



Baltimore Police Department



MFI

137295

AL PROCEDURES MANUAL

1990

Edward V. Woods
Police Commissioner

10-Codes

10-1	Transmission/radio check
10-2	Your signal is good
10-3	Your signal is poor
10-4	Acknowledgment
10-5	Unit failed to answer
10-6	Stand-by Busy
10-7	Out of service (Give 10-20)
10-8	Back in service
10-9	Repeat your message
10-11	Meet (unit) at (10-20)
10-12	Not available
SIGNAL 13	OFFICER NEEDS HELP
10-14	Wagon run request/query
10-15	Urgent wagon run request
10-16	Back-up unit (request)
10-17	Call your assignment
10-18	Go to your assigned place
10-19	Return to your last location
10-20	Location
10-21	Call (telephone number)
10-22	Disregard
10-23	Arrived at scene
10-25	Suspicious vehicle stopped
10-26	Request to change frequency
10-27	Driver's license information
10-28	Vehicle registration info
10-29	Wanted check (person or car)

137295

*To: The fine men and women of the
Baltimore Police Department.*

It is with great pride that I present to you the new
Operational Procedures Manual, in an innovative,
easy-to-use format.

This manual will allow quicker access to the many
operational procedures that we employ to serve and
protect the citizens of our great city.

Edward V. Woods
Police Commissioner
December 1989

137295

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Where to Call for a Specific Service

Communications supervisor	Com Div Shift Commander	2284
Complaint card file	Police Services, or your district	
Criss-cross checks	Police Services	2646
Duty Judge (search warrant)	Com Div Shift Commander	2563
IID notifications	Com Div Shift Commander	2284
Juvenile custody numbers	Hot Desk	2680
From outside line	Hot Desk Supervisor	2359
Listings	Your District, or Police Services	
On-view complaint numbers	Police Services	2646
Report writing/selection help	Staff Review	2360
Repossession (repo) checks	City-Wide Dispatcher	2393
Warrant/wanted checks	Hot Desk	2680
From outside line	Hot Desk Supervisor	2359

Units and Phone Numbers

Central Records Supervisor	2359
CID - Arson Unit	2645
CID - Auto Squad	2005
CID - Check Squad	2400
CID - Homicide Unit	2100
CID - Property Crimes	2694
CID - Robbery (Persons Crimes)	2636
CID - Sex Offense Unit	2342
Hot Desk	2680
Internal Investigation Div (IID)	2300
Medical Examiner	156-3836
Motor Pool	2630
Police Services	2646
Staff Review	2360
Sub-Station- Pulaski	156-9956
Sub-Station- Dickman Street	156-3601
Sub-Station- Fallsway (Central)	156-5190
Sub-Station- Calverton Yard	156-0228



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Section 1

Calls for Service Step-by-Step Procedural Guidelines

Introduction

In this manual you will find separate discussions of many of the calls for service that you will encounter in your day-to-day duties. Also discussed are a variety of procedures you need to understand and follow in the field. A separate section discusses how to handle situations involving juveniles, and the final section gives specific reporting guidelines for a variety of call types and situations. For each subject in the first two sections you will find a set of general guidelines, a step-by-step procedural checklist, and a summary of any special reporting requirements for each type of call or procedure discussed. Note that the various sources of the information contained in these pages are listed for you, in the event you need information beyond the scope of this publication. The purpose of this effort is threefold:

- ☐ First, to offer you a single, comprehensive reference source you can use before you actually have to handle the call
- ☐ Second, to provide a prioritized checklist of specific duties you should perform in handling each type of call, and to guide you step-by-step in properly carrying out the numerous procedures required in a variety of call types and situations.
- ☐ Third, to provide you with ready reference lists for a variety of common things, such as:
 - ☐ Determining what type of report form to use.
 - ☐ Determining what departmental unit to call for common needs.
 - ☐ Finding obscure 10-Code and Oral Code references.
 - ☐ Highlights of C.P.R.

Therefore, you are encouraged to read through this manual whenever you have the opportunity, so you'll have a better idea of what to do before you are faced with an unfamiliar situation. You are also urged to use these step-by-step guidelines after receiving and responding to the call, to ensure that you don't neglect to do, say, recover, or write anything of importance.

Every effort was made to provide this information in a comprehensive manual that is organized to make finding things quick and easy. It was not designed to replace the General Order Manual, but to augment it by

- providing easy, convenient access to the operational and procedural requirements that you have in the field. Keep in mind that the General Order Manual remains the definitive body of Departmental directives, orders, and procedures.

- Note that the procedures and guidelines included in this manual were drawn not only from selected General Orders, but from Police Commissioner's Memos, Operations Bureau Memos, Patrol Division Memos, and Training Guidelines as well.

This approach enables you to find what you need to know (operationally) about patrol-oriented procedures in one place. It is intended to be to our various procedures and directives what a shopping mall is to retail stores; one-stop shopping.

Finally, because your input is important, you are encouraged to submit your suggestions as to how the manual might be made easier to use or more complete.

One final note, the information and procedures contained in this manual represent MINIMUM STANDARD requirements. It is recognized that many first-line supervisors and district command members might demand more from you in certain cases than is required here. If that is the case, you are expected to perform to the higher standard. But whether or not that is the case, YOU are always encouraged to do more, to question more, and to write more, if a particular investigation will benefit from it, or if the circumstances of a case require it, and if manpower and time constraints allow it.

Subject: Accident Investigations

(See GO # 18-86 I-5)

Guidelines

- ☐ Whether reported at the time of occurrence or later, a report is REQUIRED when an accident occurs, and:
 - ☐ A person is KILLED or INJURED, or
 - ☐ DWI is charged, or
 - ☐ A STOLEN VEHICLE is involved, or
 - ☐ There is DAMAGE (no matter how minor the damage) to any vehicle or property, and any one of the following is true:
 - ✱ Owner/operator of damaged vehicle/property is unavailable.
 - ✱ A federal, state, or local government vehicle or property is involved.
 - ✱ Any public or private school bus, or Mass Transit type vehicle (bus, trolley, etc.) is involved.
 - ✱ It was a Hit And Run.
 - ✱ You lack enough information to complete Form 43 (The Traffic Accident Information Form).
- ☐ The Traffic Investigation Unit (TIU) will investigate/report:
 - ☐ All FATAL, or POTENTIALLY fatal, accidents and Hit and Runs involving injury or extensive, disabling damage.
 - ☐ Departmental and/or Fire Department vehicle accidents.
 - ☐ Accidents involving other city vehicles which result in injury or extensive property damage.
 - ☐ All other accidents will be handled by patrol officers.

Procedure

- ☐ Provide for the injured.
- ☐ Park to shield and protect the scene and prevent more accidents.
- ☐ Prevent theft from accident victims/vehicles.
- ☐ Find, identify, and interview any witnesses.
- ☐ Determine if driver(s) have valid license and registration.
- ☐ If you determine that an accident report is NOT REQUIRED, then:
 - ☐ Tactfully explain departmental policy.
 - ☐ Distribute Traffic Accident Information forms (Form 43).

- ✱ Fill in your name, CC#, etc., before distribution.
- ✱ If necessary, assist parties in completing forms.
- ✱ Give witness information to all parties.
- ☐ Give oral code to communications dispatcher.
- ☐ Record names and phone numbers of all parties on Daily Activity report.
- ☐ If an accident report is required, then you must determine who will handle it (See Guidelines above):
 - ☐ If accident will be investigated by ANOTHER unit:
 - ✱ DO NOT MOVE ANY CARS. Stabilize the scene.
 - ✱ Call for, and await, the TIU (or other) unit.
 - ✱ Assist responding unit, if necessary.
 - ☐ If YOU investigate the accident:
 - ✱ Interview participants/witnesses.
 - ✱ Examine scene.
 - ✱ Try to move cars to clear roadway.
 - ✱ Request necessary tow truck(s).
 - ✱ Notify owner of any property damaged.
- ☐ Submit (timely) written accident report.

Arson/Malicious Burning/Fires of All Types

(See PCM 53-88 and Training Guidelines, Volume 6, Number 4)

Definitions

- ☐ **ARSON**—Any intentional or malicious burning (or attempt to burn) of any part of any building, vehicle, aircraft, or personal property of another, whether or not there was intent to defraud. Arson is a Part I crime under the FBI's Uniform Crime Reporting (UCR) program.

Guidelines

- ☐ The Fire Department has complete authority and is in complete command at all fire scenes.
- ☐ At a fire scene you should assist the Fire Department in any way you can.
- ☐ You should see that no person hinders or obstructs any firefighter in performing his/her duties. You should divert traffic as necessary, and maintain crowd control for the safety of onlookers.
- ☐ The primary unit is also responsible for investigating the fire and completing and submitting appropriate offense reports.

- ☐ Fire Department personnel have the responsibility to determine the cause of all fires. It's not an arson unless they say it is.
- ☐ You will not request the Police Arson Unit unless asked to do so by the Fire Department investigator(s). However, our Arson Unit personnel will respond automatically to all multi-alarm (3 or more) and fatal fires; fires involving Police or Fire Department equipment or property; any series of fires involving hospitals, hotels, multi-apartment complexes, nursing homes, and commercial or industrial establishments where large numbers of people are concentrated; fires set because of racial, religious, or ethnic incidents; and all bombing incidents (where devices are actually found or detonated).
- ☐ The Police Department Arson Unit follows up all unsolved Arson fires (or attempts), and certain Malicious Burning incidents.
- ☐ The Arson Unit is available to assist you in the investigation of incendiary fires, and can be reached by calling 2284 and requesting that the arson investigator return your call (give 2284 a number where you can be reached).

Procedure

Upon arrival at the scene of a fire:

- ☐ If the Fire Department has not yet arrived:
 - ☐ Park your vehicle out of the way, to allow responding fire equipment to get to the scene.
 - ☐ Request the Fire Department (once you've verified the need).
 - ☐ Render aid to the injured (call for an ambulance, if needed).
 - ☐ Attempt to determine if there are any people still inside the building, and advise fire department personnel upon their arrival.
 - ☐ If there was a fire, but it has been put out, CONTACT THE FIRE DEPARTMENT IMMEDIATELY by landline (396-5686) and report the circumstances. It is the responsibility of the Fire Department to assure that all fires are PROPERLY extinguished and investigated.
- ☐ If the Fire Department is on the scene, or once they arrive:
 - ☐ Park your vehicle out of the way, to allow responding fire equipment to get to the scene.
 - ※ If necessary, advise other units where to divert traffic.
 - ※ Provide crowd control and traffic control at the scene.

- ☐ Do not allow anyone access to the fire scene except emergency personnel, the press, and holders of fire line passes, unless restrictions are placed on their movements by the Fire Department Officer in Charge.
 - ➔ **NOTE:** Fire line passes are issued (until they are revoked or recalled) only by the Chief of the Fire Department, and do not have to be honored after the Fire Department leaves the scene.
- ☐ Instruct pass holders to move back to a safe distance when you believe that they are in an unsafe/dangerous area.
- ☐ The Fire Department officer in charge will make the FINAL determination as to who has access to fire scenes.
 - ☐ Conduct a preliminary investigation into the cause of the fire (primary unit only).
 - ✱ Seek out, identify, and interview witnesses. Record their information. Ascertain where they were and what they saw.
 - ✱ Identify any injured citizens (and where they will be treated/hospitalized), the building owner, the building occupant(s), the person who first discovered the fire, and the person who first called the fire department or turned in the first alarm.
- ☐ Record the numbers of the Fire Department trucks, engines, and ambulances (and any other equipment) that responded. Record the name of the Fire Department investigator. Determine and record the number and location of the fire alarm box (if applicable).
- ☐ Interview Fire Department personnel to determine if the fire was an arson, where (and how) it started, the location and extent of the damage, and their estimate of the cost of the damage.
- ☐ Interview the occupant/owner. Find out if the property was insured (get company and agent's name, and policy number, if possible).
- ☐ Investigate to determine if there was any forced entry (prior to the Fire Department), or if anything is missing from the building. If the building was not a dwelling, determine what the building contained.
 - ☐ At the request of the Fire Department, call for our Arson Unit and/or Crime Lab to respond.
 - ☐ Take appropriate enforcement action toward any person guilty of any violation of the city or state laws.
 - ☐ Report your findings on the appropriate field report. See reporting requirements.

- **NOTE:** Crime scene processing will be conducted under the direction of the Fire Department Investigator or the Police Arson Unit Investigator.

Bomb Threats/Bombs

(See GO #59-77 G-7)

Guidelines

- ☐ Bomb calls will NOT be dispatched over police radio. You will be directed to immediately call 2284 to get the nature and location of the call by telephone. Put NO information over the air.
- ☐ DO NOT USE YOUR RADIO, for any reason, near the area of the call.
- ☐ In a bomb threat, the decision whether or not to evacuate, or to search for a device, is ONLY for the owner-operator to make. You are there only to inform, advise and keep order.
- ☐ If a bomb or suspected bomb is actually found, YOU will order an evacuation of the building/area. You will also request assistance (by telephone) from 2284, to include the Emergency Vehicle Unit.
- ☐ If EXTORTION is involved, immediately notify the Homicide Unit.

Procedure

- ☐ Obey all traffic control devices when responding to the scene.
- ☐ Locate the owner/operator of the premises.
- ☐ Advise owner/operator of the information you have, and get the owner/operator's decision on whether or not to evacuate or search for a device.
- ☐ If NO EVACUATION/SEARCH is to be made, simply get the information you need and write an MI report. See Reporting Requirements.
- ☐ If an EVACUATION/SEARCH IS TO BE MADE, then:
 - ☐ Evacuation should NOT be disguised as a Fire Drill.
 - ☐ Move evacuees at least 100 yards away from building.
 - ☐ Search is conducted or directed by the owner/operator.
 - ☐ If NO DEVICE IS FOUND, write an MI. See reporting requirements.
- ☐ If a suspected device or unfamiliar object is found:
 - ☐ DON'T TOUCH OR DISTURB IT, or allow anyone else to.
 - ☐ DON'T USE YOUR RADIO for any reason.

- ☐ ORDER EVACUATION of the building/area.
- ☐ Secondary unit shall:
 - ☐ Notify 2284 of the discovery, and REQUEST ASSISTANCE.
 - ☐ Assist in the evacuation of the building/area.
 - ☐ Open all doors and windows.
 - ☐ Move departmental cars out of danger.
 - ☐ In the absence of the Primary Unit, order the evacuation of the building/area.

Reporting Requirements

- ☐ Use a Persons Report if a device explodes and causes an injury.
- ☐ In all other bomb threat situations, use a Miscellaneous Incident Report form to report the crime.
- ☐ Include the following in ALL reports:
 - ☐ Date, time, and identity of person by whom threat was received.
 - ☐ Exact words used by the caller. Also, note sex, accent, and anything else distinctive about the caller.
 - ☐ Evacuation and protective and search measures taken.
- ☐ Additionally, if a device WAS found (but no explosion), include:
 - ☐ Date/time device was found.
 - ☐ Name/address of person who found device.
 - ☐ Exact location of device.
 - ☐ Names of EVU personnel, lab technicians, and arson detectives who responded.
- ☐ Do not include the following in your report:
 - ☐ Description of any device found (EVU officers will prepare a supplement with this information).
 - ☐ Disposition and custody of the device (Arson Unit will prepare a supplement with this information).

Child Abuse/Child Neglect

(See GO #16-87 L-1, as amended 7/1/89)

Definitions

Child—Any person under the age of 18 years.

Abuse—The physical injury of a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child's health or welfare is significantly harmed or at risk of being significantly harmed; or Sexual abuse of a child, whether physical injuries are sustained or not.

Neglect—The leaving of a child unattended or other failure to give proper care and attention to a child by the child's parents, guardian, or custodian under circumstances that indicate that the child's health or welfare is significantly harmed or placed at risk of significant harm.

- **Note:** Neglect does not include, for that reason alone, providing a child with non-medical religious remedial care and treatment recognized by state law.

Sexual Abuse—Any act that involves sexual molestation or exploitation of a child by a parent, or other person who has permanent or temporary care, or custody or responsibility for supervision of the child, or by any household member, or family member. Sexual Abuse includes: Incest, Rape, or sexual offense in any degree, as well as Sodomy and unnatural or perverted sexual practices.

Household—The location in which the child resides, or where the abuse is alleged to have occurred, or where the person suspected of abuse or neglect resides.

Household Member—A person who lives with, or is a regular presence in, a home of a child at the time of the alleged abuse or neglect.

Family Member—A relative by blood, or adoption, or marriage of a child.

Guidelines

- ☐ When handling any complaint of suspected or actual child abuse which DOES NOT come from the Department of Social Services, you MUST notify that agency and provide all appropriate details. Use their Hotline number: 361-2235 (24 hours a day).
- ☐ If your investigation of a child abuse case becomes complicated, contact the Youth Section for assistance or information about investigative procedures. After hours, notify the Communications Division Shift Commander (at 2284) to have the on-call Youth Section supervisor contact you.
- ☐ If you need further legal advice, contact an Assistant State's Attorney at the following numbers:

- ☐ During Business/Court Hours:
396-1990 (non-sexual):
396-5040 (sexual child abuse)
- ☐ All other times:
396-5852 (request on-duty ASA)
- ☐ If you have sufficient probable cause and exigent circumstances, you MAY make a warrantless arrest in cases of physical or sexual child abuse (but a warrant/criminal summons is preferable).
- ☐ You MAY NOT make a warrantless arrest solely for child neglect.
- ☐ MARYLAND LAW REQUIRES that you (or a social service worker) see the suspected victim of alleged child abuse WITHIN 24 HOURS OF THE INITIAL REPORT. Therefore, if upon initial response the child is unavailable, district (of occurrence) officers are responsible for conducting necessary follow-up attempts repeatedly until the child is located and observed, and his/her safety ensured.
- ☐ Cases of CHILD NEGLECT will be investigated as thoroughly as, and along the same lines as, cases of CHILD ABUSE.

Responsibility For Investigation

- ☐ The DISTRICT WHERE THE CHILD IS LOCATED is responsible for:
 - ☐ The preliminary investigation.
 - ☐ Notifying the district of occurrence PROMPTLY if additional children are involved and are thought to still be at the location where the abuse occurred.
 - ☐ Promptly delivering the report of the preliminary investigation to the district of occurrence.
- ☐ The DISTRICT OF OCCURRENCE is responsible for:
 - ☐ Continuing the abuse investigation.
 - ☐ Responding to the place of occurrence to ensure that no other children are at risk (after notification by the district where the child was located).
 - ☐ Ensuring that the child is seen within 24 hours of the initial report, by conducting repeated follow-up attempts (if the child is NOT available initially) until the child is located.

Procedure

Upon receiving any report of suspected child abuse:

- ☐ Locate and examine the child immediately. If necessary, provide or call for medical treatment.

- ☐ If emergency medical treatment is required, it should be from the NEAREST medical facility.
- ☐ In SEXUAL CHILD ABUSE cases where there is no need for EMERGENCY medical treatment, transport the child to one of the three hospitals designated for examination of sexually assaulted persons (see the instructions for Rape/Sexual Offenses on page 34 of this manual).
 - ❖ Advise the dispatcher to notify the hospital before you transport the victim.
 - ❖ Allow the parent/guardian to transport the child themselves if desired unless the child is a suspect for an arrestable offense. Otherwise, transport in your departmental vehicle, after first giving the dispatcher your location, destination, and purpose. Advise the dispatcher again, immediately upon your arrival.
 - ❖ If the parent/guardian refuses to allow the child to be examined, you cannot force them to. However, stress the importance of examination to help insure no permanent physical damage is sustained. Also stress how vital the recovery of medical evidence is to successful prosecution of the offender.
- ☐ If the parent/guardian chooses to have the child examined by a personal doctor, YOU MUST GIVE THE PARENT THE CC#. Also, stress the importance of PROMPT examination.
- ☐ If child is not found initially, conduct repeated follow-ups to locate the child. If the child is not located by the end of your tour of duty, make sure the relieving shift is aware of the need to continue attempts to locate the child and to conduct a complete investigation.
- ☐ If your investigation reveals that no abuse occurred, advise the Department of Social Services and complete an MI.
- ☐ If you find evidence of physical abuse, request crime lab response to take COLOR photographs of the injuries (This is NOT necessary to document the LACK of any visible injury).
 - ➔ **NOTE:** If the child sustained a life threatening injury as a result of suspected or actual child abuse, you MUST notify the Homicide Unit (CID), immediately.
- ☐ Attempt to have an on-site interview with the child's caretaker.
- ☐ If you believe there may be an IMMEDIATE threat to the well-being of the child or other children present at the location of occurrence, notify the Department of Social Services (361-2235) to respond to the scene IMMEDIATELY.

- ➔ **NOTE:** If the offense occurred in another district, immediately notify the district of occurrence, so that units from that district can respond to the location to ensure the safety of any other children who may be still there.

- ☐ If you believe that you have a case of CHILD NEGLECT (see definitions), and your investigation leads you to believe that removal of the child from the home is in the child's best interest, notify the Department of Social Services.

- ➔ **NOTE:** Do NOT make a warrantless arrest solely for child neglect.

- ☐ When your investigation reveals that child abuse did occur, and identifies a suspect, take appropriate legal action (arrest on probable cause, or apply for a warrant/summons).
- ☐ If necessary and appropriate, you may obtain an Ex-Parte Order from the court to protect the abused child from another family or household member.
- ☐ If victim is a resident/student of a day care or foster care institution, notify the Youth Section.

Reporting Requirements

- ☐ Which report form to use:
- ☐ Child Abuse or Sexual Child Abuse: Persons Report
 - ☐ Possible or Suspected Child Abuse: MI
 - ☐ Possible or Suspected Child Neglect: MI
- ☐ Top Line Of Narrative:
- ✱ "Copy to Department of Social Services."
- ☐ Write "Youth Section" in box #63.
- ☐ In SUSPECTED or POSSIBLE CHILD ABUSE/NEGLECT cases where you have multiple (related) victims, use the OLDEST child as the complainant, and include the name(s) of any other victims at the beginning of your narrative. You do NOT need multiple reports.
- ☐ The NARRATIVE of your report should include the following:
- ☐ Name, sex, age, DOB, and home address of the victim(s), and any other children in the house, and of the parent(s) or other persons responsible for the care of the children).
 - ☐ Your evaluation of the parents, and of child's home environment.
 - ☐ If possible, a copy of (or quote from) the doctor/hospital's report regarding the wound(s).
 - ☐ Cause and nature of injuries received.

- ☐ Cause of injuries, and identity of, person(s) responsible.
- ☐ Information from any identified source regarding previous injury.
- ☐ Complete, detailed, account of your preliminary investigation.
- ☐ Name and number of DEPARTMENT OF SOCIAL SERVICES employee you notified, as well as the Homicide (if applicable) detective.
- ☐ Disposition of the investigation (was warrant obtained, is one to be sought, etc?).

Deceased Persons:

Homicide, Suicide, Suspicious Death, DOA

Introduction

Your first duty when confronted with any crime is to render aid to the victim. In the case of an assault or other injury, you must summon an ambulance if necessary. While awaiting the ambulance, render whatever first aid care your training dictates.

- ➔ **RULE OF THUMB:** If you're not sure whether or not expert medical care is necessary, then it is—call for an ambulance.

If there are obvious signs of death (rigor mortis, decomposition, etc.) you may pronounce the victim dead. If there is any doubt that the victim is dead, call for an ambulance (via police radio).

Even as you aid the victim (or confirm the victim's death) you should proceed with the following two duties foremost in your mind:

- ☐ Preserve the scene. Evidence lost now will be lost forever.
- ☐ Locate, identify, separate and protect any actual, possible, or potential witness(es) to the crime, or to the events which immediately preceded or followed the crime.

PART I: INITIAL STEPS FOR ALL DEATHS and NEAR DEATHS

Until facts indicate otherwise, any death shall be investigated as if it were a homicide.

- ➔ **RULE OF THUMB:** Even if there are no signs of violence or foul play, unless it can be determined with a degree of certainty that the cause of a death was non-violent, then the death must be investigated and reported as suspicious.

Procedure

- ☐ Render aid (summon ambulance, give first aid).
- ☐ If possible, interview victim. Obtain dying declaration.

- ☐ If victim is still alive, assign a unit to accompany victim to hospital. Direct that officer to:
 - ☐ Interview victim. Get the facts. Who did it? How? Why?
 - ☐ Obtain and broadcast assailant(s) information.
 - ☐ Obtain dying declaration, if necessary (and possible).
 - ☐ Obtain all of victim's clothing, packed in SEPARATE PACKAGES, for examination by homicide detectives and submission to ECS. Ensure chain of custody.
- ☐ Preserve the scene. Don't touch anything, or allow anyone else to touch anything.
- ☐ Do not seize or remove any evidence (unless failure to take it into your possession will allow it to be lost or destroyed).
- ☐ Locate witnesses. immediately identify and interview them.
- ☐ Hold all witnesses (unless advised otherwise by Homicide detectives) for transport to the Homicide Unit.
- ☐ Attempt to identify, locate, and arrest the perpetrator(s).
- ☐ Obtain and broadcast a description of the suspect(s).
- ☐ Don't hesitate to call for units to assist you. Remember that you are responsible, so direct and control responding units until supervision arrives on the scene.
- ☐ If you determine (with the concurrence of your supervisor) that the death in all probability was NOT a homicide or suicide, proceed to Part II of this section.
- ☐ If an arrest is made, DO NOT ALLOW SUSPECT TO WASH HIS HANDS OR SMOKE. Be sure to tell this to the transporting officer and the desk personnel.
- ☐ Once Homicide detectives arrive on the scene, they are in control. Promptly provide them with all the information you have, and remain on the scene, under their supervision, to assist them.
- ☐ Do not move the body (except as necessary to determine death).
- ☐ Note and record the position of the body exactly as it was when you arrived. Note the exact time of your arrival.
- ☐ Mark the original position of the body (with chalk, crayon, etc.).
- ☐ With the concurrence of the Homicide investigator, direct the activities of the crime lab technician.

Notifications

As soon as possible, notify the following units to respond:

- ☐ Your supervisor (if unavailable, call any supervisor via KGA).
- ☐ Homicide Unit (via KGA).
- ☐ Crime Lab (via KGA).

Reporting Requirements

- ☐ The first officer on the scene should write the offense report.
- ☐ All other officers involved in the investigation should write Supplements to the original offense report.
- ☐ Record the exact position of the body as you found it. Note the position and direction of the extremities, face up or face down, etc.
- ☐ Note the exact time of your arrival, the weather and lighting conditions, and include a description of the crime scene.
- ☐ Include a statement that the next of kin were notified, or if they weren't, indicate why, and include a request that such notification be made.
- ☐ Indicate what property of the victim was recovered, and record the property number under which it was submitted to ECS.

PART II: NON-VIOLENT SUDDEN DEATHS/DOA

If it becomes apparent during your investigation that a death in all probability is not violent or suspicious, then handle the death as a DOA.

Procedure

- ☐ Collect the following information about the deceased:
 - ☐ Name, address, sex, race and age (DOB if available).
 - ☐ Date, time, and by whom the death was pronounced.
 - ☐ Name and phone number of the personal physician of the deceased.
 - ☐ Name, address, and phone number of the next of kin.
 - ☐ Name, address, and phone number of the person who will claim the body (for burial).
 - ☐ Phone number where you can be reached.
- ☐ Give above information to the Police Service Desk (396-2646).

- ☐ In the absence of any next of kin, secure and inventory all monies and valuable property of the deceased. Submit any such property that is removable to the ECS (see page 161 of this manual).
- ☐ Wait at the scene for the Medical Examiner's Office to contact you. At his direction:
 - ☐ Advise the next of kin that the body can be released to a funeral home of their choice, or
 - ☐ Release the body (and the ambulance report, if any) to the morgue wagon. Get in return a Receipt for Body Form, and
 - ☐ Release all medicines or substances possibly taken by the deceased to the morgue wagon personnel.
- **NOTE:** If at any time in your investigation of an apparent non-violent death you find suspicious circumstances, immediately stop what you are doing, secure the scene, and notify the Homicide Unit. Proceed by following Part I of this Section.

Reporting Requirements

Be sure to note all of the following:

- ☐ All information given to Police Services (and to whom given).
- ☐ Identity of person who pronounced death, and exact time.
- ☐ Who will claim the body.
- ☐ Who will sign the death certificate.
- ☐ Medicines found (and given to morgue wagon personnel).
- ☐ Disposition of personal property of the deceased. Identity of the person who will take charge of deceased's home/property.
- ☐ Who last saw the deceased alive? When and where? Circumstances?

Domestic Violence/Spousal Assault

(See: GO #1-89 G11 / PCM #39-80 / PDM #14-86 / Training Guidelines, Volume 14, Number 4, dated 3/7/89)

Guidelines

- ☐ Domestic assault calls have the same priority as in-progress calls.
- ☐ Domestic violence applies to any violence between husband/wife, parent/child, boyfriend/girlfriend, or between any persons who have at any time been involved in a close relationship with each other, if the present violence is caused by that relationship.

- ☐ Make an immediate, warrantless arrest for any crime committed in your presence, whether or not the victim expresses a desire to prosecute.
- ☐ When no crime is committed in your presence, an arrest of the battering spouse will still be your primary alternative if:
- ☐ The report was made within 2 hours of the alleged assault; and
- ☐ You have probable cause to believe that:
 - ☐ The alleged assault actually occurred as described; and
 - ☐ There is evidence of physical injury; and
 - ☐ Unless the suspect is immediately arrested, he/she will:
 - ✳ Avoid apprehension; or
 - ✳ Cause injury to the victim or damage to property of the victim;
 - ✳ Tamper with, dispose of, or destroy evidence.
- ➔ **NOTE:** There is NO REPORTING TIME LIMIT for an arrest for the common-law crime of assault. You may make a warrantless arrest for that crime if you have sufficient probable cause, and if the circumstances fit items above.
- ☐ If it is necessary for your investigation to transport a female victim, witness, etc. in a police vehicle, notify the dispatcher of your starting mileage and location, and destination. At the end of the transport, advise the dispatcher of your arrival and ending mileage. You DO NOT need a release and indemnity agreement.

Procedure

- ☐ Upon arrival, your FIRST duty is to protect the complainant from physical harm and provide medical treatment, if necessary.
- ☐ Conduct an on-scene investigation to determine if there is a need for an immediate arrest (as described in the Guidelines listed above), or whether applying crisis intervention techniques will better serve the situation and the parties involved.
- ☐ If requested, accompany or transport the complainant to his/her residence to preserve the peace while they remove whatever personal effects and clothing they require for their IMMEDIATE USE, and/or for the IMMEDIATE USE of their children.
 - ➔ **NOTE:** As long as you act REASONABLY and IN GOOD FAITH, you are immune from civil liability in carrying out this function.
- ☐ If you see signs of physical injury, or if the complainant describes a criminal act, then you must write the appropriate field report.

- ☐ If the injuries to the complainant are serious or obvious, have them photographed by the crime lab.
- ☐ Give the victim a completed Domestic Violence Information and Referral Form (#85/98). Advise the victim regarding Ex-Parte and Protective Orders (See page 89), and inform them about the House of Ruth (phone number is on form #85/98).

House of Ruth

The House of Ruth provides:

- ☐ 24 hour shelter service (you must call first), telephone counseling, and information and referral services.
- ☐ Counseling for victims and batterers.
- ☐ Legal representation for battered spouses and their children.
- ☐ Educational programs for parents of abused children.
- ☐ Community education and information.
 - ☐ Instruct persons in need of any of these services to CALL the House of Ruth.
 - ☐ DO NOT transport or SEND victims to the House of Ruth directly. Victims must call before responding, to ensure space if available. Once that has been done, you may transport if necessary, in keeping with final paragraph in the Guidelines section above.

