becoming disoriented;

2. Make no attempt to rescue a person injured or trapped, unless in a life-threatening situation (i.e., CPR necessary, a fire is threatening the injured person, etc.); and,

3. Document the specific location where the person is found, paying particular attention to any indications of foul-play.

D. If the Maryland State Police helicopter or any other police helicopter responds and lands at or near the scene, officers will follow the below procedures.

1. Do not approach the helicopter that has landed or is landing until told to do so by a member of the crew;

2. Only approach the helicopter from the Safe Zone (head-on) where you are visible to the pilot;

3. Secure all loose clothing and objects when around the helicopter;

4. Only trained personnel are to approach the aircraft to either load or offload patients;

5. No unauthorized persons are allowed within 150 feet of the aircraft;

6. No smoking or running is permitted within 150 feet of the aircraft;

7. Do not lift anything above shoulder-height (i.e., I.V. bags, etc.); and
8. Hearing and eye protection are recommended, if available, around the aircraft.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **EMERGENCY PERSONNEL MOBILIZATION**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. Normally, an incident requiring the mobilization of all Department personnel, or the majority of them, can be planned for ahead of time. If an incident or event is one for which plans have already been developed, the Department's mobilization plan may not need to be implemented, but there are some incidents which happen spontaneously and escalate rapidly, or are massive and complex in nature, or severe weather requires additional personnel and resources to protect the citizens of the City.

B. In order to be prepared for an emergency which would require calling officers back for duty, the Department will have an Emergency Mobilization Plan with three alert stages.

II. EMERGENCY MOBILIZATION PLAN

A. Evaluation For Activation

1. If a situation, event, or severe weather occurs that immediately requires additional personnel to respond back to Cottage City, the Sergeant/Lieutenant (if on duty) or the senior officer on patrol, will contact the Sergeant/Lieutenant if off-duty, without delay to advise him of the situation.

2. The Sergeant/lieutenant will notify the Chief of Police.

3. The Chief of Police will determine if notification of the Cottage City Commissioner(s) and/or the Director of Public Works is appropriate.

4. If the Chief of Police orders the implementation of the mobilization plan, it will be accomplished systematically, and at the alert stages described in Section B below.

B. Alert Stages

1. Level I- Placing Department Members On Stand-By

- The Chief of Police will have the on-duty supervisor notify all operations personnel that they have been placed on "stand- by."

2. Level II- Certain Members To Respond and Stage

- At this level, all officers and the Communications Supervisor will be notified to respond to the station or designated staging area, as directed by the Chief of Police.

- The Chief of Police will:

    a. Oversee all Department activities;

    b. Assume command of Department personnel; and,

    c. Assume command of the scene, pursuant to the provisions of the Memorandum of Understanding with Prince George's County Police or another jurisdiction, as appropriate.

- Sergeant/Lieutenant will:

    a. Brief personnel under his command of the situation;

    b. Ensure that personnel under his command are adequately equipped and attired for the situation; and,

    c. Prepare to deploy his personnel as directed by the Chief of Police.

3. Level Ill- All Other Members Respond and Stage

- At this level, all other Department members will be notified to respond to the staging area for briefing by the Chief of Police.

C. Communications

1. All participating members will have access to communications (either by portable transceiver or mobile transceiver, or both} and when they are placed on "stand-by" .(Level I alert stage) they will be advised at that time of the radio channel assigned for the incident/event.

2. The cellular phone number will be given to the communications supervisor.

3. To place members on "stand-by," they will be called at home (if not on-duty}, and if no answer there, they will be called on their cell phone.

4. All members placed on "stand-by" will check their sources of communication (portable and mobile} immediately to ensure efficient operation.

D. Primary and Alternate Assembly Areas

Members will be advised when they are placed on "stand-by" of the location of the primary staging area and any alternate staging area.

E. Equipment Distribution

1. Members- responding to the designated staging area will be provided With, and/or advised of, the equipment they will need, by the Sergeant or Chief of Police.

2. Specialized equipment or equipment that is not normally standard issue will be distributed by the Sergeant who will be responsible for the equipment stored in the staging area.

F. Special Task Force Activation

The creation and activation of special task forces to accomplish specific tasks or assignments will be done at the direction of the Chief of Police in coordination with PGPD personnel and in accordance with the Memorandum of Understanding.