Reporting Requirements

- ☐ On the first line of the narrative, print, in bold capital letters: "DOMESTIC ASSAULT."
- ☐ Specifically describe the circumstances as you found them, and include your justification for making a warrantless arrest (if applicable), or your reasons for not making an arrest (if applicable).
- ☐ Be sure to check the block entitled "Domestic Related?" on line 15 of the Crime/Incident Report form (#85/8).

Graffiti/Vandalism

(See PCM 37-86 and PCM 83-84 Also see Training Guidelines, Volume 9, #4 (1983); Volume 11, #1; and Volume 11, #8 (1986))

Guidelines

- ☐ Identifying the owner of defaced property is often crucial to successful prosecution of (and restitution from) a suspect. It is therefore necessary to FULLY identify the PROPERTY OWNER, including ZIP CODE and TELEPHONE NUMBER(S). Also include the name (and phone number) of a company representative if the property owner is a business.
- ☐ Conduct a thorough preliminary investigation. Seek out witnesses, and give their complete address/phone information in the report.
- ☐ Give specific description of the damage (size, material used to cause damage, etc.), the surface type (brick wall, wood door, etc.), and the type of structure (dwelling, mail box, etc.).
- ☐ If available, in the case of a juvenile arrest, use the services of the Neighborhood Youth Service Officer in the district of occurrence. Otherwise, handle as any other juvenile arrest (see Section 3 of this manual).
- ☐ If the graffiti is so offensive or unsightly that its removal should be immediate, contact the Mayor's Anti-Vandalism Coordinator at 396-1177. Note this in your MI report.
- ☐ In other cases, advise the complainant to contact the above office for information and assistance in graffiti removal.
- ☐ You may also refer the complainant to the Crime Resistance Unit's Anti-Vandalism Awareness Program, at 396-2441, for information about vandalism prevention in their neighborhood.
- ☐ Provide a Form 309 to the victim. Note this in report.

Reporting Requirements

(See page 158 of this manual.)

Harrassment Calls—Criminal Law Harrassment

(See Training Guideline, Volume 11, #5, 7/17/86, Article 27, Section 121A, Annotated Code of MD)

Guidelines

- ☐ The Criminal Harrassment law was enacted (in 1986) for the purpose of making it a crime, in certain limited circumstances, to persistently follow another person, or to maliciously engage in certain other harassing

activity, in a manner which alarms or seriously annoys that other person.

- ☐ This law DOES NOT APPLY to any peaceable activity intended to express political views or provide information to others, such as private investigators, news reporters and photographers, etc.
- ☐ DO NOT MAKE AN IMMEDIATE, WARRANTLESS ARREST in these cases unless you believe (and can show the court) that the victim is in clear and present danger from the suspect (or there is a violation of some other criminal statute).

Elements Of The Crime Of Harassment

- ☐ Action must be in a public place; and
- ☐ Action must be alarming or annoying to the victim; and
- ☐ Action must have no apparent legal purpose; and
- ☐ The victim must have warned or asked the suspect to stop; and
- ☐ The action must continue after the warning, and must be part of a series of acts over a period of time.

Procedure

- ☐ Interview the victim. Explain the harassment law. If the action fits the elements above:
 - ☐ Tell the complainant to see a court commissioner for a warrant or a criminal summons. Give complainant the CC#.
 - ☐ Assist the victim in obtaining the identification (if not already known) of the suspect.
 - ➔ **NOTE:** DO NOT make an immediate arrest. See the Guidelines above.
 - ☐ Write an MI report describing the incident in detail, and identifying the suspect.
- ☐ If the action described by the victim does not fit the elements of harassment, explain this to the victim, and take no further action.

Hazardous Material/Medical Waste Incidents

(See GO #5-89 G-6 / Training Guideline, Volume 4, #2, 6/1/77)

Definitions

Hazardous Material—Any chemical, biological, or radioactive substance believed to be dangerous to health.

Medical Waste—Any equipment or material possibly discarded by any health care provider which may have come in contact with or which might be contaminated by infectious disease.

- ➔ **NOTE:** This does NOT include syringes or other items which were used or discarded by users of illegal drugs. Medical waste has no evidential value, and will NOT be treated as CDS.

Procedure: Hazardous Material Incident

- ☐ Use extreme caution. Consider all suspected hazardous materials dangerous and DO NOT HANDLE OR REMOVE. Provide for injured.
- ☐ Find out what kind of material is involved.
 - ☐ Get information from labels on the container, the driver, shipping papers, etc.
 - ☐ Advise communications, and be guided by their instructions in deciding the degree of safety precautions necessary.
 - ☐ Evaluate the incident and advise communications of:
 - ✦ The need for medical assistance.
 - ✦ Exact location of the incident and affected area.
 - ✦ Material involved (markings on vehicles/containers, etc.).
 - ✦ Other personnel or agencies required (fire department, etc.).
 - ☐ Request your supervisor to respond. Maintain a chronological log of events, notifications, arrivals, etc.
 - ☐ Isolate the area and set up a Command Post (with the assistance of the Emergency Vehicle Unit).
 - ☐ Assist and support the Baltimore Fire Department and other agencies having primary responsibility for containing, neutralizing, and disposing of the hazardous material.

Procedure: Medical Waste Situations

- ☐ Do not seize or otherwise handle the material.
- ☐ Notify the Communications Division of the severity of the situation.

- ☐ Provide aid for the injured.
- ☐ Request your supervisor and the Emergency Vehicle Unit.
- ☐ If necessary, request the crime lab to photograph the scene.
- ☐ Keep a chronological log of events, notifications, arrivals, etc.
- ☐ Write an MI report, to include:
 - ☐ Information from the chronological log.
 - ☐ Description of the material.
 - ☐ Description of the circumstances of the discovery of the material.
- ➔ **NOTE:** When recovering items which do not meet the above definition for medical waste, but which is CDS, be aware of the danger of disease, and, if gloves, forceps, and/or containers would be useful, request the Emergency Vehicle Unit, which keeps such equipment for this purpose.

Intoxicated Persons, Taking Reports From

(See PCM # 50-84)

Guidelines

- ☐ Citizens who are intoxicated are often the victims of crime. It is also true that intoxicated persons sometimes invent or imagine incidents which never really happened, or which didn't occur as described. When an incident is reported to you by an intoxicated person, it is YOUR job to determine, as best you can, which is the case. Therefore;
- ☐ Crimes or incidents reported to police by complainants who are TEMPORARILY incapable of relating accurate police information MUST BE INVESTIGATED, both at the time of reporting and again, through a follow-up investigation, within 24 hours of the original complaint.
- ☐ In every case, every effort must be made to get the correct name, address and telephone number of the complainant and any witnesses.
- ☐ In every case, you must complete and submit a written offense report (or MI) of the incident, as outlined below.

Procedure

When encountering a complainant who, due to a mental or physical condition, is TEMPORARILY unable to give a fully understandable account of what happened to him/her, you must:

- ☐ Provide for any injuries the complainant may have.

- ☐ Evaluate the circumstances described by the complainant, in light of any information provided by witnesses who may be available, and in view of the type and severity of any injuries the complainant may have. Also consider any other physical evidence you may find, and the seriousness of the incident.
- ☐ If there is probable cause to believe that a crime HAS been committed, you must:
 - ☐ Investigate the crime as fully as you can; and
 - ☐ Complete the appropriate Offense Report; and
 - ☐ Conduct a follow-up investigation (or see that one is conducted) within 24 hours to attempt to obtain any information omitted by the complainant at the time of the original report.
 - ☐ A Supplement Report of the results of the follow-up must be submitted.
- ☐ If after your preliminary investigation you believe that NO crime was committed, you must:
 - ☐ Submit an MI report on which you:
 - ❖ Enter "Intoxicated Person/Report of (enter type of crime reported)," or "Person under the Influence/Report of (enter type of crime reported)," in Box 15 (Crime/Incident).
 - ❖ Briefly explain the incident as alleged by the complainant.
 - ❖ FULLY explain in the narrative why you do not believe that a crime occurred, or why you believe that it didn't occur as described by the complainant.
 - ❖ Note in the narrative that a follow-up investigation will be conducted.
 - ❖ Within 24 hours of the original report a follow-up investigation shall be conducted and a report submitted indicating the status of the investigation. The reporting district is responsible for this follow-up.

Kidnapping/Extortion

(See GO #2-82 G-9)

Definitions

Kidnapping—Forcibly taking a person with the intent to conceal such person. This does NOT apply to persons under the age of 18 who were taken by a parent. It does NOT matter whether the person was taken out

of, or intended to be taken out of, the state of Maryland from Article 27, Section 337, Annotated Code of Md).

Extortion—Obtaining property from another with his consent induced by wrongful use of actual or threatened force or violence, or wrongful threat of economic injury (from Article 27, Section 526B, Annotated Code of MD).

Procedure

- ☐ When during the course of your preliminary investigation you find that you have an incident that appears to fit one of the two definitions listed above, then REQUEST YOUR SUPERVISOR RESPOND TO THE SCENE. If your supervisor is unavailable, then request any other available supervisor, or your District Shift Commander.
- ☐ Your supervisor will then advise the District Shift Commander, who will verify and evaluate the information gathered in your preliminary investigation. He will then notify the shift supervisor in the HOMICIDE UNIT, members of which will then be responsible for the investigation.
- ☐ The Commanding Officer, Criminal Investigation Division Crimes Against Person Section (or his designee) has responsibility for, and control over, the investigation, the collection of evidence, coordination with other agencies, and the completion of necessary reporting, among other things.

Missing Persons –Adult

(See GO #12-89 G-14 / Training Guideline, Volume 11, No. 7)

(For Missing Juveniles, see page 148 of this manual)

Definitions

Reporting Person—Normally a close relative, but may be a roommate, close friend who has frequent contact with the missing person, or an employer.

Time Missing—There is no waiting period for reporting a person missing. It is the reporting person who best knows what is unusual or out of character for the subject. For elderly, sick or mentally deficient persons, timely reporting is essential.

Missing Person—Any person who is:

- ☐ Missing from their normal residence under unusual circumstances and last seen in Baltimore City, whose present whereabouts are unknown.
- ☐ Missing and of diminished mental capacity or having a medical condition that is potentially life threatening, even if the absence is proven to be voluntary.

- ☐ A patient admitted to any mental or medical facility who leaves such facility without notifying any facility personnel.
- ☐ Missing, and with a demonstrated potential for suicide.
- ☐ Missing, and whose disappearance is related to a drowning or other disaster.
- ☐ Travelling from Baltimore City to a foreign jurisdiction and who fails to arrive there within a reasonable time.
- ☐ Missing under any circumstances, and under the age of 18 years.
- ☐ The following individuals are NOT considered missing persons -any person:
 - ☐ Whose disappearance appears to be related to the issuance of a warrant.
 - ☐ Who has left notes (other than suicide) explaining the reason for their absence or who left as the result of a domestic disagreement and are not a threat to themselves or others.
 - ☐ Whose whereabouts are unknown but who contacted family, friends or acquaintances (unless they suffer from mental or medical complications).
 - ☐ Who is being sought for business or social purposes (debt collections, school reunions, etc.).
- ➔ **NOTE:** Under no circumstances shall a reporting person be advised that they must wait a specific time period before a report can be made.

Procedure

Upon arrival at the scene of a missing person call:

- ☐ Interview the Reporting Person, and any witnesses, and determine if the facts of the case meet the criteria for a missing person.
- ☐ Conduct a thorough preliminary investigation. Note that while most adult cases are resolved in a short period of time, there is no way to be sure at the time of the initial reporting what the status of the missing person is.
- ☐ Complete a Missing Person report if the facts of the case meet the criteria for a missing person. Write the following statement in the report narrative: "I declare and affirm that the facts contained in this report are accurate and true to the best of my knowledge and belief." Have the reporting person sign the report at the end of the statement.
- ☐ Notify KGA immediately and provide a complete and accurate description if the missing person:
 - ☐ has a serious medical or mental condition such as senility, retardation, heart condition, etc.

- ☐ is disabled
- ☐ is a potential suicide victim
- ☐ Request a supervisor and sufficient units to conduct an area search/canvass if facts warrant such action.
- ☐ Examine (with the reporting person's permission) the area where the missing person was last seen for signs of unusual circumstances or criminal activity relating to the disappearance of the person.
- ☐ Determine if any of the missing person's personal items (clothing, suitcase, bank books, etc.) are missing.
- ☐ If necessary, request a Mobile Crime Lab unit and notify the Missing Persons Unit (2334)- Mon-Fri, 0800-1600), or the Homicide Unit (2100 - all other times).
- ☐ Ascertain if domestic problems may be the cause of the missing person's absence. Include this information in your report.
- ☐ Get a recent photograph of the missing person and forward it through departmental mail directly to the Missing Person Unit. On the back of the photo write the subject's name, position in the picture (if necessary), and the CC#. Do NOT attach the photo to the report.
- ☐ If the facts of the case indicate that the person is in danger due to the their physical or mental condition, notify the Hot Desk (2680).
- ☐ Advise the reporting person to re-contact police if the missing person returns.
- ☐ From 0800 to 1630 hours, Monday through Friday, call the Missing Person Unit (2334) for assistance and advice. During other times, consult your supervisor.
- ☐ If the facts of the case do not meet the criteria for a missing person:
- ☐ Advise the reporting person why a Missing Person report is not being written.
- ☐ Complete an M.I. report, to include the following information:
 - ☐ The name and address of the reporting person.
 - ☐ The name and address of the "missing" person.
 - ☐ The reason why the case did not meet the criteria for a missing person.
 - ☐ Write "Unfounded Missing Person" in box # 15.

Noise Law Enforcement

(See PCM #24-83 / Training Guideline, Volume 8, Number 1 (1982)).

Guidelines

- ☐ Article 19, Section 220 and 221 (Baltimore City Code) distinguishes between two different types of loud and disturbing noises, and empowers you to take enforcement action to control electronically amplified:
 - ☐ Noise for entertainment purposes (from radios, etc.).
 - ✱ These violations may be enforced by arrest.
 - ✱ There is a violation if the noise/sound can be heard more than 50 feet from its source, or if the source is in a building/structure and can be heard more than 100 feet away from the premises/property where the device is located.
 - ☐ Noise for commercial advertising (bullhorns, etc.).
 - ✱ These violations may be enforced only by obtaining a warrant or criminal summons. No warrantless arrest is permissible for this violation.
 - ✱ There is a violation if the noise/sound can be heard more than 100 feet from the premises/property where the device is located.
- ☐ There is no requirement for a complaint from a citizen. You as a police officer may be the complainant.
- ☐ Noise sources CANNOT simply be seized. When an arrest is made, the noise source is treated as the personal property of the arrestee, to be returned to him upon his release.
- ☐ In every case, whether or not a summons/warrant was obtained or an arrest was made, write an MI report fully describing the circumstances and your actions (and the noise source).

Procedure: Noise for Entertainment Purposes

- ☐ After hearing a violation, courteously advise the offender that he/she is in violation of this statute, and DIRECT him/her to desist. Advise him/her that he/she can be arrested for not obeying.
- ☐ If he/she obeys, take no further enforcement action (but write MI).
- ☐ If the offender refuses to cooperate by turning down the volume, ARREST the offender. Charge: Violation of Article 19, Section 221, BCC.
- ☐ Whenever an arrest is made:
 - ☐ Get a stolen check on the noise source.

- ☐ Note the brand, model number and serial number of the noise source in the MI.

Procedure: Noise for Commercial Advertising

- ☐ After hearing a violation, locate and identify the person responsible.
 - ➔ **NOTE:** Without evidence to the contrary, the person in charge of the premises is presumed to be responsible.
- ☐ Courteously inform the offender that he/she is in violation, and advise him/her to stop the disturbance.
- ☐ If the offender obeys, take no further enforcement action (but write MI).
- ☐ If the offender refuses to obey, get violator's full identity, and obtain a warrant/summons charging him/her under Article 19, Section 222, BCC. **DO NOT ARREST THE VIOLATOR WITHOUT A WARRANT** but write an MI.

Nursing Homes—Resident Abuse

(See PCM # 47-80/ Article 43, Section 556 & 565G, Annotated Code of Maryland)

- ➔ **NOTE:** Also see PCM 55-88 (as amended) and refer to Article 43, Section 556 & 565G of the Annotated Code of MD for additional charging information.

Definitions

- ☐ **Abuse**—Injury resulting from cruel or inhumane treatment.
- ☐ **Nursing Home**—Any home-type facility which admits patients and claims to provide 24 hour per day nursing care. This will include (but is not limited to): nursing facilities for the handicapped, convalescent homes, psychiatric nursing homes, homes for alcoholics, and halfway houses.
- ☐ **Ombudsman**—A "Health Professional" who is trained to determine whether a nursing home resident's injuries resulted from abuse, neglect, an accident, or from normal patient care. Complaints about resident abuse often come from ombudsmen.

Procedure

- ☐ Ensure victim gets any needed medical treatment from the **NEAREST MEDICAL FACILITY** (and NOT the home currently resided in).
- ☐ Conduct a thorough preliminary investigation.
- ☐ If you are met on the scene by an Ombudsman, you should utilize his/her expertise in determining the origin of the victim's injury.

- ☐ Take appropriate legal action. If you have enough probable cause, obtain a warrant/summons.

Reporting Requirements

- ☐ If you have sufficient probable cause to believe that you have an actual case of resident abuse, write a Crime Against Person report at the conclusion of your preliminary investigation. Prepare it normally, except as follows:
- ☐ Write "Nursing Home—Resident Abuse" in Box 15.
- ☐ Write "Copy to Crimes Against Person Section, CID" on the first line of the narrative.
- ☐ Include the name, address, phone number, sex and age, of the victim, AND of the person responsible for the care of the victim. Include any witnesses.
- ☐ Add a complete description of the nature and extent of the abuse of the victim. Also seek out and include any information about previous incidents of this type.
- ☐ Include any information which would indicate the CAUSE of the offense, and also the complete identity of the suspect(s).
- ☐ When applicable, submit a copy of (or make notes from) the doctor's or hospital's report regarding the nature and extent of the injuries.
- ☐ If you DO NOT have sufficient probable cause to establish that the victim in fact sustained abuse, but you are also unable to disprove it:
 - ☐ Write a Miscellaneous Incident report.
 - ☐ Write "Suspected Nursing Home Abuse" in Box 15.
 - ☐ Include in the narrative all information from the list above.

Racial, Religious, Ethnic Incidents

(See GO # 28-86 H-15, as amended 1/20/89)

Guidelines

- ☐ You must determine if incidents/offenses directed against racial, ethnic or religious groups (or members) were motivated by religious, racial, or ethnic intent. Make this determination based on such things as:
 - ☐ Use of symbols/words historically used against specific racial, religious, or ethnic groups.
 - ☐ Victim's opinion of the suspect's motivation.
 - ☐ The racial, religious, or ethnic makeup of the community.

- ☐ ALL crimes/incidents which, in your judgement, fit these general criteria must be reported in writing on a Crime/Incident Report.

Procedure

- ☐ Render aid, if necessary. Call for fire apparatus, if necessary.
- ☐ Interview the victim.
- ☐ Attempt to locate and interview any possible witnesses.
- ☐ Ask the victim's opinion as to whether or not the crime was directed toward a specific religious, racial, or ethnic group, or was directed against him (or his property) because of his belonging to such a group.
- ☐ Give the victim 89/309 and advise that the Baltimore Community Relations Commission (B.A.R.C.) provides direct services to victims of bias related to acts of intimidation and violence. Provide B.A.R.C.'s phone # 396-3141.
- ☐ If the incident DOES NOT appear to have been motivated by religious, racial, or ethnic intent, then record the call on your Activity Sheet, provide the dispatcher an oral code (if possible), and return to service.
- ☐ If the incident DOES appear to have been motivated by religious, racial, or ethnic intent, then:
 - ☐ Call for Crime Lab to process scene. Note in report.

Reporting Requirements

Use a Crime/Incident Report to record the incident, using the following format:

- ☐ Enter name/title of the group in Box #1 of the report.
- ☐ Write the actual type of incident in box #15 (such as cross burning, harassment, vandalism, etc.).
- ☐ DO NOT write "Police Information" or "Racial Incident" in Box #15.
- ☐ Name the offended individual in the FIRST LINE OF NARRATIVE.
- ☐ Fully describe the exact nature and type of the harassment, and of the property destroyed or damaged.

Rape and Sexual Offenses

(See GO #4-79 G8)

Guidelines

- ☐ Victims who suffer physical injuries should be treated medically first. Call an ambulance for transport to the nearest hospital.
- ☐ Victims who have no need for immediate medical treatment (or who have been treated) should be transported to a designated examining hospital (list follows) for an examination designed for the identification/treatment of injury or disease, and for the collection of medical evidence.
- ☐ Victim has the right to:
 - ☐ Refuse to be examined.
 - ☐ Refuse your offer of transport and arrange their own. However, the victim should NOT BE ALLOWED TO DRIVE THEMSELF.
 - ☐ Be seen instead by their private physician. In this case, you may need to seek a subpoena to obtain the doctor's examination results; their doctor is NOT required to complete our forms.
- ☐ Although the examination CANNOT BE FORCED ON THE VICTIM, YOU ARE REQUIRED to instruct victim of its importance, and to provide transportation (to and from the hospital) if victim agrees.
- ☐ If victim chooses to see a private doctor, the importance of PROMPT treatment must be stressed.
- ☐ NO MEMBER OF THE DEPARTMENT WILL EVER BE PRESENT DURING THE PHYSICAL EXAMINATION OF A RAPE/SEXUAL ASSAULT VICTIM OF THE OPPOSITE SEX.

Procedure

Upon arrival and locating victim, you must:

- ☐ Provide immediate medical assistance and, if necessary, request an ambulance and have the victim transported to the nearest hospital for medical treatment of her physical injuries, if any.
- ☐ Interview the victim. Broadcast a description of the suspect.
- ☐ At the scene, preserve and collect evidence, request and direct crime lab, locate and interview witnesses, etc. In short, conduct a thorough preliminary investigation.
- ☐ If the location of the rape is not known, and if the victim is physically and emotionally able, attempt to locate the scene with the victim.

- ☐ If the victim is a minor (or mentally handicapped), notify a parent/guardian as soon as possible.
- ☐ Victim should be taken to a designated hospital (see list below) as soon as possible to be examined (See Victim's Rights, above).
 - ☐ If victim refuses medical attention, stress the importance of the examination to prevent any permanent physical damage, discover disease, and for the collection of medical evidence (vital to successful prosecution).
 - ☐ If victim agrees to the medical examination:
 - ✱ Request KGA to notify the hospital of your arrival.
 - ✱ Notify KGA of your starting mileage and location, and of your intended destination.
 - ✱ Upon arriving, give KGA your ending mileage.
- ☐ At the hospital, the victim (except those with physical injuries that need to be treated first) should wait for the examination in an area separate from the emergency waiting room.
- ☐ Get a "Physical Examination and Collection of Evidence for Rape and Sexual Assault" form (original and 2 copies) from the hospital, fill out blocks 1 through 9, as appropriate, and return it to hospital personnel. After the examination is complete:
 - ☐ The original of this form will be returned to you. Submit it with your offense report.
 - ☐ You'll also receive medical evidence (slides, vials, etc.) from the hospital. You must submit these items to ECS, after completing a Request For Examination Form.
- ☐ If possible, you should attempt to obtain and submit to ECS all clothing that the victim was wearing at the time of the attack. Also submit any other items of clothing which might contain evidence of the suspect or M.O.
- ☐ Conduct a comprehensive interview with the victim (this is often not feasible until after the medical examination).
 - ☐ Because of the nature of this interview, it should be conducted in private with as few people as absolutely necessary present.
 - ☐ Conduct the interview in an understanding but professional manner, giving the victim every possible consideration.
 - ☐ If the victim is reluctant to discuss the details of this crime, patiently explain the need for, and value of, a full description of events and of the suspect.
- ☐ You are responsible for the safe transport of the victim back home (or to another reasonable destination, at victim's request) after the examination.

- ☐ In writing your offense report (on a Persons Report), describe the events, and the specific sexual act(s), in detail. Avoid using slang terms, except when quoted by the victim, and phrases to describe specific acts and body parts. Any remarks or statements by the suspect should be included, as accurately as can be remembered by the victim.

**Designated Examining Hospitals
for Sexually Assaulted Persons**

District of Occurrence	Hospital	Phone #
Central Western	University Hospital 600 W Redwood St	528-6722
Southern, South- western Northern, Northwestern	Mercy Hospital 300 N Calvert St	727-5400
Northeast Eastern Southeast	Francis Scott Key Hospital 4940 Eastern Ave A - Building / 2nd Floor East Room A2 - E	550-0350

Recovery of Stolen Vehicles

(See GO # 31-86 J-10)

Procedure

- ☐ All recovered vehicles are reported on a Vehicle Report, except:
 - ☐ Those recovered outside of Baltimore City (unless they were stolen in Baltimore City, recovered elsewhere, but not yet reported as recovered in any other jurisdiction).
- ☐ Do not touch printable surfaces. Process car for prints using a District Ident-Kit (not the Crime Lab). Use the Crime Lab for processing only if the car was used in a crime.
- ☐ Examine the car. Any gas receipts after the date of theft? Any other property left in the car by the thief? (If so, recover it and submit it to ECS or Crime Lab). Any other notable evidence? Any damage to the car? Any items missing from the car? (If so, you may need to write a Larceny from Auto report).
- ☐ Try to notify owner.
- ☐ If he/she is reached, wants the car, and it's drivable:
 - ✱ Give him/her reasonable time to respond for vehicle, and
 - ✱ Have owner sign in narrative of report accepting vehicle.
- ☐ If owner cannot be reached, won't take car, or it's not drivable:
 - ✱ Note this in report.
 - ✱ Call for tow truck to have the car towed to City Yard.
- ☐ Tow truck driver gets 2nd copy of Vehicle Report, after signing it.
- ☐ Sign the tow truck driver's bill.
- ☐ Call the Hot Desk (2680). Report recovery (get name for report).
- ☐ If arrest(s) made, and suspect(s) is willing to cooperate, notify the Auto Theft Unit (2005).
 - ➔ **NOTE:** Auto Theft Unit will remove car from Hot Sheet, make any notifications you couldn't, and conduct follow-up(s).

Shoplifting and Misdemeanor Arrests

(See GO # 7-87 H-12, Refer to Probable Cause, page 110 of this manual.)

Guidelines

- ☐ You may arrest the suspect without a warrant only if:

- ☐ You witnessed the crime, and you have verified that the subject was not authorized to take/remove the item(s).
- ☐ The crime was a felony (over \$300 stolen), and you have probable cause to believe it occurred and that the particular subject committed it.
- ☐ The crime was a misdemeanor (\$300. or less stolen), and you have both, sufficient probable cause and exigent circumstances.
- ☐ The suspect is a juvenile and you have sufficient probable cause.

Procedure: Shoplifting

If it was a misdemeanor theft (less than \$300) you will:

- ☐ If arrest was by a special (commissioned) police officer:
 - ☐ Have arrestee and the special police officer transported to district or to Women's Detention.
 - ☐ Make sure the Statement of Charges is properly done, by the arresting special police officer. Give Desk the needed facts.
 - ☐ If the arrestee is a juvenile, the special officer must help you in standard juvenile arrest processing.
 - ☐ You complete the necessary field reports.
 - ☐ The special officer is responsible for evidence recovered.
- ☐ If arrest was by a non-commissioned security guard or employee or
- ☐ If a Baltimore Police Officer catches the suspect (outside the store), based on ID by the complainant:
 - ☐ Give suspect's identity, and CC#, to the complainant.
 - ☐ Get a Wanted Check on the suspect (local and NCIC):
 - ※ If POSITIVE, and enough probable cause exists, arrest the suspect on the verified warrant. If the complainant wants to prosecute, add the appropriate theft charge (You are responsible for processing the arrestee).
 - ※ If NEGATIVE, release the identified suspect, and tell the complainant to get a warrant/criminal summons.
- ☐ If suspect's identification cannot be adequately established, and if enough probable cause exists, and if complainant wants to prosecute the suspect, then arrest the suspect (You are responsible for processing the arrestee).
- ☐ Whether or not an arrest was made.
 - ☐ You must write all necessary reports about the incident.

- ☐ You must submit any evidence you recovered to ECS, and later you must present the evidence in court.
- ☐ The complainant is responsible for evidence he/she recovers. Advise him/her to secure the evidence and produce it for court.

Signal 13—Response to Assist an Officer Call

(See GO #11-82 G-5)

Guidelines

When a Signal 13 is broadcast:

- ☐ The dispatcher will assign three units:
 - ☐ A Primary Unit
 - ☐ A Secondary Unit
 - ☐ A designated Supervisory Unit
- ☐ ONLY these assigned units will respond using Emergency Response Equipment (blue lights and siren).
- ☐ Any other NEARBY unit(s) may REQUEST permission from the dispatcher to respond, but they:
 - ☐ May not respond without prior permission, and
 - ☐ If response is approved, they may NOT use emergency response equipment.
- ☐ Police vehicles without blue lights and sirens IN OPERATION are not emergency vehicles, and shall at all times be driven in accordance with ALL traffic laws.
 - ➔ **REMEMBER:** Killing or injuring yourself or innocent citizens, or damaging your police vehicle as you respond to a Signal 13 is of no benefit to anybody. It's no good to you, to your surviving family members and co-workers, to the department, to the public, and it's certainly of no benefit to the officer who needs help.

Procedure

- ☐ Responsibilities of Primary and Secondary Units:
 - ☐ Acknowledge the dispatcher.
 - ☐ Activate your blue lights and siren.
 - ➔ **NOTE:** If you don't have both of these items, or if either of them don't work properly, then you MUST immediately inform the dispatcher, so that you may be replaced by a unit with operating emergency equipment.

- ☐ Respond as quickly as is safe in the current conditions.
 - ☐ Be alert to weather, road, and traffic conditions, and drive accordingly.
 - ☐ Slow down at all intersections.
 - ☐ At all stop signs and red lights, FULLY STOP your car, and don't proceed until the intersection is safe to enter.
 - ☐ Responsibilities of all other units:
 - ☐ If you are in the IMMEDIATE VICINITY of the scene:
 - ※ Wait until the dispatcher has assigned and received acknowledgment from the Primary and Secondary units.
 - ※ Advise the dispatcher of your unit number and location, and request approval from the dispatcher to respond
 - ※ If your response is approved, then drive directly to the scene, using caution, and obeying all traffic laws and traffic control devices.
 - ※ If you are not in the immediate vicinity of the scene, then do not respond, and do not tie up the air requesting approval to respond.
 - ※ Until the Signal 13 has been cleared, DO NOT USE THE POLICE RADIO, except as outlined above, or in the event you have a police emergency.
- **NOTE:** If your request is denied, DO NOT RESPOND.

Responsibilities of the First Unit On The Scene

- ☐ Advise communications of:
 - ☐ Your arrival (10-23) and the status of the call. Is it unfounded? Can you locate the officer?
 - ☐ Are there enough units on the scene? If so advise the dispatcher to 10-32 the Signal 13. If not, request more.
 - ☐ Is a Cruising Patrol needed? Or an ambulance? Injuries?

Responsibility of ALL responding units

- ☐ Upon cancellation (10-32) of the assist:
 - ☐ If you are still enroute, immediately stop responding and return to your post.
 - ☐ If you are at the scene, but are not needed, immediately return to your post.

Stolen Vehicles

(See GO # 31-86 J-10)

Procedure

- ☐ Interview the victim. Begin your preliminary investigation.
 - ☐ Determine exactly where the vehicle was parked, and when.
 - ☐ Were the keys left in the vehicle?
 - ➔ **NOTE:** If so, then after you complete your investigation, issue the driver a traffic summons for leaving the keys in an unattended vehicle.
 - ☐ Was anti-theft device in use?
 - ✱ If so, describe type used in report.
 - ☐ If no anti-theft device was used,
 - ✱ State so in report.
 - ☐ Is there broken glass next to where the vehicle was parked?
A discarded clothes hanger?
 - ☐ Is there another vehicle parked in the same spot now? If so, attempt to determine when that vehicle parked there.
 - ☐ Was the vehicle parked legally? If vehicle was illegally parked on:
 - ✱ City street, in a tow-away zone; check City Yard.
 - ✱ Private property posted with no-parking signs; assist the reporting person in calling the tow service listed on the signs, to see if the vehicle was towed there.
- ☐ Attempt to locate and interview any witnesses.
- ☐ Obtain a Repossession Check from City-Wide Dispatcher.
- ☐ As soon as you have the description of the vehicle, and are sure that it really was stolen, broadcast a description of the vehicle.
- ☐ Notify the Hot Desk (2680). Note the name of the person you gave the information to in your vehicle report.
- ☐ Write the report on a Vehicle Report, except:
 - ☐ Vehicles taken as the result of a burglary are simply included as stolen property at the beginning of the burglary report (Crime/ Incident Report, check Property box).
 - ☐ Vehicles taken in an assault and robbery are simply included as stolen property at the beginning of the Hold-Up report (Crime/Incident Report, check Person box).

- ➔ Even if no vehicle report is required, you must still notify the Hot Desk.
- ➔ **NOTE:** Follow-up will be done by Auto Theft Unit.

Theft/Bad Check/Larceny of Rental Goods

(See OBM #7-79, #23-79, and Training Guidelines Volume 6, Number 3. Also see pages 218 to 219 of the 1988 version of your Digest of Criminal Laws, regarding Theft and Bad Checks.)

Definitions

Deception—Includes creating or failing to correct a false impression; withholding or preventing the victim from obtaining pertinent information; selling property without informing the buyer of a lien or encumbrance on the property; removing, altering or disfiguring a price tag; or promising to do something you have no intention of doing.

Deprive—To steal permanently OR for long enough so that a portion of the value of the item is lost to the owner. It also means to withhold until a reward or other compensation is received (extortion), OR to simply place the property out of reach of the owner.

Knowingly—In order for a person to act knowingly, he/she must be "practically certain" that the result will be caused by his/her conduct, or that a fact or condition exists which will create that result. If a suspect "did not know for sure," he/she may still be construed to have been "practically certain."

Owner—Anyone in possession (by legal OR illegal means) of property. In other words, it is possible to charge a thief with stealing property previously stolen from another thief.

Property—Virtually anything and everything which could be stolen, including tangible goods (that you can touch and feel), electricity, gas, water, animals, information, or the services of another.

Value—Checks are worth their FACE VALUE for determining whether their theft was felonious. Other item's values are computed by their worth to the owner (amount needed to purchase replacement items, for instance); or by anticipated profits lost to the owner (due to an inability to conduct business for a period of time, for instance).

Utter—To SIGN a bad check. The person who signs the check is the "drawer" or "representative drawer."

- ➔ **NOTE:** For this act to be illegal, the person signing ("Uttering") the check must know that it is bad at the time it was signed.

Pass—The person who "passes" a bad check is NOT the one who signed ("uttered") it, but is the payee or bearer of a check signed by someone else. Such a check is "passed" when it is presented to a third person as payment, or to obtain goods or services.

- ➔ **NOTE:** As with uttering, for this act to be illegal, the person signing ("uttering") the check must know that it is bad at the time it was signed.
- ➔ **EXCEPTION:** This does NOT include presenting a check to a bank for purposes other than collection. For instance, if a check is presented to a bank to be collected from the bank, and the bank refuses because the check is bad, the presenter did NOT "pass" the check; instead, the presenter is the VICTIM of the person who "uttered" (signed) it.

Guidelines

- ☐ The laws regarding larceny, possession of/receiving stolen goods, shoplifting, false pretense, embezzlement, and fraud were rewritten in 1978. At that time all of these offenses were combined under the then new "Theft and Bad Check Laws."
- ☐ All thefts of items valued at \$300. or more are felonies, while thefts of items valued at LESS than \$300. are misdemeanors.
- ☐ These statutes make the distinction between civil and criminal law very difficult to determine. It is ABSOLUTELY ESSENTIAL that you fully understand the definitions and elements of these crimes to avoid improperly involving yourself in a civil matter, or improperly failing to take appropriate action in criminal cases.
- ☐ Remember, it does no good for you to know that it is illegal to take property from the owner by deception, if you do not know what deception means, or that "owner" means anyone in possession of property (whether it belongs to them or not).

Procedure: Theft Laws

(Article 27, Section 340 to 344.

- ➔ **NOTE:** Section 342 is the charging section.)

Since theft covers many different means of stealing property, it can be accomplished in several ways.

- ☐ A person commits the offense of theft when he/she:
 - ☐ Knowingly obtains control which is unauthorized, or exerts control which is unauthorized, or knowingly uses deception to obtain and does obtain control over property of the owner, or simply possesses stolen property knowing that it has been stolen, and he/she:
 - ☐ Intends to deprive the owner of the property; or
 - ☐ Knowingly uses, conceals, or abandons the property in such a manner as to deprive the owner of the property; or

- ☐ Uses, conceals, or abandons the property knowing that the use, concealment, or abandonment will probably deprive the owner of the property.
- ☐ Obtains control over property of another which he/she knows to have been lost or mislaid, or to have been delivered under a mistake as to the identity of the recipient or nature or amount of the property, IF he or she:
- ☐ Knows or learns the identity of the owner or knows, or is aware of, or learns of, a reasonable method of identifying the owner, and
- ☐ Fails to take reasonable measures to restore the property to the owner; and
- ☐ Has the purpose of depriving the owner permanently of the use or benefit of the property either when he/she obtains the property, or any later time.
- ☐ Obtains the services of another which are available only for compensation, either by:
 - ✧ Deception; or
 - ✧ Knowing that the services are provided without the consent of the person providing them.
- ☐ If violence was used to obtain possession of the property, then the crime was robbery.
- ☐ If a trespass was necessary to obtain the property, then in most cases the crime was burglary.
 - ➔ **NOTE:** Larceny is a lesser included misdemeanor of many of the burglary and/or robbery statutes.
- ☐ All violations of the THEFT laws are to be charged under Article 27, Section 342.

CHARGING DOCUMENTS

The proper wording for all thefts is:

That _____ (defendant's name) _____ did, on or about the ____ (date) ____ day of ____ (Month) ____, 19____, in Baltimore City aforesaid, steal from _____ (victim's name) _____, _____ (specifically describe the property or service stolen, with loss value) _____, having a loss value of {less than \$300/more than \$300}, but {over \$500/not over \$500}, contrary to the form of the Act of Assembly in such case made and provided, against the peace, government and dignity of the State.

Procedure: Bad Check Laws

(Article 27, Section 140 to 144.)

- ➔ **NOTE:** Section 141 (A through D) is the charging section.)

- ☐ A person who obtains goods or services by signing ("uttering") or presenting ("passing") a check which the person knows is not supported by sufficient funds, or on a closed or non-existent account, or who intends to later stop payment on the check, is in violation of the bad check statute.
- ☐ In summary, there are four ways to violate the bad check statute:
 - ☐ A person can "utter" it knowing that there are insufficient funds to cover it. This is a violation of Section 141, Sub-section A.
 - ☐ A person can "pass" it knowing that there are insufficient funds to cover it. This is a violation of Section 141, Sub-section B.
 - ☐ A person can "utter" it knowing that he/she intends to stop payment before it can be honored. This is a violation of Section 141, Sub-section C.
 - ☐ A person can "pass" it knowing that payment has been stopped. This is a violation of Section 141, Sub-section D.
- ☐ All BAD CHECK violations are to be charged under Article 27, Section 141 (A through D). However, unlike the uniform wording of the charging document for a THEFT violation, a violation of the bad check law must be charged with the proper sub-section (A through D) of Section 141. Refer to Items above for the proper sub-section.

CHARGING DOCUMENTS

The proper wording for all bad check violations is:

That _____(defendant's name)_____, on or about _____(date)____ day of _____(month)____, 19____, in Baltimore City aforesaid, unlawfully did obtain _____(specifically describe the property or service obtained_____, having a value of \$_____, from _____(victim's name)_____, by {Uttering/Passing} a certain bad check dated _____, drawn by _____(the name of the person who signed the check)_____, on the _____(name and address of the bank)_____, in the sum of \$_____, payable to _____(name of the payee)_____, contrary to the form of the Act of Assembly in such case made and provided, against the peace, government and dignity of the State.

- **NOTE:** In an "uttering" case, the person charged is the person who SIGNED the check. In a "passing" case, the person charged is the person who is the payee, holder, or bearer of the check.

In bad check cases, determining which sub-section was violated depends on a careful reading of the law and a thorough understanding of exactly what the circumstances were when the crime was committed. Therefore, it

is necessary for you to be particularly diligent in your investigation of these cases.

Procedure: Theft of Rental Goods—Theft by Written Contract

(Article 27, Section 206 (Car Rentals) and Section 207 (Rental of any item other than a car)).

- ☐ Theft by written contract has occurred when a person rents a car or other item pursuant to a valid written agreement or rental contract, and then fails to return it on time.
- ☐ Thefts of rented cars and thefts of all other rented goods are covered separately under the law.
 - ☐ Car Rentals: At the end of the rental period, if the person fails to return the car and either:
 - ✱ Abandons it; or
 - ✱ Refuses or wilfully neglects to return it, then he or she shall be guilty of a misdemeanor.
 - ☐ All other contractually rented items: At the end of the rental period, a person shall be guilty of a misdemeanor if the person fails to return the item(s) and either:
 - ✱ Abandons the item(s); or
 - ✱ Refuses or wilfully neglects to return the item(s) if the rental agreement was for not more than six months.
 - ✱ The suspect was given a 10-day grace period to account for or return the goods; the 10 days to run from his/her receipt of a written demand for the return of the goods.

Procedure/Attempts

- ☐ Neither the theft nor the bad check statutes deal with attempts. Therefore, Maryland common law prevails; which means that:
 - ☐ All unsuccessful attempts to commit either theft or bad check violations are misdemeanors, regardless of the value of the property or service the suspect attempted to steal.
- ☐ An attempt to commit a crime has occurred when the suspect has committed actions which clearly reveal his or her intentions, and/or when he or she has gone too far to voluntarily withdraw with no one knowing what he/she was trying to do.

Reporting Requirements

- ☐ Include a property listing before beginning the narrative. The listing should include a detailed description of each stolen item, including its monetary value.
- ☐ In the case of multiple property ownership, the VICTIM on the report will be the person who owned the property from which, or at which, the larceny occurred. For instance, in a theft from an automobile, the OWNER of the car from which the theft occurred would be the victim, no matter who (or how many people) owned the property which was stolen from the vehicle. This is true even if the items stolen included nothing belonging to the vehicle owner.
- ☐ At the end of the listing, show the total value of all items.
- ☐ If the stolen property belonged to more than one person, make a separate listing of each individual's property, clearly showing ownership of each piece of stolen property. Include the total value of ALL stolen property at the end of the listing.

Trespassing on School Property

(See GO #6-77 H-1)

Guidelines

- ☐ While citizens have the constitutional right to object to school or other public policy, and the right to assemble to demonstrate that objection, they may not trespass or violate any other law.
- ☐ Police Officers at such assemblies are there primarily to prevent any breach of the peace, but sometimes an assembly must be dispersed because it is trespassing.
- ☐ Section 577B, of Article 27 of the Annotated Code of Maryland states that any person who has no lawful business on any public school property must leave when requested by school personnel to do so. If they do not leave upon request, they are subject to arrest.
- ☐ The Baltimore City Schools do not allow picketing on school grounds; therefore, picketing on school grounds is NOT lawful business.
- ☐ School authorities will request police assistance whenever any unauthorized persons (including pickets) are found on school property.

Procedure: Picketing or Trespassing ON School Property

- ☐ Have the school administrator or a member of the school staff clearly tell the unauthorized person(s), in your presence, to leave immediately.

- ☐ If the person(s) leaves promptly, take no enforcement action.
- ☐ Anyone who does NOT obey the request is guilty of a misdemeanor in your presence, and is therefore subject to immediate arrest.
- ☐ The school staff member who advised the person(s) to leave will be the complaining witness in the case. The complainant will be "BALTIMORE CITY PUBLIC SCHOOLS," 200 E. North Avenue.

Procedure: Picketing OFF School Property

- ☐ Picketing OFF school property IS allowed, as long as:
 - ☐ Picket lines proceed in such manner so as to permit persons or vehicles to enter and leave school property freely.
 - ☐ Pickets march a sufficient distance apart to allow people to pass through their lines without the necessity of bodily contact with the picketers.
 - ☐ People and vehicles are permitted to pass without the necessity of forcing their way through because of the picket line.
 - ☐ Picketers do not threaten person(s) entering or leaving the school.

Vulnerable Adults

(See PCM # 55-88, as amended 7/1/89 / Title 14, Section 14-101 to 103, Annotated Code of MD)

Definitions

Vulnerable Adult—Any person 18 or older without the physical or mental capacity to provide for their own daily needs.

Abuse—Injury resulting from any cruel or inhumane treatment by any person, or resulting from any malicious act by any person, or by a care giver if under circumstances that indicate that the vulnerable adult's health or welfare is harmed or threatened.

Neglect—Intentionally depriving a Vulnerable Adult of adequate food, clothing, shelter, supervision, or needed medical treatment or therapy, or the sustaining of serious physical harm by a vulnerable adult as the result of the willful deprivation of adequate food, clothing, essential medical treatment or rehabilitative therapy, shelter, or supervision.

Care Giver—A person under a duty to care for a Vulnerable Adult because of a contractual undertaking to provide care.

Guidelines

- ☐ When you have a Vulnerable Adult who has been the victim of:
 - ☐ Any kind of physical or sexual abuse, or
 - ☐ Criminal exploitation, or
 - ☐ Intentional neglect of a criminal nature, certain laws and procedures (outlined below) apply.
- ➔ **NOTE:** These procedures and laws DO NOT APPLY to the abuse of patients in nursing homes or medical/mental health facilities (See Nursing Home Resident Abuse).
- ☐ Immunity from Civil Liability: You are immune from and civil liability which might arise from your actions under this section, as long as you act reasonably and in good faith.
- ☐ Confidentiality: The identity of any person who make any report under this section is confidential, and WILL NOT be disclosed, or included in any offense report (except supplement reports).

Procedure

- ☐ As with any other crime against person offense, your first responsibility is to provide medical care for the victim. Then you must conduct a thorough preliminary investigation.
- ☐ Cooperate fully with any Social Services worker on the scene.
- ☐ Have the Crime Lab respond, and have them take color photographs of any physical injuries or signs of intentional neglect.
- ☐ Take appropriate legal action. If you have enough probable cause, obtain a warrant/summons. If you also have sufficient exigent circumstances, make a warrantless arrest:
- ☐ NOTIFY THE ADULT ABUSE UNIT of the STATE'S ATTORNEYS OFFICE (396-1990 during regular business hours) of any ARREST.
- ☐ YOU are responsible for making this notification as soon as possible, even if the arrest is NOT during business hours.
- ☐ If you need assistance or referral or other information from the Department of Social Services (DSS), call them at 361-2103 (during business hours), or at 361-2235 (after business hours).
- ☐ If the complaint originally came from DSS, find out if their information came from the Police Department. If it did, you may only need to write a follow-up to an existing report (they should have the CC#).

Reporting Requirements

If you have a case fitting these criteria, write a Crime Against Persons report at the conclusion of your preliminary investigation. Prepare it normally, except as follows:

- ☐ Write "VULNERABLE ADULT INCIDENT—Copy to Social Services" on the first line of the narrative.
- ☐ Include the name, address, phone number and age, of the victim, AND of the person responsible for the care of the victim. Include any witnesses, and list all known next of kin.
- ☐ Describe the nature of the vulnerable person's incapacity.
- ☐ Add a complete description of the nature and extent of the abuse, neglect, or exploitation of the victim. Also seek out and include any information about previous incidents of this type.
- ☐ Include any information which would indicate the CAUSE of the offense, and also the complete identity of the suspect.
- ☐ Indicate whether or not color photographs were taken and describe any evidence collected.
- ☐ Include the name, assignment and phone number of any DSS worker at the scene or later contacted.

Section 2

Patrol and Investigative Procedures

Altitude—Minimum Flight Altitude Violation

(See GO #9-86 G-4)

Guidelines

- ☐ Federal Law prohibits aircraft from flying less than 1000 feet above the highest obstacle (within 2000 feet) over populated areas (Federal Aviation Regulation 91:79).
- ☐ Helicopters may be operated below the above limit as long as "the operation is conducted without hazard to persons or property on the surface."
- ☐ Aircraft may not fly over Memorial Stadium (or any other sporting arena in Baltimore City) towing a promotional sign at altitudes lower than the federal standards above (Md Transportation Article, Section 5-1007). For comparative purposes, you are advised that the light poles at Memorial Stadium are approximately 165 feet high.
- ☐ The identification number of fixedwing aircraft is marked on both sides of the fuselage.

Procedure

If you see or are notified of an aircraft operating over Baltimore City that appears to be flying below the altitudes outlined above, or which appears to be operated recklessly, you shall:

- ☐ Request assistance of the helicopter unit from KGA.
- ☐ Attempt to get the identification number, and note the direction of flight and the physical description of the aircraft (type, color(s), size, number of engines, etc.). Give this information to the helicopter unit.
- ☐ Write and submit a Miscellaneous Incident Report, including the following information:
 - ☐ In Box 15: "Flight Altitude Violation."
 - ☐ In the Narrative of your MI describe or include:
 - ✱ How the violation was first reported (On-view, citizen complaint, KGA, etc.).

- ❖ Your observations as to ID number(s), direction of flight, physical description of the aircraft, etc.
- ❖ If available, pilot's or owner's identification information.
- ❖ Your estimate of the aircraft's altitude, and the reference point used to assist in that estimate.
- ❖ The reckless acts committed (if any).

- ☐ The helicopter unit will respond to determine if a violation actually occurred, and will take whatever further action is necessary.

Arrests—General Guidelines

Arrest Defined: The Elements of Arrest

An arrest is the taking into custody of a person for the purpose of answering a criminal charge. There are four **ELEMENTS** that must exist to make an arrest legal. A mistake made in this basic, fundamental police function may invalidate everything done later, and may ruin any chance at successful prosecution. The precise **TIME** of the arrest (exactly when it occurred in the sequence of events) may also determine the legality of subsequent events. The four elements are:

- ☐ You must have the **AUTHORITY** to make the arrest.
- ☐ You must have **PROBABLE CAUSE** to make the arrest.
- ☐ You must actually or constructively **SEIZE** the arrestee.
- ☐ The arrestee must **UNDERSTAND** that he is under arrest.

Guidelines

AUTHORITY: As a Baltimore Police Officer, you are granted the authority to make arrests by Article 27, Section 594B of the Annotated Code of Maryland, as long as you act within your jurisdiction and in accordance with the law.

PROBABLE CAUSE is absolutely required to make a lawful arrest without a warrant. (See Probable Cause Chart on page 109) Probable cause is based on the total reliable information known to you **AT THE TIME** of the arrest, and on the reasonable conclusion(s) that you drew from this information, based on your training and experience as a police officer. Finally, you must be able to show that you, as a reasonable person, believed two things:

- ☐ That a crime has been, is, or is about to be committed, and,
- ☐ That the person you arrested probably did it.

→ **NOTE:** When making an arrest pursuant to a **WARRANT**, you do **NOT** have to establish probable cause. The signed **WARRANT** was based on **PROBABLE CAUSE**; therefore the arrest itself doesn't have to be.

- ☐ **SEIZURE:** Though it is not absolutely necessary for you to have physical contact with the arrestee, the suspect's movements must be constrained by you or your actions. For instance, the suspect may be constructively seized if, at the time of the arrest, the arrestee is in a small room, or in a corner of a large room. Shouting at a person across the parking lot, "You are under arrest", does not constitute a legal arrest.
- ☐ **UNDERSTANDING:** The arrestee must understand that he/she is being arrested. This requirement is based on the premise that, if he does not, he may not be able to take full advantage of his constitutional rights. Being in uniform and loudly announcing, "Police, you are under arrest!" complies with this requirement.

Arrests Based on an Arrest Warrant are Preferable

Whenever possible, you should obtain a warrant before making an arrest. That way, the sufficiency of your probable cause will be affirmed by an officer of the court BEFORE you remove the arrestee's liberty, and you will be significantly better protected, as long as you act reasonably and properly. For procedural guidelines on making warrant arrests, see page 61.

Warrantless Arrests Expose you to Greater Liability

More often than not, events do not allow the luxury of obtaining a warrant before making an arrest. Note that arrests without a warrant subject the officer to more scrutiny and potential liability. The law does not allow for warrantless arrests for misdemeanors committed outside the officers' presence except in limited situations, and under a narrow set of exigent circumstances.

Use Of Force in Making an Arrest

- ☐ In making an arrest, you are only allowed to use that amount of force necessary to control and restrain the prisoner. In the event of physical resistance by the arrestee, you are only allowed to use that amount of force necessary to overcome the arrestee's physical resistance, to prevent their escape (or effect their recapture), and to prevent injury to yourself or others.
- ☐ You are never justified in striking a prisoner who merely holds back, but who is not actively assaulting, or attempting to assault, you or another officer.
- ☐ Striking a handcuffed prisoner is not permitted, and could only be justified under extraordinary circumstances.

Techniques of Arrest

One of the most dangerous moments for any police officer is the period between advising a suspect that they are under arrest, and when you actually get him/her restrained. During this time, you don't yet know whether or not the suspect is armed, or what his/her intentions are. Also keep in mind that you are most vulnerable while attempting to search an unrestrained prisoner.

Therefore, it is good policy to call for a back-up unit before initiating the arrest, and to conduct the search after first restraining the prisoner by the use of handcuffs. Then you may more safely search the restrained prisoner (incident to the arrest).

- ☐ If possible, call for a wagon and assisting officers before initiating the arrest.
- ☐ Clearly identify yourself as a police officer, and firmly announce the arrest.
- ☐ Constructively or actually seize the arrestee.
- ☐ Handcuff the arrestee (hands behind his back).
- ☐ Double-lock the handcuffs. This will help prevent the prisoner from picking the lock, or from tightening the handcuffs.
- ☐ Search the arrestee (thorough, intrusive search). If you are not of the same sex as the arrestee, call for an officer of the same sex to conduct this search, (however you may pat-down outside clothing of the prisoner for your safety while awaiting responding units.
 - ☐ Don't disregard such items as toothpicks, pins, paperclips, pens, etc., as they can be used to unlock handcuffs.
 - ☐ Particularly when searching known narcotics users/dealers, be careful not to prick yourself on concealed needles or razor blades, which pose the risk of AIDS or other infection.
- ☐ You may search the following areas without a warrant:
 - ☐ The area immediately within reach of the suspect at the time you announced the arrest,
 - ☐ The entire path, if suspect fled,
 - ☐ Area of struggle, if any,
 - ☐ Interior of vehicle, if suspect was arrested in vehicle (not necessarily the trunk).
- ☐ If not already requested,
 - ☐ Call for a cruising patrol,
 - ☐ P.S.T.V. is the last resort.
- ☐ Inform the arrestee why he was arrested, and of the charges

- ☐ Keep the arrestee in front of you, and in your constant physical control, even after they are properly restrained.
- ☐ Be conscious and careful of bystanders, who may object to the arrest and attempt to interfere.
- ☐ Keep all others away from the arrestee, and from the rear of the wagon at all times.
- ☐ Avoid unnecessary conversation with the arrestee. Do not allow suspects words or actions to draw you into a verbal confrontation.
- ☐ If you intend to question the arrestee, you MUST first advise him of his rights under Miranda (see page 57 of this manual). Even a statement he blurted out voluntarily, without being asked, may be inadmissible later if these rights were not explained beforehand, depending on, among other things, how long after the arrest it was made.
- ☐ Any written statement requires prior advice of rights, using the department's Advice of Rights form, signed by the suspect.
 - ➔ **REMEMBER:** Once arrested, the physical health and safety of the prisoner is YOUR responsibility. Allow NO ONE to harm him/her.

DWI-Arrest Procedures

(See GO # 13-87 K-8)

Guidelines

Before making an arrest for DWI (Transportation Article, Title 21, Subtitle 902), you must be able to define your:

- ☐ Reasonable suspicion for the vehicle stop, and
- ☐ Probable cause for believing the subject is DWI (field sobriety test results, odor of alcohol, observed driving problems, etc.).
- ☐ There is a TWO HOUR time limit for administering the Breathalyzer test, starting when you arrest the subject.
- ☐ A DWI arrestee's car cannot be left on the street. It must be towed, unless the car's owner or co-owner is:
 - ☐ Present on the scene, and
 - ☐ Sober and licensed, and
 - ☐ Willing to sign for receipt of the custody of the car.

Procedure

Once you've established your probable cause,

- ☐ Arrest driver. Explain WHY.
- ☐ Call for a tow truck as soon as possible. Arrestee's vehicle cannot be left on the street (see above).
 - ☐ If Owner/co-owner is PRESENT and wants the vehicle, write an MI about the release; HAVE OWNER/CO-OWNER SIGN THE NARRATIVE.
 - ☐ If Owner/co-owner is NOT present, write a Towed Vehicle Report (on a Vehicle Report form), or have another unit do the tow (and Vehicle Report) for you, while you handle arrestee.
 - ※ Give the tow truck driver the back copy of the Vehicle Report.
 - ※ Sign the tow truck driver's bill (no copy given).
- ☐ Have the arrestee transported to Women's/Men's Detention at the Central District, for testing/processing.
- ☐ Complete Officers Observation Report (form 78/54) in duplicate:
 - ☐ Keep original for court presentation.
 - ☐ Give a copy to Desk Sergeant.
- ☐ READ the entire Advice of Right to a Chemical Test (form DR-15) to the arrestee. Fill out the bottom of the form.
- ☐ Arrestee must then decide whether or not to take the test.
 - ➔ **NOTE:** The arrestee MAY consult with a lawyer BEFORE deciding, and the lawyer may give arrestee his/her own test first. However, **This Consultation/test Shall Not Interfere With the 2 Hour Time Limit for Giving the Departmental Test.**
 - ☐ If the arrestee appears unable to understand these rights, note on the form (second copy to arrestee).
 - ➔ **NOTE:** This is NOT a test REFUSAL.
 - ☐ If the arrestee REFUSES to take the test, then complete a Officer's Certification of Driver's Refusal to Submit to Chemical Test form (DR-15A).
 - ※ One copy to the arrestee and
 - ※ Two copies to the Desk Sergeant.
 - ☐ If the arrestee AGREES to take the test:
 - ☐ Request (via radio) a crime lab technician at CTU.
 - ☐ Give technician completed forms and information he/she needs.
 - ☐ Ensure that test is given within TWO HOURS of the arrest.

Blood Test Procedures

- ☐ A BLOOD TEST shall be given only if arrestee is:
 - ☐ Unconscious (or INCAPABLE of REFUSING test), or
 - ☐ Arrestee needs hospital treatment, or
 - ☐ Breathalyzer is unavailable.
- ☐ If a blood test is required:
 - ☐ CD Desk Sergeant has Blood Kits.
 - ☐ Have arrestee (and kit) transported to nearby hospital for test.
 - ☐ After the blood test is completed, fill out the Alcohol Analysis/Medical Personnel Payment Authorization form.
 - ☐ Deliver form and kit to Mobile Lab Unit.
- ☐ Have the arrestee taken to the district of arrest (females go to Women's Detention, Traffic/Tactical arrests go to CD).
- ☐ Give completed Statement of Probable Cause form (as with any other arrest), and appropriate traffic citation(s), to the Desk Sergeant. Arresting officers do NOT have to attend probable cause or bail hearings.

Arrest—Miranda Warnings

(See GO # 3-86 K5)

Guidelines

- ☐ ALL arrestees must be advised of their Constitutional Rights (as outlined in the Miranda decision) BEFORE ANY QUESTIONING.
- ☐ Failure to give these warnings BEFORE questioning is a violation of the arrestee's rights, and may cause any answers, information, or admissions from ever being used against the arrestee, or against other persons implicated by the arrestee.
- ☐ The Department provides a pocket (Look-Out) sized Rights Card (form #85/276) and a full sized Rights Form (form #69). The form is available in English, Spanish, French, Italian, Korean, and Russian.
- ☐ Use the FORM before taking a WRITTEN STATEMENT, and, if practicable, before verbal questioning. Use of the CARD (read word for word to the arrestee) is for VERBAL questioning only.
- ☐ The warnings do NOT need to be given to a person who:
 - ☐ Spontaneously gives information without being asked any questions by anyone.
 - ☐ Is NOT in custody, and is NOT being detained (meaning the person knows he/she is free to go at any time).

- ☐ Questioning must STOP immediately if the person at any time changes his/her mind and no longer agrees to freely answer you.
- ☐ If the arrestee wants a lawyer present, you MUST give him/her time to have a lawyer respond and allow him/her to attend questioning.
- ☐ You are not allowed to give advice as to whether or not the person needs a lawyer, or whether or not he/she should answer questions.
- ☐ Any written statement MUST begin on the bottom of form #69.

Procedure: Use of Rights Card

- ☐ After arresting any person for an offense where questions remain to be answered, RECITE ITEMS 1 to 4 (from the Rights Card) to the arrestee, word for word.
- ☐ Make sure after each item that the arrestee understood.
- ☐ If the arrestee does not speak English, contact the Communications Division for a translator.
- ☐ If the arrestee is a juvenile, have the parent/guardian present before/during the rights waiver and any questioning.
- ☐ If arrestee changes his/her mind at any time and wants to stop, you must stop questioning him/her. If arrestee does want a lawyer present, stop all questioning until his/her lawyer is present.

Procedure: Use of Rights Form

Follow steps above, and those below:

- ☐ Fill out the Rights Form (Form #69) completely.
- ☐ Have someone witness this procedure (and sign the form).
- ☐ Clearly RECITE statements 1 through 5 (on form #69) to the arrestee, word for word.
- ☐ Have the arrestee read statements 1 through 5 aloud. Have arrestee initial next to each statement, read and initial the waiver statement, and sign the form (twice).
- ☐ Keep the signed form/statement in your case folder, and take it to court. Give a copy to the ASA at Felony Review.

Arrests—Traffic Violations

(See PCM # 7-88 as Amended 4/18/89 & Title 26, Sub-titles 202 and 203 of the Maryland Transportation Article)

Guidelines

You may make a warrantless arrest for violations of the Maryland or local vehicle law under any of the following circumstances:

- ☐ The person committed any of the following violations within your view or presence:
 - ☐ 21-1411 or 22-409—Relating to the transport of hazardous materials; or
 - ☐ 24-11 or 24-1111—Relating to the refusal to submit a vehicle to weighing or to refusing to remove excess weight.
- ☐ The person has committed any violation in your view or presence and either:
 - ☐ Fails to produce satisfactory identification; or
 - ☐ You have REASONABLE grounds to believe that the person will disregard a traffic citation.
- ☐ You have PROBABLE CAUSE to believe that the person committed any of the following violations:
 - ☐ Driving while intoxicated or under the influence of drugs or alcohol (See section on DWI Arrests).
 - ☐ Illegally leaving the scene of an accident.
 - ☐ Driving or attempting to drive on a suspended or revoked license.
 - ☐ Fleeing or attempting to elude a police officer.
 - ☐ Any violation that caused or contributed to a personal injury or fatal traffic accident.
- ☐ The person is NOT a Maryland resident, AND you have probable cause to believe that:
 - ☐ The person committed a traffic violation; AND
 - ☐ The violation contributed to an accident.
- ☐ You have probable cause to believe that the person committed a traffic violation AND the violator refuses to sign the written citation(s).
 - ➔ **NOTE:** The person must be WARNED of the consequences of not signing, and continue to refuse to sign, before an arrest may be made; see below.