G. Key Personnel Designations

Aside from the duties and responsibilities to be performed by the Chief of Police, he will designate key personnel with respect to such positions as:

1. Media liaison representative,

2. Communications car, and

3. Any other position the Chief of Police deems necessary.

H. Transportation Requirements

Members responding to the staging area drive their police vehicle to the staging area, or as directed by the Chief of Police or the Sergeant.

I. Management Control Measures

1. The Chief of Police will be responsible for all Department activities and personnel.

2. The Chief of Police and the Sergeant will be updated by those they supervise to ensure that assigned tasks have been performed.

3. The Chief of Police will ensure that the Cottage City Commissioners are notified, if necessary.

J. Coordination With Emergency Management Personnel

The Department's efforts will be coordinated with any emergency management personnel on the scene from Prince George's County Office of Emergency Management, State of Maryland Emergency Management Agency, or Federal Emergency Management Administration to the extent necessary to ensure the safety of Cottage City citizens, and to bring about a successful resolution to the situation.

K. Rehearsals

1. Rehearsals of the mobilization plan will be as directed by the Chief of Police.

2. For authenticity, rehearsals may involve Fire/Rescue, other emergency management officials from the County, State, and/or Federal agencies.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **UNUSUAL OCCURRENCES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Chief of Police is responsible for the planning of the Department's response to unusual occurrences in the Cottage City, and may designate other members of the Department to assist with the development of plans and strategies. The Chief of Police shall review and approve all unusual occurrence response procedures and will ensure all members of supervisory rank are familiar with the procedures and are prepared to implement them, if needed.

II. DEPARTMENT RESPONSE PLANS

A. The Department will have response plans, written from the perspective of a first-responder; to provide guidance to officers who are dispatched to certain situations, or who find situations while on patrol for which implementation of certain plans would be appropriate. The intent of these plans is to enable officers to contain a situation until the arrival of additional personnel, resources and equipment.

B. The Department will have contingency plans for the following:

1. Natural and Man-Made Disasters
2. Civil Disturbances
3. Hostage/Barricade Situations

4. Emergency Mobilization

5. Special Events

C. All Department personnel will have access to Department emergency operations/unusual occurrence plans that pertain to the above listed situations (located in the brown file cabinet, below the metal stand containing officer's individual mailboxes in the operations area).

D. All Department emergency operations/unusual occurrence plans will be reviewed at least annually and updated as needed.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **PLANNING FOR SPECIAL EVENTS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

The Department will plan for special events that come to its attention and for which Cottage City Officers will be deployed. A special event is an activity, such as a parade, festival, public demonstration, large party/wedding, that results in the need for traffic control, crowds, demonstrators, or crimes.

II. SPECIAL EVENT PLAN

A. Each Special Event Plan will consist of at least the following:

1. If and how Cottage City Officers will be deployed, including any PGPD special operations or other personnel from other Departments.

2. Designation of a single person or position as supervisor and coordinator for the event's coverage.

3. A written estimate of traffic, crowd control, and crime problems expected.

4. Logistical requirements.

5. If traffic will be directed and controlled, how will this be accomplished.

6. Coordination inside and outside the Department and whether other agency personnel will be utilized.

B. Critique/After Action Report

1. Each plan will be reviewed/discussed with the Sergeant or Lieutenant prior to the event.

2. A copy of each completed Plan will be submitted to the Chief for station files.

3. The person preparing the Plan may keep a copy for his/her records.

4. After the event, the preparer of the Plan will submit to the Chief of Police, via the chain-of-command, a brief/concise report concerning the event.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **NATURAL AND MAN-MADE DISASTERS**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. The Department recognizes the importance of planning for natural and man-made disasters and will have appropriate plans so that Department members responding to such disasters will have written guidelines and procedures to follow.

B. In the event of a major catastrophe or disaster, the Prince George's County Emergency Operations Plan will be activated and will take precedence, over the Cottage City's plan. However, there are many situations that arise which do not require the activation of the County's Emergency Operations Plan, but for which planning and a coordinated response is important.

C. Therefore, the Department will have a written plan (copies of which are issued to the Sergeant and Lieutenant, and one copy is available to all personnel in the Unusual Occurrences File Cabinet), and written procedures contained in this general order from the perspective of a "first responder" to provide guidance and/or to handle the situation that is serious, but not serious enough to warrant activation of the County Plan.