Procedure

Once the requirements listed above have been met:

- ☐ Inform the person of the violation, and that he/she is under arrest.
- ☐ Call for a licensed tow truck via KGA UNLESS you choose to use one of the following optional procedures:

- ☐ You may release the vehicle to the owner or co-owner if that person is at the scene; or
- ☐ You may allow the arrestee to park and secure his/her vehicle, IF the following conditions are met:
 - ✱ The arrestee parks legally, and
 - ✱ The arrestee agrees, in writing, to assume full responsibility for the vehicle and its contents.
- ☐ If you choose either option above, you must complete and submit an MI Report, the narrative of which must:
 - ☐ Explain that the vehicle was released.
 - ☐ Identify the person to whom the vehicle was released.
 - ☐ Obtain the SIGNATURE of the person to whom the vehicle was released, acknowledging that person's receipt of, and responsibility for, the vehicle.
- ☐ Have the arrestee transported to the station house of the district of occurrence.
 - ➔ **EXCEPTION:** Tactical and Traffic arrests go to the Central District. Northeast District arrests go to the Northern District. Female arrestees go to Woman's Detention in the Central District building.
- ☐ Call the Hot Desk and get a warrant check on the arrestee. Give the results to the Desk Sergeant.
- ☐ Complete a "Statement of Probable Cause" form and the appropriate Maryland Uniform Complaint and Citation(s), and present them to the Desk Sergeant with the arrestee.
 - ➔ **NOTE:** You are NOT required to attend the arrestee's Probable Cause/Bail Hearing.

Arrest Warrants—Obtaining/Serving

(See GO #4-84 K-4 / PDM 9-85 / OBM 20-84 / PCM 22-83)

Guidelines

- ☐ When you receive an arrest warrant for service, you are not bound to inquire into the particulars of a complaint. If the warrant is in the proper form and issued by proper judicial authority, you are to execute the warrant.
- ☐ You are NOT required to obtain permission before seeking to obtain an arrest warrant; however, you SHOULD consult with supervisory personnel for guidance. **EXCEPTION:** In the case of a warrant for vice activity, you do NOT need to consult a supervisor first.

- ☐ In every instance where you apply for an arrest warrant, YOU (as the affiant officer) shall bear full responsibility for the content of the application.
- ☐ You do NOT need to have the actual warrant in your immediate possession when serving a warrant. It is enough that you REASONABLY believe the warrant exists at the time of arrest.
- ☐ You shall notify the Fugitive Unit (2484) whenever:
 - ☐ A person is arrested within Baltimore City on a warrant issued by any other jurisdiction; or
 - ☐ A person is believed to have fled Maryland, and a warrant has been issued charging him/her with any of the following:
 - ✱ A crime of violence against a person; or
 - ✱ A crime involving parental kidnapping; or
 - ✱ A crime involving narcotics trafficking; or
 - ✱ A crime involving the loss or destruction of more than \$25,000 in property; or
 - ✱ Escape while incarcerated for one of the above offenses.
- ☐ INTRA-STATE WARRANTS: Whenever a defendant is arrested in the state of Maryland, but outside of Baltimore City, on a Baltimore City warrant secured by a sworn member of this department:
 - ☐ The Fugitive Unit must be notified, and will make the decision whether or not to return the arrestee to Baltimore City.
 - ☐ If the defendant is returned, the sworn member who secured the warrant shall endorse the warrant after the arrestee is returned to Baltimore City, and shall handle all investigations and court appearances necessary in the case.

Procedure: Obtaining a Warrant

- ☐ If you have or develop information regarding a particular crime(s) and you are NOT the officer assigned the follow-up, then PRIOR to obtaining a warrant for this incident/crime:
 - ☐ Review ALL reports concerning the case.
 - ☐ If circumstances permit, contact the officer who IS assigned the follow-up to determine the status of the case and the practicality of obtaining an arrest warrant.
 - ☐ Consult supervisory personnel for guidance in the proper procedure and the appropriate charges to be placed.
 - ☐ After obtaining the warrant, but PRIOR to its service, you MUST ensure that the warrant has been properly logged in by the detention unit (desk) in the district of issuance.

- **EXCEPTION:** If the nature of an investigation is confidential and a warrant is issued, it is NOT mandatory to present the warrant to the Detention Unit prior to service. The affiant/investigating officer shall, however, be responsible for ensuring the expeditious service of a confidential arrest warrant.

Procedure: Serving (Executing) Arrest Warrants

All arrest warrants for subjects located within Baltimore City shall be executed as soon as practical.

- ☐ Felony warrants may be executed at any time of the day or night.
- ☐ Misdemeanor warrants should be executed only between the hours of 0600 and 2200, unless the Shift Commander approves of other hours for service, based on his/her judgement of the necessity of attempting service during the nighttime hours.
- ☐ If you have a subject under your immediate control (during a car stop, field interview, etc.) and you discover that there is an outstanding warrant for the subject (verified), you should advise the subject he/she is under arrest and take the subject into custody as soon as possible, consistent with minimum anticipated personnel required to effect the arrest safely.
- ☐ Due to the minor nature of most traffic warrants, and the fact that there is often a delay in recalling them, these warrants should be executed with the exercise of particular discretion.
- ☐ Whenever possible, traffic warrants should be served:
 - ☐ At the residence of the defendant; and
 - ☐ Only between the hours of 0800 and 1600; and
 - ☐ Only on weekdays.
- ☐ If the defendant is not at his/her residence when service is attempted, you shall leave sufficient information to enable the citizen to comply with the payable fine or collateral provision at the District Traffic Court bail window, which is open between 0830 and 1630 hours on weekdays.
- ☐ When all attempts to serve traffic warrants at the residence of the defendant between 0800 and 1600 hours have failed, service at the residence may be attempted at any other REASONABLE time, upon the approval of the Shift Commander.
- ☐ There should be sufficient personnel assigned to execute all arrest warrants (including traffic and misdemeanor warrants) to ensure the safety of all concerned. If possible, choose the time and place of arrest with these same goals in mind.

- ☐ Plainclothes officers involved in warrant executions should (if practical) ensure that communications is notified of their presence. Also, they shall affix their badge of authority on the left side of their outer garment and clearly identify themselves to the uniformed officers/supervisor on the scene.
- ☐ A police supervisor should supervise all warrant arrests (except those unplanned, on-view type warrant arrests).
- ☐ After verifying the existence of the arrest warrant (if you don't have the actual warrant in your possession) and the identity of the suspect, clearly advise the suspect of the warrant (or show the warrant to the suspect, if you have it in your possession), and advise him/her of the nature of the charges.
- ☐ Once the subject is in custody, handcuff the prisoner and search him/her.
- ☐ Give the defendant his/her copy of the warrant as soon as practical after the arrest.

Procedure: Arresting On-Duty Baltimore Gas and Electric Employees

- ☐ Before attempting to execute a misdemeanor warrant for an on-duty employee of the Baltimore Gas and Electric Company:
 - ☐ Notify the BG&E Supervisor of Security at:
 - ※ Weekdays, daytime: 234-6566.
 - ※ Nights and Weekends: 234-5191.
 - ☐ The Security Division will assist you by arranging to put you in contact with the defendant at a mutually agreeable time and location.
- ☐ In the case of a felony warrant for an on-duty employee of the Baltimore Gas and Electric company, the decision to notify the BG&E Security Division rests with your Commanding Officer.
- ☐ If you make an arrest of an on-duty BG&E employee on the street:
 - ☐ Notify the BG&E Security Division (listing above) to take custody of any BG&E vehicles or equipment which is not required for evidence.
 - ☐ Remain with (or have another officer remain with) the vehicle or equipment until BG&E Security Division personnel have taken custody of the vehicle/equipment.
 - ➔ **CONSTITUTIONAL REMINDER: EXECUTION OF WARRANTS AT THE HOME OF A THIRD PARTY.**
Without EXIGENT CIRCUMSTANCES or CONSENT, a

SEARCH WARRANT shall be obtained prior to entering the home of a third party to execute an arrest warrant.

Arrests Without a Warrant

(See GO #3-86 K5 / 56-77 K6 / PCM 10-80 & 69-13 / OBM 5-87)

Guidelines

As a general rule, you are NOT permitted to make a warrantless arrest if the crime was a misdemeanor not committed in your presence. The law allows you to arrest a person without a warrant in only certain circumstances. In general, they are:

- ☐ If you actually saw the person commit a crime.
- ☐ If you have PROBABLE CAUSE to believe the person committed a crime, felony or misdemeanor, in your presence.
- ☐ If you have PROBABLE CAUSE to believe the person committed a felony (even if it did not occur in your presence).
- ☐ If you have PROBABLE CAUSE to believe the person committed a misdemeanor not in your presence, and certain EXIGENT CIRCUMSTANCES exist:
 - ☐ If the suspect is not known to you or the victim, and the suspect refuses to provide adequate identification (so that a warrant may be obtained later), OR
 - ☐ An immediate arrest is necessary to prevent further violence/assault, especially in the case of a reported domestic assault.
- ☐ If you make a warrantless arrest for a misdemeanor not committed in your presence based on exigent circumstances, you must be able to explain to the court why you REASONABLY believed that failure to make an immediate arrest would allow the suspect to:
 - ☐ Continue or resume the unlawful activity, or
 - ☐ Escape apprehension, or
 - ☐ Destroy evidence of the crime, or
 - ☐ Dispose of the proceeds of the crime.

Procedure

- ☐ If the circumstances do NOT allow a warrantless arrest:
 - ☐ Provide the CC# to the complainant, and
 - ☐ Advise the complainant/victim how to obtain a warrant/summons, or attempt to obtain a warrant/summons yourself, and

- ☐ Write the appropriate offense report.
- ☐ When the circumstances allow it, and you've made a decision to make a warrantless arrest, follow the Techniques of Arrest as outlined in this manual.

Barricade/Hostage/Sniper Incidents

(See GO #36-77 G-2)

Definitions

Barricade—An incident where an individual(s) is believed to be armed and is committing or has committed some criminal act and it is apparent the individual intends to unlawfully defend a fixed position against police entry.

Controlled Suppression Fire—Well-directed, controlled fire at a clearly identified target for the purpose of permitting the evacuation of wounded or endangered civilians or police personnel.

Hostage Incident—An incident where an individual(s) is believed to be armed and unlawfully holding a person(s) in return for some known or unknown consideration.

Sniper Incident—An incident where an assailant(s) is stationary, or nearly so, is believed to be armed, and has shot at or intends to shoot at targets of opportunity. For the purposes of this order, an AMBUSH shall be considered a sniper incident.

Command Post—A temporary control center for all actions involved in the resolution of sniper/barricade incidents.

Inner Perimeter—The area wherein officers and/or civilians are vulnerable to direct fire or other harm from an assailant and/or police countermeasures. This inner perimeter may be dependent upon the fire power and field of fire available to the armed person, or to some other consideration(s), as may be determined by the On-Scene Commander, to insure against interference with the police response. If the assailant(s) is located in a room in a building without shooting access to the outside, the inner perimeter MAY be in the same building. If the assailant(s) has shooting access to the outside, the inner perimeter may be established several hundred feet from the outside of the building. If the assailant(s) is outside, with large areas of open space surrounding him/her, the inner perimeter may be established several hundred yards from his/her actual location.

Outer Perimeter—That area in which officers or the public are NOT vulnerable to direct fire, or other attack from the assailant(s).

Police Negotiator—An individual designated by the On-Scene Commander to enter into discussions with assailant(s) involved in a sniper/barricade/hostage incident. This person must be able to establish a rapport with the assailant(s), and should NOT (normally) be of Command rank. Neither should this individual later be utilized in any forcible effort to

apprehend the assailant(s). No person other than the police negotiator is to converse with the assailant(s) without careful consideration of the effects the conversation might have. Remember that relatives and employers are often the CAUSE of an assailant's deviant behavior.

Staging Area—An area out of the line of fire and designated as the reporting location for any additional units who respond to the situation.

Strategic Position—Any position that is critical in the effort to isolate the assailant(s). These positions MUST be established out of the line of fire but close enough to the position to prevent the assailant's escape or injury to innocent persons.

Guidelines

- ☐ The ranking officer or police official on the scene of an incident is in command and shall direct all related field operations.
- ☐ Where feasible, we will begin negotiations with incident participants at the earliest possible point in the incident. However, when required by circumstances, this department will take any other police action necessary to resolve the incident, acting with reasonable care, diligence, skill and professionalism, using whatever available resources are necessary and appropriate.
- ☐ All responding units must park away from the assailant's location, and in a manner which will insure the free flow of additional emergency units.
- ☐ No one below the District Shift Commander is authorized to order controlled suppression fire (see definition above).
- ☐ INDISCRIMINATE FIRING WILL NOT BE PERMITTED.

Procedure: Primary Unit

The FIRST unit observing or being assigned to a potential barricade/sniper incident shall:

- ☐ RESPOND in a calm manner, minimizing the risk of personal injury.
- ☐ APPROACH the immediate area ON FOOT. Broadcast a 10-23 code upon arrival.
- ☐ DETERMINE if a barricade/sniper/hostage situation actually exists, DEFINE the field of fire, and DIRECT the safe response of additional units (if necessary).
- ☐ ADVISE the dispatcher of the situation as soon as possible. Provide as much information as possible, including (if available):
 - ☐ Location, number, and description of the assailant(s).

- ☐ Description of the field of fire, and a list of unsafe streets, alleys and other areas that responding units should NOT enter.
- ☐ Weapon(s) being used or available to assailant(s).
- ☐ Possible avenues of escape.
- ☐ MAINTAIN FIREARMS DISCIPLINE—INDISCRIMINATE FIRING IS NOT PERMITTED.
- ☐ If it is necessary to EVACUATE buildings or CLEAR the area or to STOP vehicular traffic, ADVISE COMMUNICATIONS where to dispatch additional units for this purpose.
- ☐ DETAIN all witnesses, and any known friends or relatives of the assailant(s).

Procedure: Secondary Unit

(As assigned by Communications):

- ☐ RESPOND in a calm manner, minimizing the risk of personal injury.
- ☐ ESTABLISH a COMMAND POST as near as safe and practical to the scene of activity, but removed from the field of fire.
 - ☐ ADVISE communications of the location.
 - ☐ ESTABLISH an open telephone line to the Communications Division Shift Commander (if possible).
- ☐ DETERMINE the number of additional police units needed to set up a secure outer perimeter to control both vehicle and APPROACH TO THE COMMAND POST OR STAGING AREA.
- ☐ DEVELOP further information from any witness, friends, and/or relatives concerning the incident through calm interview.

Procedure: Additional Units

(As assigned by Communications or the Command Post):

- ☐ Respond ONLY if requested by Communications or the Command Post.
 - ☐ The Command Post will be the reporting location for all additional units unless an alternate staging area is established by a supervisor or the responding unit is given a specific location for traffic control.
 - ☐ Police vehicles shall be parked away from the assailant's location and away from the Command Post. Park well away and respond on foot (unless you are responding to a specific location for traffic control purposes requiring your police vehicle).
- ➔ **NOTE:** Vehicles parked to block traffic SHALL NOT be left unattended.

- ☐ Respond only to the location given to you by the Command Post or Communications. If you are told to respond, but are NOT given a specific assignment or location, then respond to the Command Post or Staging Area and STAND BY FOR INSTRUCTIONS.
- ☐ Unless otherwise authorized by the Command Post, all units at the scene SHALL direct radio transmissions ONLY to the Command Post, using appropriate call numbers in order to maintain communications discipline and efficient coordination of efforts. Once an inner perimeter is established, RESTRICT the area to assigned police personnel only, unless otherwise directed by the Command Post.

CDS—Handling and Submission

(See GO # 26-78 H-3 / 2-87 N-2 as amended 7/25/89. Also see Training Guideline, Volume 12, Number 2)

Guidelines

These procedures apply whenever a Controlled Dangerous Substance (CDS), as defined in Article 27, Section 276-302 of the Annotated Code of Maryland, comes into your possession.

- ➔ **NOTE:** This does NOT apply, however, to lawfully prescribed CDS in the legal possession of a member of this agency.
- ☐ In order to determine whether a manufactured capsule or tablet is a controlled substance, you may contact the Poison Control Center (528-7701, 24 hours) for assistance in verifying the substance.
- ☐ When submitting CDS, ABSOLUTELY NO PERSONAL ITEMS are to be submitted with the CDS, UNLESS it is the actual immediate container that is contaminated.
- ☐ U.S. Currency should NOT be submitted with the CDS unless it is the immediate container (ie, the CDS is wrapped in the currency, or the currency was used as a snorting tube, with residue still on it). Currency seized as evidence is to be submitted separately as general evidence.
- ☐ Legal prescriptions are not analyzed unless the defendant is charged with distribution of the substance.
- ☐ Found CDS with No suspects: No analysis is required. Submit this CDS as "Found Property."
- ☐ Do not hesitate to request procedural advice from personnel at the Evidence Control Section (ECS). They are available to assist and guide you. They will monitor the submission to insure completeness, accuracy and compliance to requirements.

Procedure for Submitting CDS

Transporting after Seizure

- ☐ Transport recovered/seized CDS immediately from the place of seizure to ECS at the Police Headquarters building. Request admission to the CDS Submission Room (from ECS personnel).
- ☐ EXCEPTIONS: If while en-route to the ECS room you become involved in an event requiring immediate police action on your part:
 - ※ Safeguard the CDS and take the necessary action.
 - ※ Explain the delay on your Daily Activity Report, including the delaying event's CC#.
 - ※ Report to ECS as soon as possible after the event.
- ☐ If you are responding to a secure area designated by command for the purpose of completing submission forms or displaying the CDS to the media in a significant drug seizure (See the "Viewing of CDS Seizures by the Media" section at the end of this section for details).
- ➔ **NOTE:** Booking is NOT an event requiring immediate police action. Submit the CDS before responding to the booking facility to process the arrestee.

Latent Fingerprints

- ☐ Determine the need for latent prints based on the facts and circumstances of each situation. For instance, consider "Constructive Possession" cases, or the need to positively identify other conspirators in a case. If the facts dictate the need to process CDS evidence for latent fingerprints, follow this procedure:
 - ☐ Carefully handle the CDS using LATEX EXAMINATION GLOVES.
 - ☐ Contact the City-Wide Dispatcher to see if there is a backlog of requests for the Mobile Crime Lab.
 - ☐ If there is NO BACKLOG, request (via your dispatcher) a Mobile Crime Lab unit to respond to the CDS Submission Room to process the CDS and related evidence for prints.
 - ☐ If there IS A BACKLOG and a delay is anticipated:
 - ※ Complete a Lab Division Request for Examination Form (Form 236) identifying the particular items to be processed, the seizing officer, and any suspects (including their known BPI numbers).
 - ※ Securely fasten the form on TOP of all other paperwork required to accompany the evidence.
 - ※ Examination results will be forwarded to the seizing officer.

Forms

- ☐ Follow the posted guidelines for properly separating the recovered CDS into individual submission items, for completing the necessary forms (instructions and examples are posted), and for packaging your submission. Print carefully and legibly, since NO SCRATCH-OUTS OR WRITE-OVERS ARE ALLOWED.
- ☐ In completing the forms at ECS, describe the items briefly and accurately—DON'T list the CDS you suspect is present.
- ☐ Complete a SEPARATE Chain of Evidence Custody/Laboratory Report (Form 442) and Property Receipt (Form 56) for EACH DEFENDANT (EXCEPTION: If the CDS cannot be identified to any one defendant, list ALL defendants on the same form).
- ☐ Identify the PROBABLE CAUSE ITEM on Form 442.
- ☐ Complete the CDS LOG BOOK in the CDS Submission Room.
- ☐ If the defendant is a JUVENILE, indicate this on Form 442.
- ☐ Make sure ECS personnel verify the inventory and photograph the CDS.

Photographing CDS

- ☐ Before ECS personnel can photograph the items, you must:
 - ☐ Print the CC#, your name, and your assignment on a CDS negative envelope (ECS will affix a property number label to the negative envelope).
 - ☐ Place items identified by item number in proper numerical position (as listed on Form 442) under the camera. Also include the negative envelope.
- **NOTE:** The negative envelope must be in EVERY photograph required for your submission.

Weighing—Capsules or Tablets

- ☐ Items containing 100 or less capsules or tablets shall reflect an actual count of the capsules or tablets.
- ☐ For items containing MORE than 100 commercially manufactured capsules/tablets of the same kind, you may make a "declared count" using the scale and 100 counted (by actual count) capsules/tablets. Request the assistance of the ECS personnel for guidance on making a "declared count."
- **NOTE:** Take plants out of pots, take CDS out of clothing, and empty water pipes before submission. Pots and clothing are submitted under a separate property number.

- ☐ Each individual item of evidence is placed separately in an appropriately sized item bag clearly marked with sequential item numbers.
- ☐ Choose one of the two sizes of plastic submission bags, or a large paper submission bag (all items of evidence in a submission must fit into the plastic or paper bag without interfering with proper sealing of the bag).
 - ☐ If using plastic submission bag(s), print the CC#, your name/assignment, and the date of submission in the CENTER of the appropriate cardboard insert, and place the insert into the plastic submission bag.
 - ☐ If using a paper submission bag, print the same information on the OUTSIDE of the bag.
 - ☐ In either case, the ECS officer will appropriately affix a property number sticker to the submission package.

Sealing and Depositing CDS Evidence

- ☐ Either paper or plastic submission bags will be folded over no more than one (1) inch, stapled, and then sealed with evidence type across which you must write your full signature with the felt pen provided.
- ☐ Write the sealing time on the same line as the your printed name on Form 442.
- ☐ ECS personnel will affix property number stickers to all copies of Form 442 and Form 56, and to the Evidence Control Card (Form 129).
 - ➔ **NOTE:** You should receive the Goldenrod copy of the Form 56 back from the ECS member after the property number sticker is affixed. KEEP THIS COPY OF THE FORM 56 FOR YOUR CASE FOLDER.
- ☐ Staple the following items together to the OUTSIDE of the submission bag: Forms 129, 442, and 56; the remaining property number sticker (and its backing paper); and a pink flag if a vehicle has been confiscated in the case.
- ☐ The ECS Member will open the evidence chute. In the presence of the ECS Member, deposit the package into the chute (or, if the submission package is too large for the chute, the ECS Member will provide an alternate deposit location).

Special Situations: CDS Discovered by Booking Personnel Searching a Prisoner

- ☐ If possible, the arresting officer will return/respond to the booking facility to seize the contraband directly from the arrestee. The arresting officer will handle the CDS following these guidelines.

- ☐ If necessary, the turnkey will seize the CDS and notify the arresting officer to respond/return to the booking facility to take possession of the CDS, which the arresting officer will then handle following these guidelines.
- **NOTE:** In this case, the booking officer becomes the seizing officer and part of the chain of evidence custody.

Gastric Content Evidence

- ☐ Gastric (stomach) content evidence will be submitted to the Central Laboratories of Associated Maryland Pathologists, Ltd. (CLAMP). If you have first-hand knowledge to believe a person has swallowed CDS:
 - ☐ Arrest the suspect and immediately notify your supervisor.
 - ☐ Transport the arrestee to the University Hospital Emergency Room. Ensure that the arrestee is guarded for the safety of others and to maintain the chain of custody.
 - ☐ Advise the hospital staff of the situation and obtain a Search and Seizure Warrant for the arrestee's gastric content AND urine samples.
 - ☐ Get a copy of the CLAMP Monitoring Requisition Form from the ECS.
 - ☐ Present the completed CLAMP Form and a copy of the signed Search and Seizure Warrant to the staff physician, who will collect the described evidence.
 - ☐ Upon collection of the samples by the doctor:
 - ※ Have the doctor sign the chain of custody on the back of the CLAMP Form.
 - ※ You sign the CLAMP Form.
 - ※ Notify CLAMP via telephone at 252-6710 or 252-3583 (24 hour line).
 - ※ Give a copy of the Search and Seizure Warrant to the arrestee. THE DOCTOR DOES NOT RETAIN A COPY OF THE WARRANT.
- ☐ TRANSPORT THE ARRESTEE to the district of arrest for processing and place the appropriate charges.
- ☐ TRANSPORT THE EVIDENCE to CLAMP, 1920 Greenspring Drive, Timonium, Maryland. Submit the evidence to the CLAMP technician and OBTAIN A RECEIPT FOR THE CASE FOLDER.
- ☐ BEFORE GOING OFF DUTY, forward a Form 95 to the Fiscal division explaining the CLAMP activity, to include the name of the suspect, authority of submission, and the CC#.
- ☐ The seizing officer should receive the CLAMP report within ten (10) working days.

Removal of CDS from ECS:

You may remove CDS from ECS only for:

- ☐ Court or Grand Jury appearances, or for further analysis required by the ASA. To remove CDS for one of these legitimate reasons. Present the following to ECS personnel:
 - ☐ Court or Grand Jury summons for the case.
 - ➔ **NOTE:** If the case is continued beyond the first day, obtain a summons for any subsequent appearance in order to remove CDS from ECS for the resumption of the case.
 - ☐ Departmental Identification card.
 - ☐ Authorization for Removal of Evidence From (#73-435)..
- ☐ Ensure the evidence package(s) is sealed. If the seal is broken, IMMEDIATELY notify the Commanding Officer of ECS (or designee).
- ☐ Sign the Chain of Evidence Custody/Laboratory Report (Form 442) and the Property Receipt form (Form 56), and enter the required information on the Property Taken to Court as Evidence form (Form 369).

Courtroom Control of CDS: Removal/Return of Evidence to ECS

- ☐ CONTROL is defined as having personal custody or being able to SEE the evidence AT ALL TIMES.
- ☐ The District Court and the Circuit Court have agreed that you will NOT be directed to release CONTROL of the CDS at any time while in court, nor to leave the CDS evidence in court overnight.
 - ☐ If you ARE directed to release CONTROL of the CDS, diplomatically remind the judge of this agreement.
 - ➔ **NOTE:** If you are sequestered while the evidence is before the court, you would be releasing CONTROL of the evidence.
- ☐ If the court (or ASA) INSISTS that you release CONTROL:
 - ☐ Request and complete a Property Received as Evidence form (this form is available at the court.)
 - ☐ State exactly what evidence was released on the Property Received as Evidence form and the Chain of Evidence Custody/Laboratory Report (Form 442).
 - ☐ Have both forms signed by the party requesting custody. Release CONTROL as ordered.
- ☐ In any event where CDS is physically handed to an officer of the court, request the seals not be broken unless such action is clearly in the interest of the case. If the seal(s) IS broken, ensure the retrieval of ALL contents.

- ☐ IMMEDIATELY upon completing court duty, return all CDS evidence to ECS. If the presiding judge refuses to abide by the agreement and orders that the CDS evidence be held by the court (or if the case is in Federal Court, where there is no agreement), as soon as court is over proceed IMMEDIATELY to the ECS with the signed Property Received as Evidence Form.

→ **NOTE:** That CDS returned to ECS may be subject to verification by re-analysis.

Negative CDS—laboratory Report

- ☐ IMMEDIATELY upon notification that the lab analysis for all items is negative for CDS, confer with the Assistant State's Attorney assigned to the case.
- ☐ Prepare a WRITTEN memo of this conference for the case folder.

Outside Agencies Permitted To Submit CDS Directly to ECS

Members of the following agencies may submit CDS directly to our Evidence Control Section (ECS):

- ☐ Mass Transit Administration Police
- ☐ University of Maryland Police at University Hospital
- ☐ Morgan State University Police
- ☐ Baltimore City School Police
- ☐ Harborplace Police
- ☐ Maryland Transportation Authority Toll Facilities Police
- ☐ Maryland Correctional Pre-Release System
- ☐ Baltimore City Jail
- ☐ Maryland State Penitentiary
- ☐ Baltimore City Housing Authority Police

Viewing of CDS Seizures by the Media

Occasionally, it is beneficial to the department to display significant seizures of CDS to members of the media. Therefore, **WHENEVER YOU SEIZE A SIGNIFICANT AMOUNT OF SUSPECTED CDS, YOU MUST:**

- ☐ Immediately notify your supervisor of the seizure and transport the CDS directly to the Tactical Section roll call room HQ, second floor.

- ☐ If directed by Public Information Division personnel, place the CDS in the display cabinet provided.
- ☐ Do not allow ANYONE else to handle the CDS.
- ☐ Remain present during the media presentation.
- ☐ If the CDS is NOT to be displayed, OR at the conclusion of the presentation, transport the CDS directly to ECS, and submit it in keeping with this section.

CDS—Seizure of Vehicles

(See GO #3-84 H-5 / Article 27, Section 297, Annotated Code of Maryland)

Guidelines

- ☐ The law cited above directs you to seize vehicles that are used, or intended for use, to transport, or in any way aid in the transportation, sale, receipt, possession, or concealment of any CDS, and all raw materials, products, and equipment used to illegally manufacture or transport a CDS. You SHALL seize the involved vehicle for CDS violations when:
 - ☐ CDS in any quantity is sold or attempted to be sold from the vehicle, or
 - ☐ The amount of CDS or CDS paraphernalia found in the vehicle would reasonably indicate that sale is contemplated, or
 - ☐ The total circumstances of the case justify the seizure. For instance, if a large (or separately packaged) quantity of CDS is found on a person arrested in the vehicle, the vehicle would be subject to seizure.
- ☐ You SHALL NOT seize vehicles for CDS violations when they:
 - ☐ Are owned, rented or leased as a public conveyance (taxi cab, bus, etc.), unless the owner or person legally in charge of the vehicle was either a consenting party or had knowledge of the unlawful transport of CDS in the vehicle.
 - ☐ Are UNLAWFULLY in the possession of a person other than the owner at the time of the unlawful transport.
 - ☐ Have been innocently lent to a person who is responsible for bringing CDS/CDS paraphernalia into the vehicle.
 - ☐ Are being used by a family member of the owner and:
 - ☐ There has been no sale or attempted sale made, and
 - ※ There is NOT a sufficient quantity of CDS found to suggest a sale was being considered, and
 - ※ There is no reasonable belief that the registered owner had knowledge the CDS/paraphernalia was in the vehicle.

- ☐ All vehicles seized for CDS violations will be stored at the City Yard, 6700 Pulaski Highway, until release is authorized by the Forfeiture Squad of the Drug Enforcement Section of CID or the court, or until it is declared forfeit by the court.
- ☐ DO NOT ALLOW the vehicle owner (or anyone else) to remove anything from a seized vehicle. If they insist, refer them to the DES Forfeiture Squad.
- ☐ If removal authorization is granted by the Forfeiture Squad, a sworn member of this department must oversee the removal.

Procedure

When you seize a vehicle for CDS you must:

- ☐ NOTIFY your supervisor, who must respond and oversee the Inventory and Transport procedures outlined below.
- ☐ INVENTORY the contents of the seized vehicle list (on the Vehicle Report) all personal and detachable property left in the vehicle. This includes the trunk, if the trunk key is available.
- ☐ REMOVE the inventoried property and secure it in ECS. This does not include the spare tire and jack, which should be left in the vehicle, with their presence or absence noted on the report.
 - ➔ **NOTE:** If you have probable cause to believe CDS is located in the trunk of the vehicle, obtain a Search and Seizure Warrant before you inventory the trunk.
- ☐ DRIVE the vehicle to the City Yard, 6700 Pulaski Highway. DO NOT request a tow truck, unless the vehicle is disabled.
 - ➔ **NOTE:** If you intend to obtain a Search and Seizure Warrant, to process the vehicle for evidence or to search the trunk for CDS/contraband, then drive the vehicle to the Headquarters Motor Pool and execute the warrant/process the car there. Then drive the car immediately to the City Yard (this is the responsibility of the seizing district, division, section or unit).
- ☐ REPORT the seizure on a Vehicle Report (one for each seized vehicle), in addition to any other offense reports which may be required.
- ☐ FORWARD to the DES Forfeiture Squad:
 - ☐ Copy of the Search and Seizure Warrant (if applicable);
 - ☐ Copy of the Crime Lab Analysis Report on the CDS, which must include the recorded weight of the CDS seized;

- ☐ Copies of all offense reports, which must clearly indicate all supportive information relating to the seizure;
- ☐ Supplement Report with the date and time of any court hearings, appearances, postponements, or disposition.
- ☐ Copy of defendant's written statement (if any).
- ☐ Report of any verbal statements made by the defendant regarding the position of the CDS found and the vehicle.
- ☐ PROCESS the seized vehicle at the Motor Pool, if necessary.
 - ☐ Complete a Seized Vehicle Awaiting Process Report form (form PD/109).
 - ☐ Give this form to the Motor Pool Supervisor.
 - ☐ Once you have processed the vehicle and executed the Search and Seizure Warrant, immediately drive the vehicle to the City Yard.

Reporting Requirements

You need a report for each seized vehicle.

- ☐ Include the following on the Vehicle Report:
 - ☐ List of inventoried property removed from the vehicle (and the property number).
 - ☐ All damage to the seized vehicle.
 - ☐ Indicate whether or not a Search and Seizure Warrant was obtained for the vehicle.
 - ➔ **NOTE:** If you decide later to obtain a Search and Seizure Warrant for the vehicle, you must immediately notify the DES Forfeiture Squad.
 - ☐ If the seized vehicle was towed, include the name of the tow truck operator and the number of the tow truck. If the seized vehicle was driven, name the officer who drove it.
 - ☐ Indicate if the keys to the seized vehicle were available.
- ☐ Print in bold letters at the end of the narrative of each report: "COPY TO THE DRUG ENFORCEMENT SECTION, FORFEITURE SQUAD."
- ☐ When a vehicle is operated by a person arrested for CDS violations, the vehicle **MUST** be towed. If the vehicle is **NOT** subject to forfeiture, then print in bold letters at the top of the vehicle report narrative, "NO HOLD ON VEHICLE."
- ☐ When a seized vehicle is transported to the City Yard, give the yellow (2nd) copy of the vehicle report to the Auto Theft Unit detective assigned at the City Yard.

- ☐ You must complete a Property Receipt form (form 56) listing all property removed from the vehicle (and submitted to ECS).

Emergency Admissions Procedures

(See GO # 14-89 G-13)

Guidelines

- ☐ You have the authority to both ISSUE and to EXECUTE Emergency Admission Petitions.
- ☐ This procedure is CIVIL, not criminal. Further, as long as you act REASONABLY and in GOOD FAITH, you are exempt from civil or criminal liability.
- ☐ When picking up an evaluatee from a medical facility, if the evaluatee is on prescribed medication you shall refuse to accept the evaluatee if the medical facility does not provide the required medication, in oral, non-refrigerated form only.

Requirements for taking an evaluatee into custody

- ☐ Before taking a person into custody under this law, you must REASONABLY believe that:
 - ☐ The evaluatee is suffering from a Mental disorder; and
 - ☐ As a result, the evaluatee **Presents a Clear and Imminent Danger of Causing Personal Harm to Themselves or Others.**
- ☐ YOU must personally see the abnormal, dangerous behavior of the evaluatee before you may initiate an Emergency Admission Petition. You may NOT initiate a petition on the REPORTED observation(s) of any third person.
- ☐ The standard for determining symptoms of a mental disorder is a lay petitioner's standard, not a psychiatrist's standard.
- ☐ Do not assume a subject is mentally ill simply because he/she is mentally retarded.

Transporting Evaluatees

- ☐ Uninjured evaluatees will normally be transported in a cruising patrol, although PST vehicles and/or ambulances may be used, at the discretion of the officer on the scene, based on good judgment and the existing circumstances.
- ☐ If an ambulance is used to transport an injured evaluatee:

- ☐ At the request of the ambulance personnel, police restraining devices may be furnished, and
- ☐ You may ride in the back of the ambulance or follow the ambulance in your police vehicle, whichever is appropriate.
- ☐ Designated emergency medical facilities:
 - ☐ All emergency room equipped hospitals in Baltimore City (except Good Samaritan and Harbor Hospital Center) are designated Emergency Medical Facilities.
- ☐ Transport IMMEDIATELY to the closest designated Emergency Medical Facility. EXCEPTION: If the signed petition was provided by a doctor or other health officer, you may transport to another medical facility as directed by the physician or health officer.

Contact Situations

- ☐ If you receive a call for a Mental Case (or encounter a situation On-View) and:
 - ☐ You observe a subject fitting these criteria on the scene, handle per the instructions listed below under Procedure.
 - ☐ The person on the scene does NOT appear to fit the criteria, NO POLICE ACTION or intervention is justified under this statute.
 - ☐ The subject has left the scene.
 - ☐ When the evaluatee has left the scene prior to your arrival, and the interested party (the petitioner) believes that the evaluatee fits the requirements of this section, you shall:
 - ✱ Refer (and you may transport) the interested party to the Eastside or Borgerding Court building (during normal court hours), or to the Central District Court Commissioner (after court hours).
 - ✱ After a judge signs the petition, take the emergency evaluatee into custody (as outlined above).
- ➔ **NOTE:** Unlike warrants, the signed petition must be in the possession of the serving officer at the time of service.
 - ✱ Complete an M.I. report as to the execution of the petition (see Reporting Requirements).
 - ✱ DO NOT initiate the petition yourself on the reported observation(s) of a third person.
 - ✱ Take no further emergency action if the judge refuses to sign the petition.

You Receive a Signed Petition from a Doctor/Hospital

- ☐ If the service location is within Baltimore City
 - ☐ Advise your supervisor and KGA of the situation.
 - ☐ Respond promptly to the evaluatee's location and take him or her into custody (as outlined below).
 - ☐ When transporting the evaluatee, you may go to the nearest designated hospital (as with all other evaluatees), or you may transport to another medical facility as directed by the physician or health officer.
 - ☐ Attach a copy of the signed petition to the M.I. report you must submit (see Reporting Requirements).
- ☐ If the service location is NOT in Baltimore City, tell the doctor or health officer to contact the appropriate jurisdiction for service of the petition.

After Transport to Hospital: Criminal Charges Remain

- ☐ Contact the State's Attorney for advice as to the remaining criminal charges and ensure the evaluatee remains in police custody (even while being examined/treated) until the evaluatee has either been placed in an appropriate facility or released by the Court Commissioner.
- ☐ If the evaluatee is not kept by the emergency facility because the subject did NOT meet the requirements for involuntary admission:
 - ☐ Return the individual to the appropriate booking facility for processing.
 - ☐ Be sure you return the Examining Physician's Report with the prisoner.

Emergency Evaluation of a Person is Court Ordered

- ☐ Maintain custody of the evaluatee:
 - ☐ Until a doctor has committed him/her to a designated facility, or
 - ☐ Until he/she is returned to the court or to the appropriate detention facility.
- ☐ If the evaluatee is NOT held/committed by the evaluating doctor
 - ☐ Return the evaluatee to the court with:
 - ✱ The court order, and
 - ✱ A copy of the examining doctor's report.

Procedure: Taking an Emergency Evaluee into Custody

- ☐ In all cases where you come into contact with a person who fits the requirements listed above, you shall:
 - ☐ **Seizure:** Take the evaluee into custody (request the assistance of the Emergency Vehicle Unit, when necessary). Note: In the case of signed Emergency Admission Petitions, the execution of the petition MUST be supervised by a police supervisor.
 - ☐ **Medication:** Before transporting, determine if the evaluee is under any prescribed medication. If so, ensure that the medication goes with the evaluee, in sufficient quantity to cover the anticipated time in departmental custody. However, only take the medication if:
 - ✱ It can be given orally; and
 - ✱ It does NOT require refrigeration; and
 - ✱ It was properly prescribed by a doctor.
 - ☐ **Transport:** Have the person transported immediately to the closest designated medical facility (see Transporting Evaluees above).
 - ☐ Complete an Emergency Admissions Petition (unless the person was taken into custody as a result of an already signed petition) and an M.I. report (see Reporting Requirements).
 - ➔ **NOTE:** If the evaluee is a juvenile, you must also complete and submit a Juvenile Custody Report with the package.
 - ☐ Prepare an Emergency Admissions Package (stapled together) to include the following items:
 - ✱ Photocopy of the signed Emergency Admission Petition (secured from the doctor); and
 - ✱ Photocopy of the M.I. report (and Juvenile Custody Report, if any); and
 - ✱ Any other document generated as a result of the procedure.
 - ☐ Submit your original M.I. report and the Emergency Admissions package to your supervisor.
 - ☐ You are NOT required to assist the hospital staff AFTER they have accepted the evaluee. If the doctor requests your continued assistance, contact your supervisor for his/her decision on whether or not to comply with the request.

Reporting Requirements

- ☐ You must write a Miscellaneous Incident report whenever you execute or initiate an Emergency Admission Petition.
- ☐ If the evaluatee is a juvenile, you must also complete and submit a Juvenile Custody report with the M.I.
- ☐ The narrative of the MI (and of the petition itself) must include:
 - ☐ A complete description of the behavior you witnessed; and
 - ☐ Any statements made by the evaluatee; and
 - ☐ Any information that you obtain through your investigation on any previous mental disorders; and
 - ☐ ALL circumstances and observations which led you to believe an emergency petition was necessary.

Evidence Submission—Property/Handling

(See GO #5-73 H-7, as amended 7/15/81 and 7/21/75 / Also see PCM 6-87)

Guidelines

- ☐ All monies (except the personal property of arrestees) and other property of value seized or otherwise acquired by members of this agency, shall be stored in the Evidence Control Section (ECS), located in the basement of the Headquarters building.
 - ☐ EXCEPTIONS: ECS will NOT store dangerous items (explosives, medical waste, military ordnance, etc.), perishable items (frozen food, etc.), or animals (pets, livestock, etc.). See the "CDS will not store" section below for procedures for handling, documenting, and disposing of these items.
- ☐ "Other property of value" shall include but not be limited to such items as: negotiable instruments, guns, jewelry, radios, furs, televisions, business machines, bicycles, etc.
- ☐ "Property of value" shall be determined by the good judgement of officers handling the property.
- ☐ Under limited circumstances, certain non-evidentiary items with clearly defined ownership may be released directly to the established owner at your assignment (see "Release of Certain Non-Evidentiary Items" below). However;
 - ☐ Any property seized as EVIDENCE, and ALL evidentiary or non-evidentiary negotiable instruments, money, guns, and jewelry may ONLY be released at ECS, on weekdays between the hours of 0830 and 1630, and only if the

seizing officer is physically present, or has previously authorized the release in writing on the 56 form.

➔ **NOTE:** No monies shall be released to claimants without prior approval of the Office of the Legal Advisor.

- ☐ ALL monies and other property of value shall be carefully handled and closely guarded against loss, damage, and theft.
- ☐ You will be held strictly responsible for all property removed from ECS, and for its security and prompt return after court or at the conclusion of the investigation. The property is to remain under YOUR control at all times. If there is a legitimate need to temporarily release your control of the property, you must obtain appropriate property retention receipts.
- ☐ You must make a reasonable effort to ascertain ownership of all property submitted to ECS.

Procedure: All Property Submissions to ECS

- ☐ Monies seized or otherwise acquired:
 - ☐ All seized (or otherwise acquired) monies shall be PROMPTLY counted. Where practical and applicable, this count should be conducted in the presence of the person from whom the monies were taken.
 - ☐ The decision whether monies found pursuant to arrests for vice or CDS violations are to be treated as evidence or as the personal property of the arrestee rests with the seizing officer(s) based on their evaluation of the total circumstances involved.
 - ✱ Factors to Consider in Making this Decision: The specific statute(s) violated; the arrestee's involvement; the amount of CDS or gambling evidence seized; the type of CDS; the proximity of the monies to the illegal activity, and to the CDS or gambling evidence found; the defendant's criminal history; the possible legitimate source of the money, etc.
 - ☐ Take the monies DIRECTLY to ECS for submission.
 - ☐ Upon arrival, ensure that a photographic inventory by ECS personnel is done, in your presence.
 - ☐ Complete forms 72/56 (Property Receipt) and 72/242 (Property Tag), and an evidence envelope.
 - ☐ Monies seized from more than one person shall be so itemized on the offense report(s).
 - ☐ The totals on the offense report(s) and the 56 form must agree.

- ☐ Include the CC# on the 56 form.
- ☐ Include the Property Number on the offense report(s).
- ☐ Include in the offense report a detailed inventory of the monies seized.
- ☐ In the case of money seized incident to gambling or narcotic investigations, include in your offense report narrative(s) the specific location of the monies (at the time of seizure) with respect to the location of gambling paraphernalia/CDS.
- ☐ If monies seized were NOT pursuant to gambling or CDS violations, note this in your offense report.

Procedure: Jewelry/Negotiable Instruments Seized or Acquired

- ☐ Follow the procedures outlined above for monies submitted.
- ☐ Photographic inventories (at ECS) must be made of all negotiable instruments and jewelry submitted to ECS.
- ☐ Forms 72/56 (Property Receipt) and 72/242 (Property Tag) must be completed and submitted with the property, in the appropriate evidence envelope. List registration numbers, account numbers, etc. found on negotiable instruments.

Procedure: Other Items of Value

- ☐ Photographic inventories (at ECS) of other submitted property are NOT required, but may be made when in your good judgement photographs may be beneficial to case prosecution.
- ☐ List submitted property on a 56 form and a property tag. Include make, model, and serial numbers, if applicable. Also list this information (and the ECS property number) on offense reports submitted to document the submission.
- ☐ ECS will NOT store the following items:
 - ☐ Perishables, livestock, etc.
 - ☐ A photographic inventory at the place of seizure may be made (by the Crime Lab Mobile Unit), if photographs would benefit case prosecution.
- ☐ These items may be released to their lawful owner by the seizing officer as soon as practical and upon conclusion of the initial inventory procedure.
 - ☐ Contact ECS by telephone (2048) and inform them of the seizure, and subsequent release.

- ☐ Document this communication with ECS on your offense report.
- ☐ Military ordinance, dangerous materials, or explosives.
- ☐ DO NOT TRANSPORT THESE ITEMS. Have the Emergency Vehicle Unit (EVU) respond to the location of the seizure.
- ☐ A photographic inventory at the place of seizure may be made (by the Crime Lab Mobile Unit), if it would benefit case prosecution.
- ☐ EVU personnel will inventory and transport/dispose of these items.

Reporting Requirements

Prepare and submit a detailed offense or supplement report for all property submitted to ECS.

Procedure: Removal of Money from ECS for Use in Court

Once money evidence has been properly submitted to ECS, the seizing officer may only remove it for the purpose of using it as evidence before the Grand Jury or another court.

- ☐ Immediately upon receiving a court or Grand Jury summons for a case in which money was seized, contact the Assistant State's Attorney (ASA) handling the case and ascertain if a photograph of the seized monies can be used as evidence in lieu of the actual evidence.
- ☐ If it can, ensure that you have the proper inventory photograph available for court.
- ☐ If the ASA indicates that the actual evidence will be required:
 - ☐ Complete and have your commanding officer sign (full signature) an "Authorization for Removal of Evidence" form (Form 73/435).
 - ☐ Present this form (73/435), your copy of the 56 form, your departmental ID, and the court summons to ECS personnel after 0700 hours on the day of trial. You will then be given an envelope containing the money evidence.
 - ☐ If the money is NOT in a lock/seal envelope:
 - ✱ Break open the old type seal(s); and
 - ✱ Count the evidence, in the presence of the ECS member;

- ❖ If the proper amount is in the envelope, place it in a lock/seal envelope (or another envelope to be sealed by you) and seal it.
- ❖ If there is a difference in the count between the 56 form and the monies actually found in the envelope, immediately notify the OIC of ECS, who will initiate an investigation. You are NOT required to accept evidence with which you are not satisfied.
- ☐ If the money IS in a lock/seal envelope (and properly sealed), the seizing officer shall enter his/her printed name, district, date, and full signature into the "Property Sent to Court Register."
- ☐ The ECS member will then provide the money and an "Evidence Retention Notice" (Form 72/19).

Procedure: Returning Money Evidence After Use In Court

- ☐ When the seizing officer returns money evidence to the ECS with the lock/seal envelope UNOPENED:
 - ☐ The seizing officer must sign (full signature) and date the "Property Sent to Court Register" (Form 72/19).
 - ☐ Ensure that the ECS member dates, time stamps, and signs your copy of the 56 form. THIS IS YOUR RECEIPT.
 - ☐ Advise the ECS member of the case disposition.
- ☐ When the seizing officer returns money evidence and the lock/seal envelope has been OPENED OR ALTERED:
 - ☐ Open the envelope in front of a ECS member; and
 - ☐ Count the contents, in the presence of the ECS member.
- ☐ If the count is CORRECT:
 - ☐ Place the evidence in a new lock/seal envelope and seal it.
 - ☐ Attach the original envelope to the new envelope.
 - ☐ The ECS member will sign your copy of the 56 form, and you will be allowed to sign (full signature) the "Property Sent to Court Register." This indicates the property has been properly returned.
 - ☐ Advise the ECS member of the case disposition.
- ☐ If the count is NOT CORRECT:
 - ☐ Both you and the ECS member must date, time stamp, and sign (full signature) the original 56 form, with the variance noted.
 - ☐ The ECS OIC will notify your commanding officer, and an investigation will begin.

- ☐ You will NOT be allowed to sign the "Property Sent to Court Register."
- ☐ All money evidence must be returned to ECS the same day it was signed out, unless an "Evidence Retention Notice" (Form 72/19) is signed by the ASA or court clerk and submitted in its place.
 - ☐ If the evidence is not returned that day by 1630 hours, your Commanding Officer will be notified to locate you and have you return the property to ECS by 2000 hours.
 - ☐ If the evidence is not returned that day by 2000 hours, and an "Evidence Retention Notice" has not been received in its place, your Commanding Officer will again be notified, and a written notice of the delinquent return of evidence will be sent to your Commanding Officer and the Chief of your division.

Procedure: Removal of Other Property of Value from ECS

Once "other properties of value" have been properly submitted to ECS, you may retrieve it (temporarily) for either continued investigation or court appearances (Grand Jury, pre-trial conference, trial, etc.)

- ☐ Property can only be obtained AFTER 0700 hours the day the evidence is required.
- ☐ Present your departmental identification card.
- ☐ Print your name, assignment, and date, and sign (full signature) the "Property Sent to Court Register."

Procedure: Returning Other Property of Value to ECS

- ☐ After an inventory of the property by the ECS member, he/she will date/time stamp and sign the original 56 form.
- ☐ He/she will also date/time stamp and sign YOUR copy of the 56 form. THIS IS YOUR RECEIPT.
 - ➔ **NOTE:** If you do not have your copy of the 56 form with you, ECS personnel will provide you with an appropriate receipt upon request.
- ☐ Sign the "Property Sent to court Register." to indicate that the property was accepted by ECS.

Procedure: Reporting Case Dispositions

- ☐ In ALL cases where property was submitted to ECS and arrests were made, you are required to notify ECS of court findings at the con-

clusion of the trial. This is true whether or not the property was ever physically removed from ECS for the trial.

- ☐ If property/evidence WAS removed from ECS for trial:
 - ☐ Complete and submit a Supplement Report reporting the disposition.
 - ☐ Notify ECS personnel by telephone (2048) of the disposition.
- ☐ If property/evidence was NOT removed from ECS for trial, a telephonic notification (2048) to ECS personnel is sufficient, as long as it is made promptly.

Procedure: Release of Certain Non-Evidentiary Items

Items other than jewelry, money, guns, and negotiable instruments may be released directly to the established owner at your district or division, after proper inventory and documentation.

- ☐ If the item(s) is NOT required as evidence in any criminal proceeding and is NOT the subject of any civil proceeding; and
 - ☐ The lawful owner is immediately determined and can immediately respond to claim his/her property; and
 - ☐ The lawful owner signs departmental form 72/56 as a receipt for the property in the presence of the member and a witnessing official.
- ➔ NOTE: The owner does NOT get a copy of the 56 form.

Ex-Parte Orders: Obtaining and Serving

(See GO# 13-86 K-10)

Guidelines: Obtaining Ex-Parte/Protective Orders

Ex-Parte and Protective Orders are issued by District Court judges to protect the Petitioner (victim) from the Respondent (suspect).

- ☐ Protective orders are issued after a court hearing, and must be served (or returned to the court) within five days.
- ☐ Ex-Parte orders are issued in response to written application to the court, and must be served (or returned) within 72 hrs.
- ☐ Victims of domestic violence may request these orders from 0830 to 1600 hours on weekdays (except holidays) at 501 E. Fayette St.
- ☐ Orders to protect child victims may be obtained by police officers, Department of Social Services workers, blood relatives or household members.

Guidelines: Serving Ex-Parte Orders

- ☐ Attempt service immediately upon receipt.
- ☐ Make three attempts to serve the order (between 0800 and 2200).
 - ☐ Pass the order on to your relief, if necessary.
- ☐ Protect petitioner. Escort petitioner to family home and protect him/her while they gather clothing/effects needed for their (and their children's) IMMEDIATE NEEDS.
- ☐ If UNABLE to serve the order within the time limit:
 - ☐ Attach completed Control Form to order and submit to your supervisor. Indicate on the Control Form:
 - ✱ The reason the order wasn't served, and
 - ✱ What efforts were made to locate the respondent.
- ☐ Upon SERVICE of the order:
 - ☐ Give respondent a copy of the order. Explain it to him/her.
 - ☐ If respondent refuses to accept, or indicates he won't obey:
 - ✱ TAKE NO IMMEDIATE ENFORCEMENT ACTION.
 - ✱ Leave order in close proximity to respondent.
 - ☐ If the order directs respondent to VACATE THE FAMILY HOME:
 - ✱ Give him/her reasonable time to get enough belongings to sustain his/her needs until the hearing date.
 - ✱ If respondent refuses to obey the order to leave, he/she MAY BE ARRESTED for the misdemeanor committed in your presence.
 - ☐ Attach completed Control Form to order and submit to your supervisor.
 - ☐ DO NOT serve (or report on) such orders issued by other jurisdictions. However, you should ASSIST officers from other jurisdictions serving orders in Baltimore City.

Guidelines: Investigation of Reported Violations of Orders

- ☐ Verify existence and nature of the order (Hot Desk—2680).
- ☐ Investigate to see if order provisions were violated.
 - ☐ If not in your district, contact district of service for this.
- ☐ Write MI detailing content of order and nature of violation.
 - ☐ Box #15—Violation of Ex-Parte (or Protective) Order.
- ☐ Tell petitioner to return to court and advise issuing judge of the violations.

Felony Complaint Review Procedures

(See GO #60-77 K-7)

Guidelines

The Felony Complaint Review process was put into place at the request of the State's Attorney of Baltimore City to ensure that defendants charged with certain felonies (which had historically been reduced before trial) would first come under the jurisdiction of the District Court, so that a decision could be made then and there whether to prosecute the defendant as a misdemeanor, or to transfer the case to Criminal Court for felony prosecution.

- ☐ Arresting officers are to ensure that defendants charged with any of the listed felonies are also charged with the lesser included misdemeanors listed below.
- ☐ The Felony Review procedures outlined below are applicable to ALL felony arrest EXCEPT:
 - ✱ Traffic felonies
 - ✱ Homicide cases

Any of the following crimes involving goods worth more than \$100 but less than \$500: Larceny, larceny after trust, receiving stolen goods, false pretense, shoplifting, or embezzlement.

- ☐ The Primary Investigating Officer (PIO) is the sworn member who has the most thorough knowledge of the facts of the concerned felony case. In warrant cases, the PIO will be the officer named on the warrant application.
- ☐ In those cases where there is more than one investigating officer, the squad supervisor will determine the PIO. There will be only one PIO per case/arrest.
- ☐ At the Felony Complaint Review, the PIO and the Assistant State's Attorney (ASA) will fully review the case, determine whether the defendant shall be tried in the District Court (for the included misdemeanor charges you placed at the time of booking), or in the Criminal Court. Together you will also decide which witnesses shall be necessary for the preliminary hearing or trial, and whether any such witnesses should be brought in for a complete interview prior to the hearing or trial.

Procedure: Felony Review

- ☐ The PIO must respond to the office of the District Court prosecutor within 72 hours after placing felony charges against a defendant (holidays and weekends are NOT included in this time limit).

- ☐ The PIO should arrange an appointment with the ASA for the review in advance if possible.
- ☐ If for any reason the PIO is unable to respond for a scheduled appointment for Felony Review, he/she shall:
 - ✱ Immediately advise (by telephone) the ASA's office of the reason for being unable to keep the appointment; and
 - ✱ Submit a report to his/her District/Division Commander containing the circumstances, and including the resultant instructions from the ASA.
- ☐ The PIO must have with him/her at the Felony Review:
 - ☐ All Offense reports for the case.
 - ☐ CDS field test results if applicable and available
 - ☐ Copy of defendant's criminal record.
 - ☐ Documentation of evidence.
 - ☐ Copy of the Search and Seizure Warrant and affidavit, if applicable.
 - ☐ Statements of witnesses and/or defendant(s), if applicable.
- ☐ Upon completion of the case review with the ASA, the PIO must complete and submit a Supplemental Report (to the original Arrest) including the following information:
 - ☐ The name of the ASA with whom the case was reviewed; and
 - ☐ The action to be taken by the ASA (i.e. to proceed with the original felony charges, to set or nol-pros one or more charge(s), or to proceed under one or more additional charge(s) not previously charged).
- ☐ If the Felony Review process cannot be accomplished during your normal tour of duty, an Off-Duty Court Appearance form shall be completed, signed AND timed by the ASA, accurately noting your arrival and departure times. This court overtime form is then submitted in the normal manner.
- ☐ At the Felony Review, you and the ASA are to cooperate in a JOINT effort to determine how the case will be pursued. If the two of you do NOT agree, you may "appeal" the decision of the ASA through your District/Division Commander to the State's Attorneys Services Division. If no agreement can be made at that level, a final appeal can be made through the Chief of Patrol's Office (or Chief of CID if the PIO is in that division). However, note that the final decision does NOT rest with the Police Department.
- ☐ Officers shall make every effort to comply with directions of the ASA concerning required additional investigation. Such efforts must be

documented on Supplemental reports in keeping with current investigatory procedures.

- ☐ After the case is heard by the District Court/Criminal Court, the PIO is responsible for properly reporting the disposition of the case on a Supplement to the original arrest.

Procedure: Charging with Lesser Included Misdemeanors

The home telephone numbers of the appropriate ASAs and the Deputy State's Attorney are to be placed at a prominent and easily accessible location in each police district facility, so that officers needing assistance can contact them immediately. DO NOT HESITATE TO USE THIS VALUABLE SERVICE WHEN NEEDED.

FELONY ARREST CHARGES and the appropriate included misdemeanors:

- ☐ Possession of CDS With Intent to Distribute
 - ☐ Each defendant charged with felonious possession of CDS shall ALSO be charged with: Article 27, Section 287, "Simple" Possession of such substance.
- ☐ ROBBERY (Without a Deadly Weapon)
 - ☐ "Simple" Assault; and larceny of the goods stolen in said robbery.
- ☐ Burglary of a Dwelling
 - ☐ Article 27, Section 31A, Breaking and Entering the Dwelling house of Another; and
 - ☐ Article 27, Section 111, Malicious Destruction of Property; and larceny of the goods stolen (If applicable).
- ☐ Store House Breaking
 - ☐ Article 27, Section 342, Breaking and Entering Dwelling—house of another; and
 - ☐ Article 27 Section 111, Malicious Destruction of Property; and larceny of the goods stolen (If applicable).
- ☐ Arson And Burning
 - ☐ Article 27, Section 10, Attempt to Burn Building or Property; and
 - ☐ Article 27 Section 111, Malicious Destruction of Property.
- ☐ Forgery
 - ☐ Article 27, Section 140, False Pretenses.
- ☐ Assault With Intent to Murder, Ravish, Rob, or Rape
 - ☐ "Simple" Assault.

Homeless and the Needy

(See PCM #39-80 / 1-88 / 59-85)

Guidelines

As a Baltimore police officer, it is YOUR job to ensure that the homeless and helpless have sufficient shelter in bad weather. YOU shall make every effort to help needy and poor persons get needed and appropriate service(s) by contacting the respective City agency/department listed herein

Procedure: Severe Weather Conditions

- ☐ Using the resources listed herein, attempt to find shelter for the person needing assistance.
- ☐ When existing facilities equipped to assist the homeless are UNAVAILABLE, transport the person to your district station house (or Women's Detention) for temporary shelter.
 - ☐ For your protection, SEARCH them before transporting them.
 - ☐ Do not handcuff these people, during or after transport.
 - ☐ They may be transported in a wagon, or, if none are available, in a radio car.
 - ☐ Once at the district, request that the person sign a Release and Indemnity Agreement.
- ☐ Write an MI Report, as follows:
 - ☐ Write "Homeless Person Assisted" in box 15 of the report.
 - ☐ Describe the location and circumstances where you found the person.
 - ☐ Describe your attempts to locate existing city services or facilities to house the person, and the reasons given for denial.
 - ☐ Record whether or not a release form was signed (if not, explain why not).

Resources

Emergency Shelter

Department of Social Services	361-3110
After hours	361-2235
Urban Services Agency	396-6675
100 cots at 2 centers.	
Shelter for battered women:	899-RUTH
The House of Ruth	

(See Domestic Assault, page 19 of this manual).

Emergency Food And Clothing

Commission on Aging and Retirement Meals for the elderly through their Eating Together Program.	396-1310
Social Services 3 day supply of emergency food, Food Stamp Program, medical assistance.	391-2222
Urban Services Agency Government surplus food (and clothing) at 30 centers.	396-6892

Health

Baltimore Health Department will co-ordinate health care services to low income persons. Also, will have a Health. Dept nurse visit shelter.	396-4523
Rapid response to homeless crises (Health Dept.).	396-4852

Utilities

Social Services Assists in preparation of fuel fund applications for BGandE help with bills.	361-2222
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Referral

Social Services coordinates social, medical and mental health services for the homeless.	361-2222
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Identification—Viewing Criminal Suspect Photos

(See GO #10-86 J-9)

Guidelines

- ☐ You cannot base an arrest solely on a single victim/witness photographic identification of a suspect. You MUST have other information/evidence to corroborate the photographic ID.
- ☐ You must be able to show later that you did not coach or influence the photo viewer.
- ☐ You must also be able to show later that each fill-in photograph subject was similar to the identified suspect.

- ☐ You may show photographs to the victim/witness yourself, or you may request that the victim/witness respond to the Central Records Division to view suspect photographs.
- ☐ This unit is on the 4th floor of the Police Headquarters Building, 601 E. Fayette St, and is open 24 hours daily. An appointment is required.
- ☐ Do not show loose photographs or photo books/albums to any victim/witness.

Procedure

- ☐ Use photographs not more than 3 years old.
- ☐ Use AT LEAST 5 other photos for fill-ins.
 - ☐ The photographs themselves should be of the same physical appearance.
 - ☐ All photos must be from the same jurisdiction.
 - ☐ All subjects shown should be of the same age and with similar physical characteristics.
- ☐ Affix the photos to a Photograph Line-Up card, entering each subjects' BPI or ID Number.
- ☐ Prepare a different photo card for each victim/witness.
- ☐ Show photo cards to one victim/witness at a time.
- ☐ If no suspect is identified then put photo card in the case folder.
- ☐ If a suspect IS identified:
 - ☐ Have victim/witness write the date and time and sign (full signature) above the photograph which was identified.
 - ☐ You sign (full signature) and date the photo card.
 - ☐ Put the photo card in a completed Photograph Line-up Envelope, and submit it to the ECS.
- ☐ Write a supplement report listing the BPI or ID number and date of each photo shown, listing when, where, and to whom you showed the photo cards, and the results.
- ☐ If investigative authority belongs to CID, notify them of your results.

Informants—Sources of Information

(See GO #20-77 J-1, as amended 6/1/83)

Definitions

Sources of Information—They do NOT receive any fee, expenses, or other consideration and their identities are NOT necessarily protected.