II. AUTHORITY TO ACTIVATE THE COUNTY PLAN

A. Only the Chief of Police May Request Activation

1. Cottage City is a part to a Memorandum of Understanding included in the Prince George's County Emergency Operations Plan, and members will abide by the terms and conditions outlined in the M.O.U. when the Prince George's County Emergency Operations Plan is activated. Only the Chief of Police, or person designated to perform the Chief's duties in his/her absence, is authorized to request the plan's activation in the Town.

2. When the plan has been activated, the Prince George's County Chief Administrative Officer will assume command of the emergency situation which caused the plan's activation.

B. Adherence to Cottage City Procedures until County Plan Activation until the County's Emergency Operations Plan is activated; officers will adhere to the procedures and guidelines outlined in this directive and in the Department's Emergency Operations Plan(s).

III. PROCEDURES AND GUIDELINES

A. Communication

1. During the response to, and at the scene of any disaster, effective communications are perhaps the single most important element to a successful resolution.

2. Members of the Department will request additional personnel to attempt to contain the situation until specialized resources and equipment arrive, and keep communications and Department supervisors and command staff informed of any situation to which they respond, with frequent updates, if possible.

3. Members utilizing radio communications must be aware that many citizens, members of the media, and inquisitive bystanders have scanners and will not hesitate to respond to a scene where police activity is "in-progress." Therefore, officers will use appropriate radio codes and "ten signals" during communications between themselves and ECC, and during conversations between officers.

4. Members utilizing radio communications must also be aware that in some instances the use of the police mobile and/or portable radio is ill-advised because of the possibility of detonating an explosive device.

   a. If explosives are involved in any disaster situation, officers should use telephone communication if possible.

b. If a police radio can be used, officers will ensure that they are a safe distance from the scene before a radio transmission is made.

5. If possible, an alternate radio channel should be requested from communications so that communications pertaining to the disaster will not interfere with other radio traffic.

B. Field Command Post

1. The first-arriving officer will assume command of the scene (from a police perspective - the fire incident commander will be in-charge of the overall scene) until the arrival of a higher-ranking police officer, at which time command will be relinquished to the higher-ranking officer.

2. After quickly assessing the situation's magnitude, the first arriving officer should establish a field command post, which can be anything from a police vehicle to a formal structure.

3. The first arriving officer's vehicle is the incident's temporary "field command post" until a supervisor determines that it is not necessary or the supervisor formally establishes a field command post.

4. When the first arriving officer establishes a temporary field command post, he/she should consider locating it:

a. In an area near the scene (if not at the scene) that ensures its security and the safety of the personnel staffing it,

b. In the event of a hazardous materials incident (HAZMAT), it should be located a safe distance from the scene and upwind, if possible,

c. The temporary field command post should:

- Be suitably equipped with communications equipment, including a mobile transceiver, a portable transceiver, and if possible, a phone. If warranted, Cottage City officers will request PGPD Mobile Command Post, which is equipped with all the necessary equipment;

- Contain a map of the area in which the incident is located, and if necessary, the first arriving officer should request one of the additional officers responding to bring a City map to the command post; and,

- Be located near the Fire/Rescue Command Post.

C. Casualty Information

1. Until the arrival of officers of higher rank, the first arriving officer will attempt to learn if, and how many persons are injured or killed so that higher-ranking officers can be briefed upon their arrival.

2. If members of the media have begun to gather at or near the scene, the first arriving officer's responsibility will be to contain and control the scene and not the media. The first arriving officer will not release casualty information to members of the media, but will refer them to the appropriate media liaison representative.

D. Community Relations/Public Information

1. The first arriving officer will brief the first arriving officer of higher rank so that information released to the media and public is coordinated and accurate.

2. If the first arriving officer has been directed by an officer of higher- rank to provide information to the media, the release of information known to the officer will be governed by the following:

   a. The information shall be accurate and reliable,

   b. The information will not be released if not considered to be in the public domain (i.e., next-of-kin not yet notified, sensitive or confidential information pertaining to an on-going investigation, etc.),

   c. The information will be factual and not conjecture or opinions.

3. When responding to media inquiries, the phrase "No Comment" should not be used as this has both an affirmative and a negative connotation depending on the structure of the question.

   A. If an officer does not know the answer, but its disclosure should not be made public at that time, the officer should indicate that "at this particular time" an answer cannot be provided.

c. If the officer does not know the answer, but its disclosure should not be made public at that time, the officer should indicate that "at this particular time" an answer cannot be provided.

4. Representatives of the media will be allowed closer access to the scene than persons not affiliated with the media, as long as the access will not hinder police/fire/rescue efforts, and it is safe.