Informants—They do receive a fee, expenses, or other valuable consideration in return for providing information, and their identities ARE protected as confidential.

Defendant-Informants—Are defendants in a pending criminal case, or are subject to arrest and prosecution for an offense, and who, in exchange for a fee or other valuable consideration, either provide information regarding illegal activities, or perform other lawful service.

Points to Consider: Using Information from an Informant

- ☐ The character and motivation of the informant.
- ☐ The informant's past or potential involvement in the matter under investigation, or in related criminal matters.
- ☐ The informant's proven reliability or truthfulness, or the availability of means to verify information provided.
- ☐ The potential value of the information provided in relation to the type and amount of consideration requested in exchange by the informant.

Guidelines

The controls outlined in this section are designed to protect police integrity and informant confidentiality. The administrative procedures outlined in this section exist for documenting informant contacts and activities, and for establishing the reliability of past information received from informants.

- ☐ It is recognized that many officers have sources of information who are not paid, but are apprehensive of their identities being revealed. This trust and need for confidentiality is understood; and until the source is paid out of departmental funds or receives other special consideration, this type of source need not be subject to the administrative procedures outlined below.
- ☐ You are reminded, however, that our informant control system is also intended as a means of documenting meetings under suspicious circumstances or with persons of questionable character. Therefore, you may enroll any source of information for your own protection.

- ☐ ALL known convicted felons who are used as sources of information shall be enrolled in the Informant Control System; however, it is NOT necessary to have these persons sign the Informant History form or Instructions to Informants form as outlined below for other informants.
- ☐ When in your judgement a contact with anyone is under such circumstances as may cast aspersions on your integrity, you should promptly submit a report to your Commanding Officer, regardless of the type or value of information received.
- ☐ You are reminded of the restrictions placed on confidential police information. Any breach of the security surrounding an informant's identity or action shall be viewed as a serious violation of departmental procedures subject to appropriate disciplinary action. Information furnished by informants or sources shall be given out on a need-to-know basis only.

Procedure: Informant Control

- ☐ Give the informant an assigned confidential control number, preceded by the appropriate district/section alpha prefix.
- ☐ Complete an Informant History form (Form 77-433) on the informant.
- ☐ Explain and have the informant sign an Instructions to Informants sheet (Form 77-39). A separate sheet is required for each informant.
- ☐ Give both of these completed forms directly and personally to your Commanding Officer. It will be kept in a sealed envelope in the informant's folder.
- ☐ In all subsequent reporting (including warrant applications, offense reports, expense voucher, etc.), refer to the informant ONLY by the assigned informant control number.
- ☐ Wherever practical and possible, introduce your informant or source to another departmental member who can serve as an alternate departmental contact in the event of your absence.
- ☐ If you are transferred, the informant's folder will stay in the original district. However, if you intend to continue to use the informant, you must complete this procedure again in your new assignment (file new forms with your new Commanding Officer). If an informant becomes inactive, the files will be maintained in an inactive file, and will NOT be destroyed.
- ☐ Following every contact which reveals information regarding the informant's activities or provides this or another law enforcement agency information of apparent value, you must submit a report to your

Commanding Officer, via channels, detailing the informant control number, the date, time, place and subject of the meeting.

- ☐ If an informant gives information about a criminal act outside your area of normal operations, and which reportedly is to occur in the NEAR future, you must PROMPTLY notify the appropriate departmental (or non-departmental) unit verbally, and then follow up with a detailed written report via channels.
- ➔ **NOTE:** Information of a highly sensitive nature may be reported directly to your Commanding Officer, or other official of this agency.

CAUTION: Conduct in Dealing With Informants

- ☐ You must remain above reproach in ALL your dealings with informants.
- ☐ Neither the department nor any of its members may provide immunity from prosecution. If you learn that a person under investigation intends to commit a violent crime, any informants being used in connection with the investigation shall be instructed to try to discourage the violence.
- ☐ Any question regarding the propriety of an informant's involvement in the commission of a criminal act in furtherance of his assignment shall be referred to competent legal authority. Referrals of this nature shall, wherever possible, be made in a manner not divulging the identity of the information or the specifics of the investigation at hand.
- ☐ When dealing with an informant, you must make it clear to him/her that he/she is NOT in any way a member of this department and he/she does NOT have the authority vested in members of this department. You shall also advise the informant that in carrying out any assignment for the department the informant SHALL NOT:
 - ☐ Participate in any act of violence; or
 - ☐ Use unlawful techniques to obtain information for the department; or
 - ☐ Initiate a plan to commit criminal acts; or
 - ☐ Participate in criminal activities of persons under investigation, except insofar as the controlling member determines that such participation is necessary to obtain information required to develop probable cause for arrest and prosecution (i.e. in controlled buys of CDS). Under such circumstances, proper direction and control by the member is critical.
- ☐ Under NO circumstances shall a member of this department take any action to conceal a crime committed by one of his/her informants.

- ☐ Any and all violations known to have been committed by an informant shall promptly be reported to the Commanding Officer of the District/Division/Section to which the controlling member is assigned, to be forwarded to the appropriate law enforcement and prosecutive authorities.
- ☐ The immediacy of the arrest action must be left to the judgement of the individual controlling member. Factors you must consider in making this judgement include the nature and severity of the crime, the existence of probable cause or warrants of arrest, the probability of the informant fleeing this jurisdiction, etc.
- ☐ In the unusual event that both the investigation at hand and the violation believed to have been committed by the informant being used in the investigation is of a serious nature, IMMEDIATE consultation with appropriate legal authority shall be made.

Special Instructions in the Use of Defendant-Informants

In ADDITION to the procedures outlined above, the following procedures shall govern the use of Defendant-Informants:

- ☐ Members are NOT authorized by law to make and shall NOT make any promise or inducement regarding pending criminal prosecution.
- ☐ You may only advise a Defendant-Informant that his/her cooperation will be brought to the attention of the appropriate prosecutor.
- ☐ If a Defendant-Informant seeks consideration beyond this, you must inform the appropriate prosecutor. Any agreement regarding the consideration sought shall be a matter of direct negotiation between the prosecutor and the Defendant-Informant and/or his/her attorney.

Involuntary Detention: Persons Not Criminally Charged

(See GO # 2-89 K12)

Definitions

Detain—To delay, hinder, hold, to keep in custody, to restrain or prevent from proceeding.

Seizure—Physically or constructively taking a person into custody and detaining them; causing a real interruption of their liberty and a significant loss of their freedom.

Arrest—To deprive a person of their freedom by legal authority, for the purpose of requiring them to answer a criminal complaint/charge or a civil demand.

Involuntary Detention—A detention which is against the will of the detainee.

Guidelines

- ☐ If it is necessary to detain an individual while you conduct an investigation, and he/she consents willingly, then this section does not apply. However, if the person does NOT consent, whether or not it becomes necessary to utilize any degree of force or physical restraint to accomplish this, then the detention becomes involuntary, and it must be handled and reported as outlined in this section.
- ☐ The mere fact that a person was handcuffed during the investigation (because the person was combative, or because you had no other means of controlling the person and you felt your safety was in danger) does not mean that they cannot be released immediately upon your realization that you don't have sufficient probable cause to continue to hold the person.
- ☐ When your investigation after making an arrest (or simply after involuntarily detaining a person) reveals that there is no basis for continuing to hold a detained person, you must release the person immediately (or as soon as practical).

Procedure

Immediately upon deciding, based on your investigation, that no crime occurred, or that you don't have enough probable cause to hold or charge the suspect being detained (or under arrest), then do the following:

- ☐ Politely attempt to get from the person all information required for an MI (See Reporting Requirements below).
- ☐ You may NOT force the person to cooperate or answer your questions. If they won't give you all the information you need, simply write the MI with the information you DO have (See Reporting Requirements below).
- ☐ Advise your supervisor immediately that an involuntary detention has occurred, that your investigation failed to support an arrest, and that you intend to release the detainee.
- ☐ Release the person as soon as possible after you:
 - ☐ Give the detainee your name, badge number, and CC#.
 - ☐ Explain the reason(s) for your actions.
 - ☐ If the detainee has been removed from the place of apprehension, then return the detainee to the place of first contact.
- ☐ Report the contact on an MI, BEFORE your tour of duty ends, as outlined below.

Reporting Requirements

- ➔ **NOTE:** After you determined that the detainee would be released, you should have politely asked for all of the information listed below. However, remember that the detainee's cooperation is **VOLUNTARY**, and that you can't require or force the detainee to answer any of your questions. If your information is not complete due to a lack of cooperation by the detainee, note this in the narrative and include all the information you **DO** have.

- ☐ If there is **NO** other offense report being written (such as a Stop and Frisk, a Robbery Report, etc.) then get an On-View number and write:
 - ☐ An MI, with the words "INVOLUNTARY DETENTION" printed in large bold letters on the first line of the narrative, and in Box 15 (Crime/Incident).
 - ☐ The detainee goes in the suspect block (Box 30-1).
 - ☐ YOU are the complainant (Box 1).
 - ☐ Put all the information listed in #3 in the narrative.
- ☐ If another report is being submitted relating to the reason that the subject was stopped (such as a Hold-Up, Stop and Frisk, or Burglary Report, etc.), then:
 - ☐ Print the words "INVOLUNTARY DETENTION" in large bold letters on the first line of the narrative.
 - ☐ **DO NOT** write "Involuntary Detention" in Box 15.
- ☐ Necessary information to be included in the report narrative:
 - ☐ Name, address, and phone number of detainee.
 - ☐ Sex, race, age, and DOB of detainee.
 - ☐ Physical and clothing description of the detainee.
 - ☐ The crime or incident under investigation.
 - ☐ The date, time, and location of the incident.
 - ☐ The date, time, and location of the stop/detention.
 - ☐ The date, time, and location of the release.
 - ☐ Names and addresses of any witnesses.
 - ☐ The reason for stopping the person.
 - ☐ A description of any force that was used, and a detailed explanation as to **WHY** it was necessary.
 - ☐ The nature and extent of any injuries received by the detainee (no matter how slight).
 - ☐ The manner and results of the investigation after the detention began.
 - ☐ The specific reasons why detention was abandoned.

- ☐ Name and assignment of the supervisor contacted.
- ☐ Any assistance provided, offered, or refused by the detainee.
- ☐ Describe, in detail, the reason for the original arrest, seizure, or detention and subsequently the reason for releasing the individual.

K-9—Use of Canine Teams

(See GO #18-83 P-2)

Guidelines

- ☐ In addition to assigned preventative patrol duties, K-9 teams are available to assist the patrol forces in premise searches, trailing/tracking assignments, and in locating CDS, firearms, and explosives.
- ☐ K-9 teams are NOT to be used for crowd control or deterrent effect at the scene of peaceful demonstrations.
- ☐ K-9 teams, when properly used, enhance police performance, make certain duties of police officers easier, faster, safer, and can make searches for people and for certain items more complete.

Procedure: Requesting K-9 Assistance

- ☐ Request a K-9 team from your dispatcher. Give your exact location and the type of service requested.
- ☐ Before the search:
 - ☐ Secure the perimeter of the area or building to be searched, not only to prevent the escape of a suspect, but also to prevent innocent people from entering the area where the K-9 dog will be used.
 - ☐ Restrict unnecessary police activity in the area to be searched, to prevent contamination of the area with human scent.
- ☐ When the K-9 team arrives:
 - ☐ The requesting officer should fully explain the situation to the K-9 officer.
 - ☐ The K-9 officer shall be responsible for determining whether or not the circumstances justify the use of the canine, and for determining the tactical use of the team, or the need for additional teams.
 - ※ If the K-9 officer believes the use of the canine is not justified, he/she will advise the ranking officer on the scene.

- ※ The ranking officer on the scene shall then be responsible for making the final decision whether or not to use the K-9 team.

News Releases

(See GO # 57-77 F-1)

Guidelines

- ☐ Appropriate information/reports shall be released ONLY to media representatives who display proper Press Identification Cards. You may also release such information over the telephone to media representatives whose identity you have verified.
- ☐ Information to be released about arrests and arrestees:
 - ☐ Arrestee's name, address, age, employment, marital status and other similar background information (except juvenile arrestees).
 - ☐ The charge(s).
 - ☐ Identity of arresting/investigating officer or unit.
 - ☐ Probable or approximate length of the investigation.
 - ☐ Circumstances surrounding the arrest.
 - ※ Time and place.
 - ※ Resistance encountered or pursuit required.
 - ※ Possession and/or use of a weapon by arrestee.
 - ※ Description of items/property seized during the arrest.

Reports to be Released

Unless they violate the restrictions listed above, the following reports WILL BE MADE AVAILABLE (upon request) to media representatives, at districts and/or headquarters.

- ☐ Teletype messages.
- ☐ Accident reports.
- ☐ Criminal incident.
- ☐ Arrest.
- ☐ Offense reports.
- ☐ Other.

Conduct of Media

Representatives at Crime/Incident Scene

- ☐ You WILL protect the integrity of all crime scenes.
- ☐ You MUST insure that ALL evidence has been processed before admitting media representatives. However, AFTER such processing:
 - ☐ Media representatives SHALL be allowed to photograph or record at will, unless such activity interferes with police operations.
 - ☐ Media representatives MUST obtain permission of property owners/representatives to photograph or record on private property.
- ☐ DO NOT release ANY information that might compromise an individual's rights or jeopardize the successful conclusion of any investigation.
- ☐ DO NOT release the following information to media representatives:
 - ☐ Follow-Up reports.
 - ☐ Statements, admissions, confessions, alibis of arrestees.
 - ☐ Procedural results (i.e. fingerprint, polygraph, lab tests).
 - ☐ Witness identification, testimony, or credibility.
 - ☐ Statements/opinions about arguments in the case.
 - ☐ Name/address of victims of SEX CRIMES.
 - ☐ Name/address of JUVENILE (less than 18) arrestees/suspects.
 - ☐ Information concerning any internal investigation.
 - ☐ Names of dead or seriously injured persons UNLESS:
 - ✧ A positive ID has been made, and
 - ✧ The next of kin has been notified.
 - ☐ Any information involving child abuse (refer to DDS).
- ☐ DO NOT permit media representatives to question:
 - ☐ Anyone in police custody.
 - ☐ Witnesses, complainants or suspects until AFTER such persons have been questioned by the police.
- ☐ DO NOT allow media representatives access to the scene of an incident where there is danger of personal injury, until the on scene commander determines that the area is safe.
- ☐ If a media representative refuses to cooperate in any way, or if they violate an agreed upon confidence, notify the Director of Public Information.
- ☐ You will cooperate impartially with all news media representatives.

Pawn Shop Procedures

(See PCM #71-84 / Balt City Code, Article 15, Section 76 to 87, and Annotated Code of Md, Article 56, Section 416 to 427)

Definitions

Dealer—Pawnbroker, junk, secondhand, or precious metals dealer.

Stop Order—A notice, oral or written, given by a Baltimore Police Officer to a pawnbroker, junk dealer, second-hand dealer, or precious metal dealer, directing that a particularly described item(s) held by the dealer is believed to be stolen and may not be redeemed, sold, or disposed of until a criminal investigation has been completed.

Pawnbroker—Person (or corporation, member, etc.) who loans money on deposit or pledge of personal property or other valuable item; or who deals in the buying of personal property or other valuable things on the condition of selling the same item back to the seller at a stipulated price.

Second-hand Dealer—Person (etc.) who buys and sells secondhand merchandise, but is NOT permitted to make loans.

Precious Metal Dealer—Person (etc.) who buys, sells, and trades second-hand precious metals (gold, silver, etc.).

Guidelines

- ☐ All matters regarding the immediate seizure and final disposition of stolen property discovered at a pawn shop will be decided by the Pawn Shop Unit of CID; however,
 - ☐ Any officer can issue a Stop order, if there is probable cause to believe a pawned/sold item(s) is stolen property.
- ☐ If you discover a suspect in possession of stolen property in a pawn shop PRIOR to transferring it to the shop, there is no need to issue a Stop order; simply seize the stolen property and handle it as you would any other evidence.
- ☐ Once a Stop order is issued, only the Pawn Shop Unit can decide whether or not to immediately seize the property, or whether the Stop is to be continued or rescinded.
- ☐ Pawnbrokers are required to report ALL transactions to the police department on a daily basis. As long this is done properly, and any items subsequently found to be stolen are among the items reported, then it is likely that the dealer did NOT know the item(s) were stolen.
- ☐ If stolen item(s) are found which are NOT included on the log sent to the Police Department, then an investigation of the dealer is called for. Advise the pawn shop unit immediately.

Procedure

When your investigation of an incident reveals property held by a pawn shop that you have probable cause to believe is stolen:

- ☐ DO NOT SEIZE THE PROPERTY.
- ☐ Advise the dealer that you are issuing a Stop for the property in question. Give the dealer the following:
 - ☐ Your name and unit of assignment.
 - ☐ CC#.
 - ☐ Nature of the crime/incident you are investigating.
 - ☐ A specific description of the property, including: serial number, model number, name, identifying marks, etc.
- ☐ IMMEDIATELY notify the Pawn Shop Unit (2492) of the circumstances and that you have issued a Stop order.
 - ➔ **NOTE:** If you issue a Stop order when the Pawn Shop Unit is closed, it is YOUR responsibility to ensure they are notified promptly as soon as they reopen. They are open from 0800 to 1600 on non-holiday weekdays.
- ☐ Write a detailed supplement report, including the name of the person notified in the pawn shop unit.
- ☐ Continue your investigation. Within sixty days, you must submit to the pawn shop a second supplement report indicating the case status.
- ☐ When you reach the point that an arrest has been made, a warrant obtained, or that it is apparent that prosecution is likely, then return to the pawn shop and SEIZE the stolen property. Handle it as any other recovered evidence, and submit a supplement report (make sure the pawn shop unit gets a copy).
- ☐ If a pawnbroker objects to the seizure of the property, obtain a Search and Seizure Warrant BEFORE seizing the property. This will ensure the admissibility of the evidence in court.
 - ➔ **NOTE:** If the dealer does NOT object, this is not necessary.
- ☐ If a dealer refuses to surrender (to a police officer) property that he has been advised is stolen, you must report this refusal in writing to the Pawn Shop Unit.
 - ➔ **NOTE:** This is NOT an arrestable offense, but could be cause for forfeiture of the dealer's license.
- ☐ If a dealer disposes of property after being advised that it is stolen (before a search warrant can be obtained), or on which a Stop order has been placed, you must report this in writing to the Pawn Shop Unit.

Information for the Victim, Property Owner, or Dealer:

Disposition of Property Seized from a Pawn Shop

- ☐ After a conviction of a suspect, the seized property may be returned to the lawful owner.
- ☐ After any verdict OTHER THAN GUILTY, if the trial did not establish ownership, the decision as to whom the property will be released will be decided, on a case by case basis, by the Legal Advisor and the Commanding Officer, CID Property Crimes Section.

Polygraph Procedures

(See GO #11-83 P-1)

Guidelines

The polygraph examination (lie detector test) can be used as an aid in determining facts during an investigation.

- ☐ The Polygraph Unit conducts normally scheduled polygraph examinations between 8am and 5pm, Monday through Friday. However, if a prospective examinee is unavailable during these times, an examination may be scheduled for Saturday or Sunday, when properly requested.
- ☐ SUSPECTS should be examined when the investigation reveals grounds to believe that the suspect had motive, opportunity, and means to commit an offense and additional information is needed by the investigator to further the investigation.
- ☐ WITNESSES/VICTIMS/INFORMANTS may be examined when the investigator has cause to believe individuals are withholding information vital to the successful solution of the investigation, OR where their motives, allegations and/or reliability are in question.
- ☐ POLICE OFFICERS may be examined in the course of internal investigations. Also, you may voluntarily seek a polygraph examination as a means of rebutting accusations against you.
- ☐ The examiner has the authority to decide at any time whether or not an examination should be conducted, and if, once started, it should be continued.
- ☐ Examination results are available to members of the department on a need basis only, and shall not be given outside this department (except to Assistant State's Attorneys) without authorization by the Police Commissioner.

- ☐ When an examination is requested of any person who has already been examined by another examiner regarding the same case, you shall make available to the examiner the previous chart and list of questions asked, and the report techniques used.
- ☐ Mass screening of possible suspects to produce a real suspect is poor procedure, and does not allow the examiner to arrive at a valid conclusion.
- ☐ No single polygraph examination may exceed four (4) continuous hours.

Procedure

When you desire to have a polygraph examination done:

- ☐ Make tentative arrangements for the examination either by phone or by personal contact with the examiner.
 - ☐ Make sure that there is a break of at least 8 to 10 hours between the most recent investigative interrogation and the planned polygraph examination.
 - ☐ No two polygraph examinations may be conducted on any individual in the same day.
 - ☐ If there is any doubt as to the physical or mental fitness of the examinee, advise the examiner of this prior to making a request for the examination.
- ☐ Prior to the examination, complete and submit a Request for Polygraph Examination form (Form 77-53).
- ☐ If you are unable to locate the examinee scheduled for an examination, or if the examinee is ill or declines to be examined, you shall immediately notify the polygraph examiner and either reschedule or cancel the examination.
- ☐ When the subject to be examined is a juvenile, you shall have a parent or guardian present during the test, OR you must have a Form of Consent form signed by a parent, guardian, or Juvenile Judge having jurisdiction.
- ☐ Prior to the examination, you must give the examiner a detailed summary of the investigation, and supply sufficient established facts and verified information to enable the examiner to construct relevant test questions.
- ☐ You must be present during the examination, and during the reading and signing of the Explanation of Rights form and the Form of Consent form.

Probable Cause Chart

Shown below is a chart that represents the process of building probable cause. Read the chart from *Bottom To Top*, and from *Left To Right*. As the circumstances in the first column pile up, you are building toward the right to take further action. Keep in mind that you *cannot* take any of the actions in the third column until you have achieved the appropriate level in the second column, by doing the things in the first column. All incidents start with nothing and may or may not ever build enough to justify arrest.

When THIS Happens	You have THIS	Which Justifies THIS
Continue to gather evidence to PROVE beyond doubt	PROOF (Knowledge beyond a reasonable doubt)	CONVICTION
Reasonable belief that: 1. Crime was committed. 2. Suspect committed it.	PROBABLE CAUSE	ARREST
Period of Observation (What did you see: Did it constitute a crime? Corroborate your info? Confirm your hunch? Information received: From police radio From other police From citizen(s))	REASONABLE SUSPICION	STOP AND FRISK
HUNCH Based on experience and police instincts. Based on appearance of suspect and other circumstances you can explain later.	MERE SUSPICION	OBSERVE GATHER INFO QUESTION FACTS

Stop and Frisk—Handgun Control Law

(See GO # 43-7 J6, and GO # 49-7 J5)

Definitions

Stop—Approaching and momentarily detaining a person. Your right to STOP is based on whether or not you had enough REASONABLE SUSPICION before the STOP.

Frisk—The EXTERNAL feeling or patting of the clothing of another person. The running of hands over another person's OUTER clothing.

Search—Seeking out and bringing into view that which is concealed. Examination of inner clothing of another person. Attempt to discover an item that is hidden from view.

Reasonable Suspicion—Something more than mere, unsupported suspicion, but something less than what amounts to probable cause. A conclusion based on articulable observations and circumstances that would lead a reasonable person to believe that a crime is being, has been, or is about to be, committed. Reasonable suspicion is the basis for your right to STOP.

Guidelines

- ☐ STOP a subject only if you have REASONABLE SUSPICION to believe that he has committed, is committing, or is about to commit a crime.
- ☐ When making a STOP, your manner and tone of approach will be one of unfailing courtesy. Clearly identify yourself and state your purpose for stopping the subject.
- ☐ Question the subject as to his identity and purpose for being in the area. You may NOT COMPEL the subject to answer, NOR MAY YOU ARREST THE SUBJECT based solely on his refusal to answer or cooperate.
- ☐ You must maintain professional self-control and avoid becoming offended or reacting to any controversy which may arise.
- ☐ If nothing in the initial encounter lessens your reasonable fear for your own safety or the safety of others, then you may FRISK (pat down) the outer clothing of the subject.
- ☐ FRISK the subject you've stopped only if you now reasonably believe that he is armed, and may endanger your life or the lives of others.
- ☐ You may not extend the FRISK to a SEARCH of the inside of the subject's clothing unless you can actually feel what you reasonably believe is a weapon during the course of the FRISK.
- ☐ ONLY if you feel what you believe is a weapon, you may reach inside just that area where the "weapon" was felt and retrieve the item you felt.

- ☐ If the item produced is NOT an illegal weapon, you may NOT search any further (but you may complete the FRISK).
- ☐ If the item found IS an illegal weapon, arrest the subject. Then conduct a full SEARCH of the subject, incident to the arrest.
- ☐ If an item found is NOT an illegal weapon, you may NOT use the item to justify an arrest of the subject, whether or not the item is contraband (however, you may SEIZE any illegal contraband found, and submit it to ECS or the CDS room).
- ☐ The Stop and Frisk process shall ONLY be used for the safety and protection of officers and citizens, and shall NOT be used merely to shake down any person or group of people.
- ☐ If no weapon was found, take the time to fully and courteously explain the reason(s) for your actions, but do not become engaged in any argument with the subject or others.

Procedure

All officers will:

- ☐ Ensure that sufficient REASONABLE SUSPICION exists before conducting a Stop and Frisk.
- ☐ Approach the subject to be stopped with caution and with courtesy.
- ☐ Properly submit any illegal weapon or other contraband seized to ECS or the CDS Room, completing a Request for Examination form with every handgun submitted.
- ☐ If NO weapon is found, make every effort to courteously explain to the subject why you stopped him and why you frisked him. Reassure him that you were only attempting to ensure your own safety, and the safety of other innocent citizens.
- ☐ If an arrest is made:
 - ☐ Investigate the weapon with NCIC and note the results on the offense report.
 - ☐ Submit the evidence and handle the arrestee in keeping with established departmental procedures.
 - ☐ If the arrestee is a second or multiple offender:
 - ☐ Notify the Assistant State's Attorney (in the district of arrest) of this at least seven days prior to trial.
 - ☐ Write and submit a Supplement report to the original MI with the name of the ASA notified, and the date and time of notification.

- ☐ At the conclusion of the trial, write and submit a Supplement report containing the final disposition of the case.
- ☐ Report EVERY Stop and Frisk conducted on an MI, whether or not an illegal weapon was found or an arrest was made.
- ☐ If the Stop and Frisk was a result of a call for service, the Central Complaint Number for the call will be used for the MI.
- ☐ If the Stop and Frisk was an on-view incident, an on-view number will be obtained (from KGA or Police Services) for the MI.
- ☐ The person stopped will be listed in Box #1 (Complainant). Also, if the person was arrested as a result of the Stop and Frisk, the subject will also be listed in Box #30-1.
- ☐ The officer will place his/her name in Box #9 (Reporting Person).
- ☐ The officer must complete this MI report before ending his/her tour of duty.
- ☐ The officer must include in the narrative of the report:
 - ☐ Full description of the circumstances and conduct of the Stop and Frisk.
 - ☐ Full explanation of the reasons and justifications for the Stop and Frisk.
 - ☐ Date, time, and location where the procedure occurred.
 - ☐ Date, time, and location where the report was written.
 - ☐ His full signature at the end (within the narrative).
 - ☐ Room for his supervisor to sign and date the narrative.

Towing Vehicles—Use of Tow Trucks

(See GO# 5-88 I-2 / OBM 7-78)

Guidelines

When you need to tow (or move) a vehicle, depending on the circumstances, you may use either private tow trucks belonging to licensed tow companies, or city tow trucks operated by the Abandoned Vehicle Division. However, it is the CIRCUMSTANCES (and not you) which will determine WHICH type of tow vehicle will be requested. Simply apply the circumstances you have to the criteria and procedures outlined below:

- ☐ LICENSED TOW COMPANIES will be used to tow vehicles:
 - ☐ Disabled as a result of an accident; or
 - ☐ Recovered after theft of the vehicle; or
 - ☐ Seized as evidence; or
 - ☐ Towed as the result of the arrest of the driver.

- ☐ CITY OWNED TOW TRUCKS (ABANDONED VEHICLE DIVISION) will tow:
 - ☐ Parked vehicles which are impeding the free flow of traffic or the movement of pedestrians; or
 - ☐ Parked vehicles located in impounding zones; or
 - ☐ Abandoned vehicles, either on public OR private property.
- ☐ Licensed tow vehicles are identified by a numbered medallion issued by the Towing Enforcement Unit of the Traffic Section. The medallion must be displayed on the left cowl (upper rear portion of the left front fender) of EVERY tow vehicle. The number on the medallion must match the number on the license certificate issued to the tow vehicle.
- ☐ Licensed towers shall tow all vehicles to the Baltimore City Yard, 6701 Pulaski Highway, unless the two vehicle operators and the vehicle owner complete a WRITTEN agreement stating the vehicle will be towed to a different location.
- ☐ Whenever a vehicle comes into police custody, the contents must be inventoried. The inventory is performed to protect the owner against loss of valuables from the vehicle, and to protect the officer against civil suits arising from claims of loss or damage. An inventory is NOT conducted for the purpose of searching for contraband.
- ☐ DO NOT use any departmental vehicle for pushing or towing another vehicle, except in an emergency.
- ☐ Whenever a vehicle is taken into police custody, or an abandoned vehicle is towed by a police officer, the Hot Desk shall be notified.
 - ➔ **EXCEPTION:** In the case of recovered stolen vehicles, when the lawful operator/owner is present you do NOT need to call the Hot Desk,
- ☐ You shall NOT request the services of any tow truck or tow company directly—all requests for tow must be either directed through the Communications Division or requested administratively (for abandoned vehicles).
- ☐ Only one tow bill shall be incurred for a single vehicle. Any additional towing required shall be performed at the expense of the vehicle owner.
- ☐ When a vehicle is towed to City Yard pursuant to a CDS arrest, and the vehicle is NOT subject to seizure by law, print on the first line of the narrative of the Vehicle Report, in bold letters, "NO HOLD ON VEHICLE."

Standard Towing Procedures: Using Licensed Tow Companies

Once you determine that a vehicle must be towed and that a licensed tow company should perform the tow:

- ☐ Give the Communications Division the location, make, registration number of the vehicle to be towed, and whether or not there is a need for more than one truck, or special equipment, i.e., a dolly for a vehicle with a flat tire(s) or no wheels, etc. If the vehicle to be towed is a truck, advise whether it is loaded or empty.
- ☐ Immediately after a tow vehicle is requested, inventory all personal and detachable property NOT removed from the vehicle by the owner.
 - ➔ **NOTE:** This is ONLY necessary when the vehicle is being towed to the City Yard. See exception for vehicles seized as evidence.
- ☐ Remove all property left in the trunk of the vehicle if the trunk key is available. Do NOT remove the spare tire; but DO note and record its presence (or absence) on the Vehicle Report.
- ☐ Itemize all property removed from the vehicle on the Vehicle Report.
- ☐ If the departmentally dispatched tow truck does not arrive within twenty (20) minutes of the notification by communications, advise the dispatcher. If necessary, repeat this notification every twenty (20) minutes, until a tow truck arrives.
- ☐ You may CANCEL a departmentally dispatched licensed tow vehicle at the scene at any time BEFORE the tow vehicle has rendered any service on the vehicle to be towed.
- ☐ Complete a Vehicle Report for EACH vehicle towed to the City Yard. Record the name and medallion number of the licensed tow vehicle in the appropriate block of the Vehicle Report.
- ☐ Signatures
 - ☐ Have the tow truck operator record the AMOUNT of the tow charge and his SIGNATURE in the narrative of the Vehicle Report.
 - ☐ You sign the tow bill. This is done to verify the work performed by the tow vehicle operator at the scene, NOT to verify any prices.
- ☐ Give the back copy of the Vehicle Report (one for EACH vehicle being towed) to the tow truck operator.
- ☐ Notify the Hot Desk.

Vehicles Disabled as a Result of an Accident

- ☐ Immediately determine if the vehicle must be towed. The owner or operator (or their agent) may move the vehicle to a curb in compliance with existing parking regulations.
- ☐ If parking is NOT allowed and the vehicle is impeding traffic, advise the owner that he/she may call a licensed tow company of their choice.
 - **NOTE:** Do NOT recommend a particular tow company. Tell them that the tow vehicle MUST be able to arrive within twenty (20) minutes of the request.
- ☐ If the owner declines to call his/her own licensed company, or when the owner-requested tow vehicle has not arrived within the twenty (20) minute time period, request the Dispatcher to dispatch a licensed tow vehicle, and follow the procedures outlined above, under "Standard Towing Procedure."

Recovered Stolen Vehicle

- ☐ If it is necessary to tow a recovered stolen vehicle, then follow the procedures outlined above, under Standard Towing Procedures.
 - **REMINDER:** Be sure to notify the Hot Desk (2680) of the recovery.

Vehicles Seized as Evidence

- ☐ If the vehicle is being seized relative to CDS violations, refer to the instructions on page 76 for "Seizure of Vehicles for CDS Violations."
- ☐ If the vehicle is seized as evidence (whether CDS is involved or not) and security measures must be taken to protect the vehicle, obtain permission from your Shift Commander/Section Commander to tow or drive the vehicle to the appropriate district or to Police Headquarters.
- ☐ If the vehicle is towed (instead of driven):
 - ☐ Follow it to the station house or to Headquarters, keeping the vehicle under observation during the entire trip; and
 - ☐ Get the tow bill from the tow truck operator.
 - ☐ Complete a Vehicle report explaining the reason for the tow.
 - ☐ Submit TWO copies of the tow bill and the back copy of the Vehicle Report to your Commanding Officer.
- ☐ Once the vehicle is secured at the station house or Headquarters:

- ☐ Do NOT inventory vehicles seized as evidence until the Laboratory Division and/or CID has completed processing the vehicle for evidence.
- ☐ Request the Laboratory Division, or CID personnel as appropriate, respond and process the vehicle.
- ☐ If you are unable to release the vehicle to the owner after the vehicle is no longer needed as evidence, have the vehicle towed to City Yard, using a licensed tow vehicle, by following the procedures outlined above, under "Standard Towing Procedure."
- ☐ Whenever a vehicle seized as evidence is towed from the Headquarters building, the member authorizing the tow shall complete a report, using the crime/incident for which the vehicle was originally towed.

Vehicles Towed When the Operator Is Arrested

- **NOTE:** In the case of DWI arrests, the vehicle driven by the arrestee MUST be towed, without exception, unless:
 - ☐ You may release the vehicle to a person designated by the arrestee, IF:
 - ☐ The person is a SOBER, LICENSED driver; and
 - ☐ The person is at the scene; and
 - ☐ The person will accept full responsibility for the vehicle and all property left therein; and
 - ☐ The vehicle is NOT required as evidence or subject to seizure.
 - ☐ Advise the arrestee that they may park and secure the vehicle, IF:
 - ☐ They are able to park it legally; and
 - ☐ They agree to assume full responsibility for the vehicle and all its contents.
 - ☐ If the arrestee does not agree to these terms, then have the vehicle towed to City Yard, following the procedures outlined above, under "Standard Towing Procedure."

Use of City Tow Trucks from the Abandoned Vehicle Division

- ☐ Vehicles ILLEGALLY parked, NOT in an Impounding Zone:
 - ☐ Issue the appropriate parking citation to the vehicle.
 - ☐ Request an Abandoned Vehicle Division tow truck from the dispatcher. Then either have the vehicle:
 - ✳ Towed to the Impound Lot; or
 - ✳ Moved to another part of the street, or to a side street and parked legally.

- ☐ Do NOT have a commercial tow vehicle move the vehicle unless:
 - ✖ The Abandoned Vehicle Division is closed; or
 - ✖ There is an emergency situation that requires the vehicle to be moved immediately.
- ☐ If it IS necessary to have a commercial tow vehicle tow such a car, then follow the procedures outlined above, under "Standard Towing Procedure."
- ☐ Vehicles ILLEGALLY parked, in an impounding zone:
 - ☐ Issue an appropriate parking citation to the vehicle.
 - ☐ Immediately notify communications to request an Abandoned Vehicle Division tow truck respond to tow the vehicle to the Impound Lot.
- ☐ Abandoned Vehicles:
 - ☐ For purposes of this section, Abandoned Vehicles are DEFINED as any vehicle that has been:
 - ✖ Abandoned (not moved) on a public street for a continuous period of forty-eight (48) hours or more; or
 - ✖ Abandoned for over forty-eight (48) hours on private property without the consent of the owner/legal occupant; or
 - ✖ Left unattended on any portion of a "controlled access highway" for more than twenty-four (24) hours.
 - ☐ If you have a vehicle fitting the criteria listed above, then:
 - ✖ Submit an administrative report to your Commanding Officer containing (if available) the make, year, license number, VIN number, color, and location of the vehicle, and whether or not there is a need for special towing equipment.
 - ✖ Do NOT call for a tow truck for the vehicle (unless it can be towed for reasons other than being abandoned). Your administrative report will be forwarded to the Abandoned Vehicle Division, and the vehicle will be towed as soon as practical by that division.

Limited Holds: Vehicles coming into Police Custody

- ☐ There are a very limited number of valid reasons that vehicles coming into police custody may be placed on "HOLD." Such "HOLDS" may only be temporary, and may only be applied for the following reasons:
 - ☐ Narcotics Holds (See page of this manual for specific instructions for Narcotics Holds).

- ☐ Vehicles Held for Processing. Whether held for our jurisdiction or another law enforcement agency, if the vehicle cannot be immediately processed for some reason at the Headquarters Building.
- ☐ VIN (Vehicle Identification Number) missing or altered.
- ☐ Vehicle held as evidence: The vehicle itself is of evidentiary value, or is the focal point of an investigation.
- ☐ Holds may be placed by the Traffic Investigation Unit or the Maryland State Police to inspect vehicle safety features, after an accident. If, for exigent and/or extraordinary circumstances and approved by a supervisor of the Auto Theft Unit.
- ☐ Vehicles being held for the execution of a Search and Seizure warrant.

Procedure for Placing Limited Holds on Vehicles

- ☐ Complete and submit a Vehicle report, to include:
 - ☐ Print "POLICE HOLD" in bold block letters on the first line.
 - ☐ Write the name and assignment of the requesting officer (if different from the seizing officer) in the narrative.
 - ☐ Include a brief explanation for the Hold request.
- ☐ At the conclusion of the investigation, when there is no longer any reason to hold the vehicle:
 - ☐ Complete and submit a Supplement report advising that the vehicle is no longer needed.
 - ☐ Attempt to contact the owner to advise that he/she may re-claim their vehicle (include in the Supplement report the efforts made to accomplish this).
- ☐ Notify the Auto Squad Detective on duty at the Abandoned Vehicle Division (2377, from 0600 to 1600 hours daily).

Traffic—Moving Violations

(See GO #7-85 I-6)

Guidelines

- ☐ At no time shall an officer take any money, checks, etc., for payment of any fine.
- ☐ Use a separate citation for every violation to be charged.
- ☐ You MUST have a District Court Schedule of Fines booklet available to properly complete a moving citation.

- ☐ Do NOT write a citation from a book issued to another officer, and do not allow another officer to write a citation from your issued citation book.
- ☐ Whenever the State Transportation Article and any Baltimore City Code provisions cover the same violation, charge the violator under the State Transportation Article.
- ☐ Members who are NOT ISSUED a citation book shall:
 - ☐ Upon witnessing a traffic violation requiring police action, request, via communications, a patrol/traffic unit to be dispatched to the scene to issue the appropriate citation(s) and a Request for Witness Summons. Assist the responding unit in completing the required reports, and testify as a witness when summoned.
 - ☐ Upon encountering, but NOT witnessing, a traffic situation requiring police action, request, via communications, a patrol/traffic unit to be dispatched to the scene, and remain on the scene until the unit arrives, and render any possible assistance.
 - ☐ Use the SCHEDULE OF FINES to determine what the individual fines are, what the specific Code/Ordinance numbers are for violations not listed on the citation, which violations are payable, and which violations require the violator to appear for trial.
 - ☐ For Jurisdiction Code List on citations see chart below.

Jurisdiction Code List	
5900	Property Division
5901	Central District
5902	Southeast District
5903	Eastern District
5904	Northeast District
5905	Northern District
5906	Northwest District
5907	Western District
5908	Southwest District
5909	Southern District
5910	Tactical Section
5911	Traffic Section
5912	Special Detail

Looping Instructions

If there are related citations, check the "Related Citation" box and write the related citation number in the designated area. There is only room for ONE citation number in this area, so each related citation must refer to, and be referred to by, another one in the block for the Related Citation number. This is called "LOOPING" the citations. Here's how it must be done:

- ☐ On the 1st citation, write the number of the 2nd citation.
- ☐ On the 2nd citation, write the number of the 3rd citation.
- ☐ On the 3rd citation, write the number of the 4th citation.
- ☐ Continue in this manner until you get to the last citation to be issued in relation to the first one, then:
 - ☐ On the LAST citation, write the number of the 1st citation.

Receipt/Control of Moving Citation Books

- ☐ Inspect Maryland Uniform Complaint and Citation books upon receipt. Ensure they have 25 properly numbered citations and 25 envelopes.

If free of errors, complete the receipt stub in full and return it to your supervisor.

- ☐ Return incorrect/incomplete books to the Administrative Section, Traffic Section, along with an administrative report explaining the error(s).
- ☐ Submit old, unused citations and citation books to your immediate supervisor.
- ☐ If you are transferred, promoted, or are resigning:
 - ☐ Remove (and retain) the 3rd copy of all issued citations and return the remainder of the book to the Office Supervisor of your district/division; and
 - ☐ If reassigned within the Operations Bureau, complete and submit an administrative report requesting the District Court be notified of your reassignment.

Issuing Moving Violation Citations

- ☐ Issue citations only when you have sufficient probable cause to believe a particular driver committed a specific violation of the traffic laws.
- ☐ Do NOT issue moving citations to a PARKED VEHICLE unless it was involved in an accident or is parked on private property without permission (Refer to Transportation Art 21-1004E).
- ☐ When issuing a citation resulting from a traffic accident, record the Central Complaint Number on the citation in the space directly below the box marked "Charges."
- ☐ To request Witness Summons(es):
 - ☐ Check the "Witness" box on the top of the citation, and
 - ☐ Fill in the required information in the "Witness Listing" on the back of Copy #1.
- ☐ Use the sample citation following this section for specific line by line instructions for filling out the citation.
- ☐ Indicate the predetermined fine in the appropriate box on the citation, as set in the District Court Schedule of Fines.
- ☐ If the violation(s) is NOT listed on the citation, you MUST fill in the area immediately below the charge list. Use the information found in the District Court Schedule of Fines.
 - ☐ Check the appropriate box indicating the law/ordinance source, i.e., TA for Transportation Art, LO for Local Ordinance, etc.
 - ☐ Write in the Title, Sub-Title, Paragraph and Code.

- ☐ Write in the appropriate charge as printed in the fine schedule. Where there are parentheses in the wording, you are to choose between the choices within the parentheses in writing the charge on the citation. For instance, if the fine schedule shows: "(Sale, Purchase) of used vehicle not titled, certified, and registered" you must choose either "Sale" or "Purchase" and write only ONE of them, entering the rest of the sentence as written.
- ☐ Check the appropriate box to indicate the pre-determined fine.
 - ➔ **NOTE:** Do NOT charge any violation of the Transportation Article which is NOT listed in the District Court Schedule of Fines.
- ☐ If the Schedule of Fines indicates that the defendant **MUST STAND TRIAL**, check the box under "Notice to Appear." If the fine is payable, check the other box, indicating the defendant may waive the trial by paying the pre-set fine.
- ☐ Advise the defendant that he/she is **REQUIRED** to sign the citation, indicating only that he/she received it. Stress that this is **NOT** an admission of guilt.
 - ➔ **NOTE:** IF THE DEFENDANT REFUSES TO SIGN THE CITATION, YOU MAY CHARGE HIM/HER WITH REFUSING TO SIGN.
- ☐ Distribute copies as follows:
 - ☐ In all cases: Third copy is the officer's copy. Have it reviewed by your supervisor, then keep it for your use in court.
 - ☐ Fourth copy is the Defendant's copy. Be sure he/she also gets the ATTACHED ENVELOPE.
- ☐ If defendant is **NOT** arrested:
 - ☐ 1st and 2nd copies are court copies. Submit to your supervisor. After supervisor's review, place these copies in the locked repository at your assignment.
- ☐ If defendant **IS ARRESTED** (no additional criminal charges):
 - ☐ 1st copy is a Court copy for the Traffic Court Commissioner.
 - ☐ 2nd copy is a Court copy. Place in the locked repository at your assignment.
- ☐ If defendant **IS ARRESTED** (with companion criminal charges):
 - ☐ 1st copy is a Court copy. Give it to the Desk Officer at district where defendant is being held.

- ☐ 2nd copy is a Court copy. Place in the locked repository at your assignment.

Voiding Maryland Uniform Complaint And Citation

- ☐ Upon making an error on an UNISSUED citation (all copies available):
 - ☐ Keep all copies of the incorrect citation, and ISSUE A NEW CITATION IN ITS PLACE (if applicable).
 - ☐ Enter the VOID date in the Violation Date area. Enter all OFFICER INFORMATION and SIGN THE CITATION.
 - ☐ WRITE "VOID" ACROSS THE CITATION.
 - ☐ Write a DETAILED administrative report fully explaining the reasons for voiding the citation, and including the number of the citation issued to replace the one in error.
 - ☐ Attach this report to ALL copies of the citation and submit to your immediate supervisor by the end of your tour of duty.
 - ➔ **NOTE:** Be sure to write your JURISDICTION CODE on ALL copies of the voided citation, and on your written report.
- ☐ Upon detecting an error on an ISSUED citation (when all copies of the citation cannot be recalled):
 - ☐ Write, in duplicate, a detailed report requesting a "Nol-Pros" of the charges, explaining the exact reason(s) for your request.
 - ➔ **NOTE:** Put your Jurisdiction Code in the upper right corner of the reports.
 - ☐ Submit the report and the 2nd, 3rd, and 4th (if available) copies to your immediate supervisor.
 - ☐ Place the 1st copy of the citation in the locked repository at your unit of assignment.
 - ☐ Deliver the two reports and the copies of the citation (returned by your supervisor) to the Assistant State's Attorney for District Traffic Court, and request the ASA "Nol-Pros" the charge(s).
 - ☐ Upon approval to "Nol-Pros," request the ASA to sign (full signature) each report and have the ASA retain the duplicate report copy.
 - ☐ Re-submit all copies of the citation and the written report to your immediate supervisor. If you detect an error in a charge on the day of trial:
 - ⌘ Immediately request the ASA to void the citation(s).

- ❖ Have the judge sign in the disposition section of the docket.
- ❖ Write a new citation(s) with the correct charge(s).

Traffic—Baltimore Parking Violations

(See GO #20-86 I-1)

Guidelines

- ☐ Parking Citation books are specifically assigned to individual officers.
- ☐ Do NOT allow any other officer to write Parking Citations from the book issued to you.
- ☐ Do NOT write Parking Citations from any book not issued to you.
- ☐ Parking Citation books are issued through your current command only. If you change commands, you must turn in your old book to your old command (after cancelling each unwritten Citation) and get a new one at your new command (See next section).
- ☐ Give all reports concerning Parking Citation books to your immediate supervisor.
- ☐ Trial date notifications will come through your assignment.

Receipt/Control of Parking Citation Books

- ☐ Inspect Parking Citation book for printing errors upon receipt. If you find a printing or numbering error, return the book to your immediate supervisor. If there are no errors found, complete the receipt stub and place it in the locked Citation box at your assignment.
- ☐ After completing a Parking Citation book, place the used book in the locked Citation box at your assignment.
- ☐ If you are transferred, promoted, or leaving the department, write "Cancelled—Promoted," or "Cancelled—Transferred," or "Cancelled—Resigned" on each unwritten citation and turn them all in to your supervisor.
- ☐ If you lose an entire citation book, or if your book has been stolen or destroyed, submit a written report to your commanding officer.

Issuing Parking Citations

- ☐ In issuing Parking Citations, be sure to fill in all blank areas (see the sample in this section), and attach the completed violator's copy to the illegally parked vehicle.

- ☐ Do not invalidate, void, or request voids for citations issued for observed or reported malfunctions of parking control devices. In the case of a malfunction reported by a violator, advise the violator to:
 - ☐ Make a complaint in person (with a copy of the citation) to: Department of Finance, Bureau of Collections, Parking Fines Division, Room 3, Municipal Building, 200 N. Holiday Street, Baltimore, MD, or,
 - ☐ Submit the complaint in writing (with a copy of the citation attached) to: Bureau of Collections, PO Box 13327, Baltimore, MD 21203.
- ☐ Never reclaim the Violator copy of a citation for administrative error, UNLESS you made an administrative error on the citation, and:
 - ☐ You replace it with a new, error free citation, and
 - ☐ All copies of the citation are available to you, and
 - ☐ You attach (to the City copy and the Violator's copy) a written explanation of the error which contains the number of the citation written in place of the incorrect one, and
 - ☐ You write "VOID REQUESTED" in the "Remarks" portion of the citation, along with the date and the NUMBER of the replacement citation.
- ☐ Write the citation number of each issued Parking Citation on the Daily Activity Report.
- ☐ Keep your copy of the citation in your Parking Citation book.
- ☐ Give the city copy to your supervisor by the end of your tour of duty. DO NOT ACCUMULATE THE CITY COPIES IN YOUR BOOK.
- ☐ If it is noted that information is missing from submitted citations, obtain the needed information and attach a written report with the missing information to the citation.

Voiding Parking Citations

- ☐ DO NOT VOID Parking Citations for any of the following reasons:
 - ☐ As the result of excuses given by the violator (i.e., jammed meter, medical emergency, violation previously cited, disabled vehicle, etc.).
 - ☐ At the request of another member of the department.
 - ☐ For citations issued to departmental vehicles or to a member's personal vehicle used in the line of duty.
- ☐ You may ONLY request a citation be voided in the event one of the following situations:

- ☐ You made an administrative error (wrote down the wrong information, transposed a tag number, etc.). In this case, follow the instructions listed in Item #3 under Issuing Parking Citations above.
- ☐ You made a mistake and issued a citation when NO VIOLATION of the law occurred (you misread a sign, or the time of day, etc.). If this occurs, DO NOT take the violator's copy. Follow the procedure below:
 - ※ Acknowledge the mistake to the violator (if present).
 - ※ Tell the violator that the Attorney General has ruled that, once issued, parking citations can only be nol-prossed by the State's Attorney's Office. You can't do it.
 - ※ Explain that you will send a report about the mistake to the City.
 - ※ Tell the violator to read the back of the ticket if he/she wishes to find out how to stand trial, and that this is the safest thing for him/her to do.
 - ※ Write "INVALID—NO VIOLATION" in the "Remarks" section of the City copy of the citation.
 - ※ Write a complete report, giving full information regarding your mistake, and submit it to your supervisor, attached to the citation.
- ☐ You issued a citation to a stolen vehicle. If this occurs, DO NOT take the violator's copy. Do the following:
 - ※ Write a report explaining the circumstances in detail.
 - ※ Attach this report, and a copy of the Stolen Vehicle Report, to the citation.
 - ※ Write "STOLEN VEHICLE" and the complaint number from the theft of the vehicle in the "Remarks" section of the citation. Submit this package to your supervisor.
- ☐ If in your good judgement a valid, properly issued citation should be voided, you may attach a detailed explanation for your request to the City copy of the citation and submit it as usual. Note that this is a request only, and that the final decision rests with the City. Therefore:
 - ※ DO NOT tell the violator the ticket WILL be voided.
 - ※ DO NOT take the violator's copy of the citation.
 - ※ DO NOT mark "Void" on the City copy.

Traffic—Reciprocity Agreement—States and Procedures

(See GO #11-86 I-3 Dated 3/3/86)

Guidelines

- ☐ As long as they agree in writing to obey the terms of the traffic citation (by signing the Citation), licensed residents of states participating in the Non-Resident Violator Compact (Reciprocity Agreement) shall receive Maryland Uniform Complaint and Citations under the same conditions as Maryland residents.
- ☐ This Compact (Agreement) does NOT apply to parking, highway weight limit, and transportation of hazardous material violations.
- ☐ Only residents of the states listed below are affected by this arrangement.

Alabama	Indiana	Missouri	Pennsylvania
Arkansas	Iowa	Nebraska	Rhode Island
Colorado	Kansas	New Hampshire	South Carolina
Connecticut	Kentucky	New Jersey	South Dakota
Delaware	Louisiana	New Mexico	Tennessee
District of Columbia	Maine	New York	Utah
Florida	Minnesota	North Carolina	Vermont
Georgia	Mississippi	North Dakota	Virginia
Illinois	Mississippi	Ohio	West Virginia

Procedure

- ☐ Advise the out-of-state violator that failure to comply with the provisions of the citation will result in the suspension of his driving privileges by the violator's home state.
- ☐ If the violator refuses to accept and sign the citation, **ARREST THE VIOLATOR.**
- ☐ If the violator:
 - ☐ Was arrested between the hours of 0830 and 1630, Monday through Friday, immediately transport the violator to Traffic Court.
 - ☐ Was arrested at any other time, transport the violator to the Central District Court Commissioner's Office at 500 E.

Baltimore St. (in the Central District police building), to post collateral or bond.

Traffic—Safety Equipment Repair Orders

(See GO #6-86 I-4)

Guidelines

- ☐ DO NOT issue Safety Equipment Repair Orders to out-of-state vehicles, or to Maryland vehicles with Historic, Dealer, Recycler, Transporter, Finance, or Temporary tags, or to Special Mobile Vehicles.
- ☐ DO NOT direct, instruct, or even suggest any specific place where a vehicle may be repaired or inspected. Instead, advise citizens to use a phone book to find a convenient station.
- ☐ You may NOT certify any repairs made to any vehicle based on a Repair Order.
- ☐ If you receive complaints about the operation of an Authorized Inspection Station, submit a written report through channels.

Procedure: Issuing Safety Equipment Repair Orders

- ☐ Completely and accurately fill out the Safety Equipment Repair Order, following the specific instructions.
- ☐ Advise the violator (driver) to take the vehicle to a repair garage of their choice within ten days from the date of issuance.
- ☐ Advise the violator (driver) to read the back of the repair order for instructions about correction and certification of correction of defective equipment.
- ☐ Have the DRIVER sign the repair order in the space given.
- ☐ Give the DRIVER the 3rd, 4th, and 5th copies of the repair order.
- ☐ The original and the 2nd copy of the repair order go in the locked REPOSITORY at your assignment.

Procedure: Voiding Safety Equipment Repair Orders

- ☐ Reclaim ALL copies of the Repair Order to be voided.
- ☐ Write an administrative report (95) explaining why the Repair Order needs to be voided (include the Repair Order number in the report).
- ☐ Attach all copies of the Repair Order to the report, and submit it to your supervisor.

Vehicle Stops

(See Training Bulletin Guidelines, Vol 8 #5; Vol 10 #9; and Vol 14 #3)

Guidelines

- ☐ There is no law or statute that specifically prevents (or allows) police officers to stop vehicles. Nor is there one which provides guidelines. Rather, this practice is controlled by the Bill of Rights, and by subsequent Supreme Court decisions.
- ☐ There is little doubt about your right to stop a vehicle for an actual violation of the law you observe, no matter what police action follows. It is when you DO NOT observe a specific violation of law that the issue of stopping cars becomes arguable.
- ☐ The court has clearly said that the single most important factor in justifying our making vehicle stops is that we act "reasonably" when we conduct them.
- ☐ Any evidence you might obtain (in any manner) after stopping a car unreasonably will probably not be usable in court.
- ☐ Contrary to popular misconception, you do NOT need probable cause to legally stop a vehicle. At minimum, what you DO need is "articulable and reasonable suspicion" that the driver or vehicle is in violation of a law.
- ☐ By "articulable" the court simply means explainable. You must be able to clearly explain to the court exactly what you saw, heard, or otherwise came to believe which, based on your experience, training, and expertise, made you believe something was wrong. In other words, which made you, as a "reasonable" person, "suspicious" of the car or driver you stopped.
- ☐ A mere "hunch," or "policeman's intuition," without other explainable circumstances to point to, is not a "reasonable" justification for depriving a citizen of his/her liberty, even for a short time, according to the Court.
- ☐ "Reasonable Suspicion" as defined by the court, is based on all the circumstances you were aware of, and reasonably believed, before you stopped the vehicle. Any information you discover later can NOT be used as part of your justification for the stop.
- ☐ There are NO random, routine or arbitrary car stops. Vehicles may only be stopped for a specific reason; for an observed traffic or equipment violation, or for suspected criminal violations, or for investigation because the driver/vehicle fits a number of the criteria listed below.

Guidelines

- ☐ If you observe a violation of the law by the driver or a passenger in a car (or an equipment violation on the car), you MAY stop the car, since this amounts to probable cause (and therefore exceeds reasonable suspicion).
- ☐ Whether or not you later arrest the driver, you must be prepared to explain this violation later to the court, to justify your "right to stop" the citizen.
- ☐ You may issue a citation for the observed violation, and you should enter the driver/vehicle information on a departmental Automobile Investigation form (form # 71/41).
- ☐ Your explanation of the violation will be more believable to the court if you issue a citation or repair order for the observed violation, or if you at least document the stop (and the reason for it) on a Vehicle Stop sheet.
- ☐ Even if you DO NOT observe any violation of the law by the driver or passenger of a car, YOU MAY STOP THE CAR if you have (and can explain to a court) REASONABLE SUSPICION that a violation of the law is occurring or has occurred.
- ☐ Among the circumstances that might cause you to reasonably be suspicious (more than one may be required) are:
 - ※ Visible damage to the door or trunk locks, windows, etc.
 - ※ Driver who appears unfamiliar with the operation of the vehicle's controls.
 - ※ Loose tags, or dirty tags on a clean vehicle (or vice-versa).
 - ※ Driver over-cautious, obviously nervous, constantly watching you instead of the road, riding the brakes, badly adjusted mirrors, etc.
 - ※ Sudden stops, recklessness, jack rabbit starts, frequent turns, flight, etc.
 - ※ Fresh damage to the vehicle.
- ☐ Vehicles stopped for reasonable suspicion MUST be written on a Car Stop Sheet (Vehicle Investigation form, #71-41).
- ☐ Before stopping a vehicle (or as you stop it), give your location and the tag number to KGA. If you are stopping the vehicle because of suspicious circumstances or actions of the occupant(s), advise the dispatcher of this (use code 10-25).
- ☐ When stopping any vehicle, approach it with care and caution; you are extremely vulnerable. As you approach, look for:

- ☐ Broken door locks, windows (particularly small vent windows), loose license tags, etc.
- ☐ Ignition broken or missing, only 1 key in ignition, etc.
- ☐ Nervous driver who doesn't know owner's name, doesn't have (or can't find) the registration, no license, evasive answers, etc.
- ☐ Never place yourself between the subject car and any other car. Even if the operator doesn't have any other weapon, he/she always has the vehicle. Always be alert that he/she might drive it toward you. Don't give him the chance.
- ☐ As you approach the vehicle, look in the back seat; there may be others in the car you weren't aware of. Be wary, and aware of, other passengers in the vehicle. Don't hesitate to request other units to assist you.
- ☐ Courteously request the information you need from the driver: license, registration, etc. You may request him/her to explain the actions that you thought suspicious, or the circumstances which first alerted you to the vehicle (although you cannot force him/her to cooperate with this type of questioning).
- ☐ If everything appears normal at the end of your investigation, document the stop, write a citation or repair order if applicable, and courteously inform the driver of his/her violation, or why you stopped him/her if there was no violation, and allow him/her to go.
- ☐ Your investigation might include: Stolen check of the car, wanted check of the driver (or passenger), verification of the driver's license, comparison of the VIN number with the registration card, closer examination of any vehicle damage, or marks on door locks, etc. However, unless your investigation produces PROBABLE CAUSE to arrest/charge, you must allow the driver to continue on in a reasonable amount of time (after recording all pertinent information).

Section 3

Juvenile Arrests and Procedures

Juvenile Arrest Procedures

(See GO# 11-87 L-2 / PCM 30-87 & 63-79)

Definitions

Juvenile—A person under the age of 18 years.

Curfew Violator Age limit—Juvenile under the age of 16 years.

Custody—Immediate charge and control by a person of authority. Also, person held for safekeeping.

Delinquent Act—An act that would be a crime if committed by an adult.

Procedure

Whenever a juvenile is taken into custody:

- ☐ Provide medical care if needed.
 - ☐ You may transport juveniles in an assigned patrol vehicle. If more secure transportation is required, advise the Shift Commander.
 - ☐ Immediately notify child's parent(s), guardian, or custodian.
 - ☐ Get Juvenile Custody Number (call 2680).
 - ☐ Contact Central Records Division (2680).
 - ☐ Get record/wanted check.
 - ☐ If juvenile is in custody for a delinquent act, determine if the offense is on the Juvenile Habitual Offender's List. If it is, notify Intake and request detention (See Section 5 for Habitual Offender procedures).
 - ☐ Fingerprint and photograph all juveniles who:
 - ☐ Have committed offenses which would have been chargeable crimes if committed by an adult, or
 - ☐ Claim to be over 18 years old and have no positive means of identification, but who appear to be at least 18 years old.
- **NOTE:** Shift Commander's approval required. These persons may be detained for up to four hours, until their fingerprints are verified and their age established, or

- ※ Are lost or handicapped children unable to identify themselves, or
 - ※ In other cases where the circumstances warrant it, and the Shift Commander approves.
- ☐ DO NOT fingerprint or photograph juveniles in need of supervision/assistance (requiring positive identification).
- ☐ When a juvenile is fingerprinted, complete the Desk's Juvenile Log Book. Write "Yes" in Box #8 of the Custody Report.
- ☐ Record all oral statements obtained from juveniles on an Explanation of Rights Form. Send a copy to Youth Section.
- ☐ If the juvenile is eligible for the Pre-Intake Adjustment Program, advise the complainant of this alternative. If complainant agrees, refer to Section 6.
- ☐ Contact the Intake Consultant, if:
 - ☐ Detention of the juvenile seems necessary, or
 - ☐ A non-violent juvenile is alleged to be in need of assistance or in need of supervision.
- ☐ Do not transport juveniles to detention facilities when driving conditions are hazardous due to inclement weather.
- ☐ Write a Juvenile Custody Report for ALL juveniles in your custody, no matter the reason for or the length of custody.
- ☐ RELEASE THOSE JUVENILES whose processing is completed, and who do NOT require detention and/or medical care.
 - ☐ Release juveniles ONLY to their properly identified parent, guardian or custodian, or, in their absence, to any other responsible adult who has the ability and power to bring the child to court, and who signs a promise to do so.
 - ※ Require proper identification from the person to whom you are about to release a juvenile.
 - ※ In the Custody Report narrative, write the type of ID shown.
 - ※ Before releasing the child, require the signature of the parent, etc. accepting the juvenile on the Written Promise area of the Custody Report.
 - ☐ If you discover that a person has misrepresented himself or herself to be a juvenile's parent, custodian, or guardian in an attempt to have a juvenile released to them, CHARGE THEM with FALSE REPORT (Article 27, Section 150) and OBSTRUCTION OF JUSTICE (Article 27, Section 27).

- ☐ If a parent, guardian, custodian, or responsible adult cannot be located or refuses to take custody of the juvenile, contact the Intake Officer for instructions regarding disposition of the child.

Medical Care for Injured or Ill Juveniles In Custody.