5. Under no circumstances will any member of the Department cover or attempt to cover a media representative's camera lens or interfere with a media representative's lawful activities.

E. Notification of, and Support from Other Agencies

1. If the first arriving officer ascertains that personnel from other agencies are needed, the request for them will be made via communications.

2. Requests for support/response from other agencies should be made after a careful assessment of why they are needed and what communications should tell them upon notification (i.e. airplane crash, fuel truck involved in accident leaking fluid, etc.)

3. Notwithstanding the need for fire/rescue to conduct their operations, the first responding officer should make every effort to protect the scene, especially in the event of a plane crash so that federal investigators can attempt to determine the crash's probable cause.

F. Public Facility Security

1. If a public facility is threatened, the first arriving officer should assess the situation and make the responding supervisor aware of it.

2. If the facility's security is in immediate danger, the first responding officer should direct additional responding officers to the facility until the supervisor arrives.

3. If the public facility is owned by a utility company (i.e., W.S.S.C., P.E.P.C.O., etc.), the first arriving officer should request ECC to notify them and have their security officers respond to secure their property.

G. Military Support (Martial Law)

If the first arriving officer, after his/her assessment of the overall situation, believes that military support is warranted, he/she will make the responding supervisor aware of this and discuss it with him/her upon their arrival.

H. Traffic Control

1. The first arriving officer should direct other responding officers to areas where traffic direction and control are needed in order to:

   a. Keep traffic moving away from and around the incident, and

   b. Ensure that the scene is secured and protected.

2. Officers directing or controlling traffic at or around the scene of the incident will:

   a. Position their police vehicles in a manner that protects them and the scene;

   b. Wear high-visibility clothing;

   c. Allow media representatives closer access to the scene than private citizens, as long as the access will not hinder police/fire/rescue operations and/or the media representatives' safety;

   d. Effectively use flares, traffic cones, and portable signs, depending upon the nature of the incident;

   e. Be aware that at the scene of a hazardous materials leak/spill, or a natural gas leak, the ignition of flares may be prohibited;

   f. Consider all downed power lines to be energized unless positively told differently by Fire/Rescue or PEPCO personnel;

   g. Keep traffic moving and not allow motorists to stop u n necessarily, and advise motorists of alternate routes, if possible; and,

   h. Place a traffic light on flashing at an intersection where an officer will be manually controlling traffic.

I. De-Escalation Procedures

De-escalation procedures will be addressed by the Incident's Commander, and Department members will assist as necessary to bring about a systematic and gradual return to normalcy.

J. Rumor Control

1. With any major situation, rumors develop and spread throughout the affected community and beyond. Rumors can not only be counterproductive, but can also pose a danger to incident participants.

2. The first arriving officer must be cognizant that his/her actions, words, radio transmissions, etc., can help to dispel rumors, and therefore will refrain from:

   a. Speculating about the cause(s) of the incident;

   b. Stating opinions as to fault, and

   c. Disclosing any information about the incident that members of the public or media could hear (in-person, over-the-air, etc.), which is unsupported by facts.

K. Post-Occurrences Duties

1. Tasks, duties, and responsibilities for officers who responded to the incident will be assigned by the supervisor or Incident Commander.

2. The officer assigned to write the Event Report or the communications car will request a copy of communication's radio and/or telephone tape, being mindful that this could take several days.

3. All Department members who participated in the incident will coordinate with the report writer so the Event Report can accurately reflect what each officer did.

4. The supervisor will arrange for a critique of the incident and a formal report will be prepared by the supervisor and submitted to the Chief of Police (if the Chief of Police was not the incident commander) and the City Manager for review and approval, prior to it being released to the media.

5. After the report has been approved, dissemination of it will be as directed by the Chief of Police and/or Cottage City Commission.

L. Transportation

In the event transportation is needed away from the area affected by the incident, communications division will be requested to contact the following to determine if, and to what extent, service can be provided:

1. County Bus,

2. Metro and local taxi companies.

COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **CIVIL DISTURBANCES**

NEW REVISED RESCINDS

APPROVED: GM
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

I. POLICY

A. The Department has limited resources with which to handle a major civil disturbance occurring entirely or partially within the Cottage City boundaries. The Department therefore, will establish a Civil Disturbance Plan and this general order to provide officers with procedures and guidelines from the perspective of a first responder so that they can attempt to contain a situation upon their arrival at a location.

B. The Department's Civil Disturbance Plan will also be written to provide guidance to the event that Department members will have to handle a situation exclusively because of the commitment of PGPD support. An example of when the Department's Civil Disturbance Plan may apply would be in a situation involving small-scale picketing, demonstration, or a rally on Cottage City-owned property that must be monitored during its duration, but does not require activation of the PGPD Plan.

C. Upon activation/implementation of the PGPD Civil Disturbance Plan, Cottage City will defer to the PGPD Plan and the Cottage City Officers will adhere to the direction of the officer-in-charge of the disturbance, pursuant to the Memorandum of Understanding.

II. PROCEDURES AND GUIDELINES

A. Communications

1. PG Public Safety Communications will be the primary source of communications and will assist all communications-related issues and notifications in accordance with their S.O.P.

2. After assessing the overall situation, the first arriving officer should consider requesting a 10-3 and request communications to notify the on-duty patrol supervisor.

3. Communications will provide a radio operator to monitor the radio frequency used in conjunction with the disturbance, and the frequency used should be one which is tape recorded and not the "talk-around" channel.

4. Officers will be very specific when communicating with communications and transmissions of a sensitive nature should be made via telephone.

B. Field Command Post

1. A field command post will be established as soon as practical by the first responding officer who shall assume command until relieved by an officer of higher rank.

2. The command post should be centrally located, yet a safe distance from the scene, and secure.

3. It should contain adequate lighting, a telephone, and the Department's situation maps. (PGPD has a command post for this purpose if needed.)

4. The police field command post should be located in close proximity to any Fire/Rescue Command Post established to ensure security and accurate information exchange.

C. Legal Ramifications

1. At the scene of a major civil disturbance, the first arriving officer should avoid making an arrest without appropriate back-up.

2. After arrests have been made, appropriate charges, and the methods by which they are placed, should be discussed with the supervisor and a representative from the State's Attorney's Office.

D. Notification of, and Support from Other Agencies

3. The first arriving officer will request via communications whatever assistance he/she believes is necessary to contain and control the situation.

4. If the first arriving officer believes that mutual aid is needed from the County police, he/she will advise the supervisor of this and will act accordingly.

5. The first arriving officer will also advise the supervisor of any situation for which he/she believes that military support may be warranted.

E. Community Relations/Public Information

6. If members of the media have begun to gather at or near the disturbance, the first arriving officer will refer all inquiries to the appointed media liaison representative.

7. In their dealings with members of the community, media, or demonstrators or picketers, all officers shall refrain from stating opinions or making comments that would tend to indicate that the officer (or police department) is "taking sides" on a particular issue.

F. Public Facility Security

8. If the first arriving officer determines that a public facility's security is threatened, he/she will request additional officers and direct them as needed.

9. Communications will be requested to notify the security forces for these facilities (W.S.S.C., P.E.P.C.O.) for the purpose of getting them to respond and patrol their respective properties.

10. For the purpose of this general order, "public facilities" in the City will include:

    a. Town Hall,
    b. Police Department, and
    c. Public Works.

G. Traffic Control

11. When calling for additional officers, the first arriving officer should direct those needed to certain traffic points to keep unnecessary pedestrian and vehicular traffic from the affected area.

12. Communications will be notified of all roads or streets that will be closed, regardless of the length of time they will be closed communications will also be notified of any traffic light placed on flashing.

H. Equipment Requirements

13. The first arriving officer, after assessing the overall situation, will advise responding officers of what equipment they should bring with them.

14. Each officer assisting with the civil disturbance situation will be appropriately equipped with at least:

    a. A portable transceiver, and

    b. Department-issued firearm and non-lethal weapons.

I. Post-Occurrences Duties

15. Tasks, duties, and responsibilities for officers who responded to the incident will be assigned by the supervisor or Incident Commander.

16. The officer assigned to write the Event Report or the communications car will request a copy of the communication's radio and/or telephone tape.

17. All Department members who participated in the incident will coordinate with the report writer so the Event Report can accurately reflect what each officer did.

18. The supervisor will arrange for a critique of the incident and a formal report will be prepared by the supervisor and submitted to the Chief of Police (if the Chief of Police was not the incident commander) and the Cottage City Commission for review and approval, prior to it being released to the media.

19. After the report has been approved, dissemination of it will be as directed by the Chief of Police and/or Cottage City Commission.

J. Transportation

In the event transportation is needed away from the area affected by the incident, communications will be requested to contact the following to determine if, and to what extent, service can be provided:

20. County Bus,

21. Metro and local taxi companies.