- ☐ Ensure that any juvenile in police custody in need of emergency medical care is provided prompt medical attention.
- ☐ If a juvenile who would otherwise be released from police custody is detained in a hospital for medical care:
 - ☐ Notify parent, guardian, or custodian.
 - ☐ Write a Custody Report and necessary field reports.
 - ☐ Require parent, guardian, or custodian to sign for the juvenile, and release him/her.
- ☐ If a juvenile who would otherwise be detained is held in a hospital for medical care, then:
 - ☐ Notify parent, guardian, or custodian.
 - ☐ Write a Custody Report and necessary field reports.
 - ☐ Contact Intake Officer for detention authorization.
- ☐ Responsibility for guarding the hospitalized juvenile rests with the original district.
- ☐ Upon release from the hospital, the juvenile is to be transported to the district of arrest and processed, prior to being transported to the place of detention already authorized by the Intake Officer.

Special Juvenile Situations

Emergency Admissions/Mental Health Problems

- ☐ When a juvenile displays abnormal behavior and is in clear and imminent danger of causing grave personal injury to himself or others:
 - ☐ If time permits, follow normal emergency admission procedures (petition signed by Juvenile Court Judge).
 - ☐ If emergency action is required:
 - ✱ Safely transport juvenile to proper mental health facility.
- ➔ **NOTE:** Do not transport juveniles to detention facilities when driving conditions are hazardous due to inclement weather.
 - ✱ Complete and sign petition without judge's signature.
 - ✱ Advise the Intake Officer of the need for judicial review of the Emergency Admission form within 24 hours.

- ☐ Medical Shelter Care—Child Abuse Cases.
 - ☐ Ensure that a copy of the Shelter Care Order is in the possession of the hospital, to prevent unauthorized removal of the child against medical advice.

Juvenile Arrests by School Police

- ☐ Arrestees shall ONLY be transported to the district of origin when:
 - ☐ Juvenile is charged with a serious crime; or
 - ☐ The incident requires follow-up; or
 - ☐ Detention is to be requested, or
 - ☐ Removal from school is required to protect the victim and/or property of others, or the child.
- ☐ Juvenile Custody Report is required. Include on first line of custody report narrative: "CHARGES FILED BY SCHOOL POLICE FORCE, TRANSPORTED TO STATION."
- ☐ Check Box #15—No.

Limits of Juvenile Court Jurisdiction

- ☐ The Juvenile Court DOES NOT have jurisdiction over:
 - ☐ A child 14 or older alleged to have committed an act which, if committed by an adult, would be a crime punishable by death or life imprisonment.
 - ☐ A child 16 or older alleged to have violated the Transportation Article or other traffic law (or boating law), except an act that prescribes a jail penalty.
 - ☐ A child 16 or older alleged to have committed the crime of robbery (or attempted robbery) with a deadly weapon.
 - ☐ A child 16 or older alleged to have committed a crime in violation of Article 27, Section 36B (wearing, carrying, or transporting a handgun; unlawful use of a handgun in the commission of a crime).

Adults under Jurisdiction of Juvenile Court

- ☐ Adults charged via Juvenile Court warrants with Contributing to the Delinquency of a Minor, or contributing to a child being in need of assistance (CINA) or supervision (CINS):
 - ☐ Arrest and process normally at the police district.
 - ☐ After completion of processing, follow the regular juvenile procedure of taking the arrested adult to the Intake Officer for subsequent processing.

In Need of Assistance/In Need of Supervision

NEVER place juveniles who are In Need of Supervision (CINS) or In Need of Assistance (CINA) in Detention. They shall ONLY be placed in Shelter Care Facilities of the Health Department or Department of Social Services.

Infants Less Than 18 Months Old

If an infant less than 18 months old comes into police custody:

- ☐ Write a Custody Report and necessary field reports.
- ☐ Explain circumstances to Intake Consultant/Officer.
- ☐ Upon written authorization of the Intake Officer, deliver the child to Francis Scott Key Medical Center, 4940 Eastern Ave, in the Southeast District.
- ☐ Have person accepting child at FSKMC sign Custody Report in the "Released to" area.

Offenses Not Witnessed by Officers

- ☐ You WILL NOT take a juvenile suspect into custody when handling a call for service which involves an allegation that a juvenile committed an offense which:
 - ☐ You DID NOT witness, and
 - ☐ Is one of the 34 eligible offenses noted on page 144, and
 - ☐ Lacks other circumstances which would require the immediate arrest of the juvenile.
- ☐ Instead of arresting the juvenile suspect, you will:
 - ☐ Explain our Pre-Intake Limited Adjustment (LAP) program to the complainant.
 - ☐ If the complainant AGREES to informal LAP handling:
 - ✧ Record this in the field report narrative.
 - ✧ Follow the LAP instructions on page 141.
 - ☐ If the complainant DOES NOT agree to the informal LAP:
 - ✧ Note your explanation of the program, and the complainant's refusal to agree, in the field and Custody Report narratives.
 - ✧ Tell complainant(s) that they will be contacted by a Juvenile Intake Officer.
 - ☐ Write field report of incident, and shortform Custody Report.
 - ✧ Write "COPY TO YOUTH SECTION" in narrative heading.

- ※ Write "NOT IN CUSTODY" in box #23 of Custody Report.

- ☐ This non-custodial handling will not apply if the complainant is a security guard who has already arrested the juvenile.

Age 16-17; Robbery/Attempted Robbery with a Deadly Weapon

- ☐ If you apprehend a juvenile who is either 16 or 17 years old for robbery or attempted robbery where a deadly weapon was used, then:
 - ☐ Charge the juvenile as an adult, using the normal paperwork you would use for any adult arrestee.
 - ☐ You have no discretion to waive these cases back to the Juvenile Court. That rests with District Court.

Juvenile Auto Theft and Collateral Traffic Violations

- ☐ When you arrest a juvenile for unauthorized use or theft of an automobile, you are to specifically write each collateral (associated) Transportation Code violation by listing each charge separately on the Juvenile Custody Report (and Supplement Report, if necessary), as shown below:
 - ☐ John Doe did steal a 1988 Mazda 626, MD Reg AAA-111, Serial #2G1BM69Z2G9124556, the property of Joe Smith, having a value of \$300. or more Article 27, Section 342.
 - ☐ John Doe did take, steal and carry away a 1988 Mazda 626, MD Reg AAA-111, Serial #2G1BM69Z2G9124556, the property of Joe Smith, with the intent to then and there deprive the owner, temporarily, of the use and possession of said property Article 27, Section 349.
 - ☐ John Doe did take or drive a 1988 Mazda 626, MD Reg AAA-111, Serial #2G1BM69Z2G9124556, the property of Joe Smith, without the consent of Joe Smith Transportation Code TR, Section 14-402.
 - ☐ John Doe did operate a motor vehicle without a valid operator's license TR, Section 16-101.
 - ☐ John Doe did attempt to flee from or elude Police Officer James Jones TR, Section 21-904.

Curfew Enforcement

(See GO# 11-87 L-2)

Guidelines: Nighttime Curfew—

Age Limit: Age 15 and under

- ☐ Restricted days and hours:
Sunday—Thursday 11:00 PM until 6:00 AM
the following morning.
Friday and Saturday Midnight until 6:00 AM
the following morning.
- ☐ Restricted locations: Any public place, street, or establishment.
- ☐ Exceptions:
 - ☐ This law shall not apply to a juvenile who is: Accompanied by any person over the age of 21, or
 - ☐ On an errand directed by parent/guardian, or
 - ☐ At any cultural, scholastic, athletic, or recreational activity supervised by a bonafide organization.
 - ☐ Engaged in gainful lawful employment during curfew hours.

Guidelines: Daylight Curfew

Age Limits: Between 6 and 15 years, Inclusive

- ☐ Restricted days and hours: School Days only: 9 AM until 2:30 PM.
- ☐ Restricted locations: Any public place, street, or establishment.
- ☐ Exceptions:
 - ☐ This law shall not apply to any minor who: Has written proof from school authorities excusing him/her from attendance at that particular time, or
 - ☐ Is accompanied by any person over 21 years of age.

Procedure: Suspected curfew violator

- ☐ Tell dispatcher the sex and race of the suspect, and the location of the anticipated curfew interview.
- ☐ Stop subject and ask his age, DOB, name, and address.
- ☐ Accept their answer as accurate, unless there is good reason to believe that the response was not factual.

- ☐ If the subject is less than 16, ascertain if he/she has a valid excuse for being out in violation of the curfew. Your good judgement is relied upon to determine what is a good excuse. If a valid excuse exists, there is no violation.
- ☐ IF NO VIOLATION EXISTS:
 - ☐ Tell dispatcher. Give the age(s) of subject(s).
 - ☐ Obtain Curfew Control Number (NOT CC#) from KGA.
 - ☐ In the Special Activities section of your activity sheet, write violator's name, address, sex, race, and age.
- ☐ IF A VIOLATOR IS FOUND:
 - ☐ Tell the dispatcher the age of the minor.
 - ☐ Get Curfew Control Number from KGA.
 - ☐ Write a short form Juvenile Custody report for EACH violator found (Suffix letters reflect multiples, for instance, if the cc# is 1A1234, and you have two violators, use 1A1234-A for the cc# on one custody report and 1A1234-B on the other report).
 - ☐ Tell the violator to go directly and immediately home.
 - ☐ Record the interview location and the Curfew Control Number on your Daily Activity Report.
- ☐ Minors from foreign jurisdictions are handled the same way.
- ☐ The Curfew law DOES NOT provide for you to take a mere curfew violator into custody. However, you may take a violator into custody for any number of other lawful reasons, independent of the Curfew Law. If you DO take a curfew violator into custody for any other reason, you must write the CURFEW CONTROL NUMBER at the beginning of the narrative of the Custody Report and other offense report(s) you must write.
- ☐ CRIMINAL CHARGES subsequent to curfew interview.
 - ☐ Advise dispatcher of the subsequent charges.
 - ☐ Obtain necessary CC#.
 - ☐ Write "Curfew Interview" and Curfew Control Number on the first line of the narrative.
- ☐ If the curfew violations were found as a result of a call for service, write the CC# in the narrative of the Custody Report. The Custody Report(s) will still use the Curfew Control Number in Box #2 (CC# Box).

Curfew Violations In Commercial Establishments

- ☐ In addition to the Custody Report, write an MI:

- ☐ Reporting officer is complainant (Box #1).
- ☐ In box #15 write "CURFEW VIOLATION (Day or Evening)."
- ☐ Owner/operator's name goes in Suspect box (#30).
- ☐ Use the same Curfew Control Number as in Custody Report.

Arrest by Citation

For specific instructions see G.O. 1-86 (H-8) as ammended on 12-16-87. Certain offenses involving alcoholic beverages may be enforced by issuing Citations to juveniles (and adults), rather than by making formal arrest.

Juvenile Warrants:

Habitual Offender Program List

(See GO # 11-87 L-2

Obtaining Juvenile Warrants)

- ☐ Deliver the appropriate field report to Juvenile Division of the State's Attorney's Office.
- ☐ If they approve, they will write an application/petition for a warrant.
- ☐ Take the warrant application/petition to an Intake Officer for approval of the petition. If the Intake Officer approves, a Juvenile Warrant will be issued.

Serving Juvenile Warrants

- ☐ If the Juvenile Court is not in session:
 - ☐ Notify an Intake Officer. Be guided by their direction.
 - ☐ Contact juvenile's parent(s), guardian, or custodian.
 - ☐ Forward warrant to the designated district/unit Youth Services Officer (YSO).
- ☐ If the Juvenile Court IS in session:
 - ☐ Advise juvenile's parent(s), guardian, or custodian to respond to the Juvenile Court immediately.
 - ☐ You (or your district/unit YSO) transport the juvenile and the warrant to Juvenile Court.
- ☐ When juvenile warrants can't be served, return them to your Administrative Lieutenant.

Juvenile Habitual Offender's Program

Guidelines

The Habitual Offender Unit of the State's Attorney's Office Juvenile Division identifies chronically active delinquent juveniles, to prioritize prosecution. These juveniles remain in this classification until they are 18. A copy of this list is kept by the Central Records Division for reference by field officers (call the Hot Desk at 2680). The list is made up of juveniles who:

- ☐ Have committed three prior unrelated delinquent acts and have been referred for a felony.
- ☐ Have committed four prior unrelated delinquent acts, at least one of which is a felony, and who have been referred for either a felony or a misdemeanor.
- ☐ Have eight or more unrelated arrests for criminal offenses, or four or more unrelated felony arrests.
- ☐ Are referred for a felony within one year of being placed on probation or committed for a felony.
- ☐ Are presently charged with possession with intent to distribute any drug other than marijuana.
- ☐ Are presently charged with possession with intent to distribute marijuana, and the juvenile has at least one prior drug finding.
- ☐ Are presently charged with a drug charge and has been arrested at least twice before for drug arrests.
- ☐ Are charged in any case which demonstrated an unusual propensity for violence.

Procedure

- ☐ Whenever you arrest a juvenile for a delinquent act, determine if the juvenile is on this list by checking with the Hot Desk (2680).
- ☐ If the arrestee IS on the list, notify intake consultant.

Pre-Intake Limited Adjustment Program (LAP)

(See GO # 11-87 L-2)

Guidelines

- ☐ This program (LAP) is for handling certain minor offenses without formal referral to the Intake Officer/Juvenile Court System.

- ☐ Eligibility is limited to juveniles who:
 - ☐ Participated in one of the 34 Eligible Offenses (see list).
 - ☐ Are not currently wanted, escapees, on probation, or taking part in any Juvenile Court/Services treatment program.
 - ☐ Voluntarily wish to be in the program, and admit (with no self-incrimination) his/her guilt.
 - ☐ Have parental/guardian consent, and complainant consent.

Procedure

- ☐ If one of the 34 eligible offenses is committed in the presence of the officer:
 - ☐ Apprehend the juvenile.
 - ☐ Complete a full Juvenile Custody Report.
- ☐ If a juvenile is suspected of committing one of the 34 eligible offenses OUTSIDE your presence:
 - ☐ DO NOT take the juvenile into custody (unless there are other overriding circumstances involved).
 - ☐ Write a shortform Juvenile Custody Report.
- ☐ Get a record/wanted check from the Hot Desk (Centrex phone).
- ☐ If the juvenile meets the eligibility criteria above:
 - ☐ Write "REFERRED" in the Box #18 of Custody Report (This includes juveniles who are merely warned and released).
 - ☐ If readily available, explain the LAP program and the suspect's eligibility to the complainant, and request complainant's signature in report certifying understanding and consent.
 - ☐ If the complainant is NOT available, DOES NOT agree with warn and release, or DOES NOT consent to LAP referral, record this in the report narrative.
 - ☐ If the juvenile IS being referred to LAP, write a field report (as well as the Custody Report), and write REFERRED—LAP on the first line of the narrative.
 - ☐ If the referred juvenile was found to be in possession of marijuana (misdemeanor possession):
 - ✱ Submit CDS evidence as per procedure, and
 - ✱ Write "LAP" on the top left corner of the Chain of Evidence Custody/Laboratory Report.
 - ☐ If the Youth Services Officer (YSO) is available, consult with them regarding disposition alternatives.
 - ☐ If the YSO is NOT available:

- ※ Explain program to parent/guardian and the juvenile.
- ※ Provide Fact Sheet to them.
- ※ If parent/guardian agrees, request their signature indicating desired cooperation (subject to the final approval of the YSO).
- ☐ Give the YSO copies of all available related reports and forms that have been signed/distributed.

34 Eligible Offenses

1	Assault and battery, non-aggravated
2	Cruelty to animals
3	Destruction of property (less than \$500)
4	Disturbing the peace/disorderly conduct
5	Possession of marijuana (misdemeanor only)
6	False alarm of fire
7	False statement to police
8	Glue-sniffing
9	Hindering or obstructing a police officer, security guard, etc.
10	Impersonating a police officer
11	Indecent exposure
12	Interfering with firemen
13	Killing and injuring animals
14	Larceny under \$300 (including shoplifting)
15	Littering
16	Loitering
17	Telephone misuse/harassment
18	Placing injurious substance(s) in street
19	Squeegee law (transit and traffic—pedestrians)
20	Possession of pyrotechnics (fireworks)
21	Receiving stolen good (less than \$300)
22	Resisting arrest
23	Unlawful removal of grocery cars/person property
24	Rogue and vagabond
25	Threats and threatening letters
26	Tampering with autos
27	Throwing trash on land of another or public property
28	Trespassing on private or public property
29	Wrongful opening of mail
30	Public nuisances
31	Playing ball unlawfully in the street
32	Minors in public places of amusement
33	Minors gambling
34	Refusing to pay mass transit or other public conveyances

Juvenile Detention and Shelter Care

(See GO # 11-87 L-2)

Guidelines

- ☐ You cannot place any juvenile in a place of Detention or Shelter Care without an order from a Juvenile Intake Officer. Intake Officers are available at all times.
 - ✱ Weekdays, 0830 to 1600 hours: Call 659-4269 (Centrex Book).
 - ✱ Weekends, Holidays, and after 1600 hours on Weekdays: Duty Intake Officer's phone number is available from Women's Detention, ext 2053.
- ☐ Whenever you have a juvenile in custody and you feel he/she needs shelter care, or you believe he/she needs to be detained (because of the nature of the crime, the demeanor of the juvenile, or because you cannot find anyone to whom to release the arrestee), an Intake Officer **MUST** be contacted.
- ☐ Keep in mind that federal law prohibits placing any juvenile in detention within "Sight or Sound" of adult offenders. Federal Juvenile Justice and Delinquency Prevention Act.

Procedure

Whenever you want an arrestee detained:

- ☐ Make every attempt to contact the parent/guardian of the juvenile to have them present at the intake interview, whether or not you intend to seek detention for the juvenile.
- ☐ When you get approval for detention from an Intake Officer:
 - ☐ Transport the juvenile as directed by the Intake Officer.
 - ✱ If during Juvenile Court hours (0830 to 1600 hours), to room 119 of the Main Courthouse.
 - ✱ If after hours, to the detention facility designated by the Intake Officer.
 - ☐ Provide copies of the Custody Report, Offense Report, and Detention Authorization Form to your Youth Services Officer.
 - ☐ Originals of the Offense and Custody reports are to be forwarded to Staff Review, Central Records Division.
 - ➔ **EXCEPTION:** If copies for the YSO cannot be made, then the originals of the Offense and Custody reports should be provided for the YSO (who will forward originals later).
 - ☐ Ask the Intake Officer if your testimony will be required at the preliminary hearing. If so, you must attend.

- ☐ If the Intake Officer DOES NOT AUTHORIZE DETENTION:
 - ☐ Record the Intake Officer's name and decision on the Custody Report.
 - ☐ Write "DENIED" in Box #41 of the Custody Report.
 - ☐ Release the juvenile according to procedure.
- ☐ If the Intake Officer AUTHORIZES SHELTER CARE:
 - ☐ Transport the child to the facility directed.
 - ☐ If the child is admitted to a hospital for treatment for child abuse:
 - ✱ Make sure the hospital has a copy of the order.
 - ✱ Leave copies of the required reports for the YSO, to be delivered to Juvenile Services, at 212 N Calvert St., before 1000 hours the next court day.
- ☐ If you wish to dispute the Intake Officer's decision in any case, contact the Assistant State's Attorney--Juvenile Unit, and request a review of the complaint.

Unattended Children

(See GO # 11-87 L-2)

Guidelines

- ☐ The Family Law Article, Section 5-801 of the Maryland Annotated Code provides for the proper care of children: Subsection (a) "A person who is charged with the care of a child under the age of 8 years may not allow the child to be locked or confined in a dwelling, building, enclosure, or motor vehicle while the person charged is absent and the dwelling, building, enclosure, or motor vehicle is out of the sight of the person charged unless the person charged provides a reliable person at least 13 years old to remain with the child to protect the child. Subsection (b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 30 days, or both."

Procedure

Whenever a child is left UNATTENDED, in violation of the statute listed above:

- ☐ Take protective custody of the child.
 - ☐ Take the child to the nearest hospital for examination and/or treatment.
 - ☐ Attempt to locate and contact a relative of the child.

- ☐ Contact the Intake Consultant for authorization for shelter care, or to authorize release to a relative.
- ☐ Investigate to determine WHO had custody of the child.
- ☐ Charge whoever had custody of the child with violation of this statute. Depending on the circumstances of the case, this can be done either by immediate arrest of the suspect, or by obtaining a warrant or summons for the suspect.
- ☐ Notify the Department of Social Services, Child Protective Unit (24 hour number is 234-2235) of the circumstances and the results of your investigation. Get the name of the person you notify.
- ☐ Write an MI outlining the circumstances and disposition.

Reporting Requirements

- ☐ You MUST write a Juvenile Custody Report, and the person to whom you release the child must sign acknowledging acceptance of the child.
- ☐ Write "Unattended Child" in box 15 (Crime/Incident) of the MI report.
- ☐ Write "Copy to Social Services" on the first line of the narrative of the MI. Include the name of the person you notified at Social Services in the narrative of the MI.

Missing Children

(See GO # 11-87 L-2)

Guidelines

- ☐ Any subject of a missing person report filed with any law enforcement agency in this state who is under the age of 18 years is a "MISSING CHILD," according to Section 9-401 of the Family Law Article of the Maryland Annotated Code.
- ➔ **NOTE:** If the child is NOT FOUND within 24 hours, your Shift Commander is required to notify the Maryland State Police, and to write a Supplement Report documenting the notification and efforts to locate the child.

Procedure

- ☐ Write a Missing Person Report.
- ☐ Promptly call the Hot Desk (2680) for immediate NCIC entry. Note this call (and who you notified) in the report.
- ☐ Tell the reporting person to call this department immediately when the child is located or returns.
- ☐ Investigate the circumstances surrounding the disappearance of the child. Find out if:
 - ※ The child has ever been reported as missing before (by asking the reporting person, and by calling the Hot Desk).
 - ※ The child suffers from a mental or physical handicap or illness.
 - ※ The child is less than 14 years of age.
 - ※ The child's disappearance is of a suspicious or dangerous nature.
 - ※ The reporting person has reason to believe that the missing child has been abducted.
- ☐ If any of the conditions in the above apply, then:
 - ☐ Notify your supervisor to respond to the scene.
 - ☐ Notify your Shift Commander of the circumstances.
 - ☐ Call the Department of Social Services, Child Protective Services (24 hour number is 234-2235), and get any information they might have which may assist in locating the missing child.
 - ☐ If necessary and appropriate, enlist the aid of the State Police in locating the missing child.



Section 4

Specific Reporting Guidelines

Arrest Supplement

Incident

Arrest.

Correct Form

Supplement Report.

Heading

Arrestee's information goes in Boxes 1, 2, 4, and 6. CC# is the number used for the arrest.

Requirements for the Beginning of the Narrative

In Bold print: "ARREST."

Narrative Requirements

The following information must be included in the narrative of the report:

- ☐ Name, address, sex, race, age, and DOB of arrestee.
- ☐ Full list of all charges, with arrest numbers.
- ☐ If arrest was on a warrant, include the warrant number.
- ☐ Name and work address of arresting officer.

Assault on Police Officer

Incident

Assault on Police Officer (Common or Aggravated).

Correct Form

Person (Crime/Incident Report Form).

Heading

- ☐ Box 1: Assaulted officer.
- ☐ Box 2: Same CC# as original incident (if any).
- ☐ Box 9: Assaulted officer.
- ☐ Box 30: Suspect arrested or wanted (or description)

Top of Narrative Section

Mode of assignment at time of assault.

- ☐ (Motorized Unit, Foot Unit, Uniform Unit, Plainclothes Unit, etc.).
- ☐ Type of assignment at time of assault (One man unit, two man unit, etc.)
- ☐ Officer's activity at time of assault (Traffic stop, on-view call, back-up unit, dispatched call, etc.)
- ☐ List type and severity of injury to officer.

Narrative

- ☐ No unusual requirement in the narrative.

Additional Information

- ☐ Box #2—CC#.
 - ➔ **NOTE:** If you were assaulted while making a WARRANT ARREST, you must obtain and use an On-View Complaint Number for your Assault on Police report.

Court Dispositions

Incident

Court Dispositions.

Correct Form

Supplement Report.

Heading

Use heading exactly as on the Arrest Report of the person whose trial disposition you are reporting.

Requirements for the Beginning of the Narrative

- ☐ In Bold print: "CASE DISPOSITION" or "CDS DISPOSITION."

Narrative Requirements

The following information must be included in the narrative of the report:

- ☐ Defendant's Name, address, sex, race, age and DOB.
- ☐ Name of presiding judge.
- ☐ Location, date, and time of trial.
- ☐ Full list of all charges tried, with specific arrest numbers and disposition(s) shown.
- ☐ Name and work address of officer.

For CDS Dispositions Only

You must obtain a print-out (from the CHASE System) of the charges and submit it attached to the Supplement.

- ➔ **NOTE:** You need a SEPARATE Supplement for EACH defendant.

Criminal Summons—Service of: Issued in and for Baltimore City

Incident

Service of a Criminal Summons.

Correct Form

Supplement report for Baltimore City summons.
MI for summons from another jurisdiction.

Heading

Use heading exactly as on original report (except for Box 17; use date and time you are writing the report).

Requirements for the Beginning of the Narrative

- ☐ In Bold print: "OFFENSE CLEARED."

Narrative Requirements

The following information must be included in the narrative of the report:

- ☐ Name, address, sex, race, and DOB of person summoned.
- ☐ Date, time, and location of service.
- ☐ Date, time, and location of the scheduled court appearance.
- ☐ List all the charge(s).

Criminal Summons—Service of: from Another Jurisdiction

If you have a criminal summons which was issued by an authority OUTSIDE Baltimore City, you should still document service of the summons, but it will be written on a Miscellaneous Incident (MI) Report, as follows:

Heading

- ☐ Box #1: The serving Police Officer.
- ☐ Box #2: Get an On-View CC#.
- ☐ Box #9: Same as Box #1.
- ☐ Box #30: subject to whom the summons was served.

Requirements for the Beginning of the Narrative

- ☐ In Bold print: "CRIMINAL SUMMONS SERVED—OTHER JURISDICTION."

Narrative

- ☐ Same as above, but add the following:
 - ☐ List the name of the issuing jurisdiction.

D.O.A./ Sudden Death

Incident

D.O.A./ Sudden Death.

Correct Form

Person (Crime/Incident Report).

Heading

- ☐ Box 1: Name of the deceased.
- ☐ Box 9: Whoever found the victim.

- ☐ Box 30: N/A.
- ☐ Top of Narrative Section: N/A.

Narrative Requirements

The following information must be included in the narrative of the report:

- ☐ State position and condition of body when found.
- ☐ Name/address of last person to see victim alive.
- ☐ Date/time/location victim last seen alive.
- ☐ Any known illnesses and medications being taken.
- ☐ Name of doctor last treating victim. Date of last treatment.
- ☐ Date and time (and by whom) victim was pronounced dead.
- ☐ Time that Police Services was notified.
- ☐ Name of Medical Examiner (and time) notified.
- ☐ Cause of death (if provided by treating doctor).
 - ➔ **NOTE:** If cause is not known, name of person in CID notified.
- ☐ Who will sign the death certificate?
- ☐ Who will claim the body?
- ☐ Name of next of kin notified. Date and time notified. If notification was NOT made, list reason and attempts made.
- ☐ Disposition of body (if it was held by the Medical Examiner).
- ☐ As with any incident, conduct and report the results of your thorough preliminary investigation.

Dog Bite

Incident

Dog Bite.

Correct Form

MI (Crime/Incident Report Form).

Heading

- ☐ Box 1: Person bitten.

- ☐ Box 2: As dispatched.
- ☐ Box 15: "Dog Bite."
- ☐ Box 30: Describe the dog (breed, age, color(s), size, name, sex, distinguishing marks or tags, collar color, etc.)

Requirements for the Beginning of the Narrative

Specific description of victim's injuries: Where on the body was he bitten? How many times? Treatment received? (Where, when, and doctor's name).

Narrative Requirements

The following information must be included in the narrative of the report:

- ☐ Name and address of the owner of the biting dog (if known).
- ☐ If the dog is not known, attempts to locate dog.
- ☐ If dog is known, whether or not Dog Bite Summons was obtained and served.
- ☐ Note if dog owner was advised to keep dog confined for 10 days.
- ☐ Name and address of the dog's veterinarian-if known.
- ☐ License # of dog -if available.
- ☐ Name and address of the doctor/hospital where victim was treated.
- ☐ Full explanation of the circumstances of bite.

Exceptional Clearance

Incident

Exceptional Clearance (Part I's).

Correct Form

Supplement Report.

Heading

Should be the same as the original offense report.

Requirements for the Beginning of the Narrative

In Bold print: "CLEARED BY EXCEPTION."

Narrative Requirements

The following information must be specifically included in the narrative of the report):

- ☐ Name, address, sex, race, and age (or DOB) of suspect.
- ☐ Leave room for your supervisor to sign in narrative, indicating supervisory approval.
- ☐ Reason for request for exceptional clearance.
 - ☐ Example: "Complainant (print complainant's name) reports he/she does not wish to prosecute the suspect named above, because: _____. Therefore, request exceptional clearance, due to Lack of Prosecution by the victim."

Fires of all types, arson or accidental

Correct Form

Crime/Incident Report form—See below.

- ☐ Heading: Box 1—Owner of building.
- ☐ Box 2: CC# as provided.
- ☐ Box 9: Person who first reported the fire.
- ☐ Box 15: Alarm of Fire (Accidental): M.I. Report.
- ☐ Alarm of Fire (Cause Unk.): M.I. Report.
- ☐ Vehicle Fire (Accidental): M.I. Report.
- ☐ Arson (or Attempted): Property Report.
- ☐ Malicious Burning: Property Report.
- ☐ Arson with Injury: Property Report.
- ☐ Arson/Burglary: Property Report.
- ☐ Arson/Aggravated Assault or Death: Property Report plus 1 Person Report for each victim.

Requirements for the beginning of the Narrative

- ☐ None.

Narrative Requirements

The following information must be included in the narrative of the report.

- ☐ Type of Structure:
 - ☐ 2 story row home, 3 story end of row, 5 story warehouse, etc.
- ☐ Construction Type:
 - ☐ Wood frame building, brick building, etc.
- ☐ Structural Damage:
 - ☐ Indicate whether or not there was any fire damage to the actual structure of the building. If there was any, describe the damage and the parts of the structure involved: Areas Burned, whole building gutted, first floor gutted, etc.
- ☐ Amount of Damage:
 - ☐ Obtain from the fire department; include the estimated dollar amount of damage to structure.
- ☐ Cause of Fire:
 - ☐ List the cause, as determined by the Fire Department.
- ☐ Point of Origin:
 - ☐ Indicate where the fire started (from Fire Department).
 - ☐ Identify the person who discovered the fire.
 - ☐ the person who reported the fire.
 - ☐ the property owner.
 - ☐ the occupant(s) of the building.
- ☐ Injuries:
 - ☐ Identify all persons injured as a result of the fire.
 - ☐ Describe their injuries, and where hospitalized. Include their doctor's name.
- ☐ Was it Insured?
 - ☐ Find out whether the property was insured. If available, include in your report the name of insurance company, the policy number, and the name/address/phone number of the local agent.
- ☐ Fire Department:
 - ☐ List the Battalion Chief in control of the fire scene, and list the truck and engine numbers of the equipment which responded (in a large fire, you don't need to list each piece of equipment, but you should list the truck/engine numbers of the first equipment on the scene and estimate the total number of pieces and personnel).
- ☐ Building Condition:

- ☐ Was the building secure before the fire?
- ☐ Note the locations of any forced entry (BEFORE the fire department arrived).
- ☐ Was any property missing?
- ☐ Building Contents:
 - ☐ If not a dwelling, what was in the building?
- ☐ If Declared Arson:
 - ☐ Name the firefighter who declared it arson.
 - ➔ **NOTE:** If the fire was incidental to a burglary, theft, or robbery, list the **STOLEN** property separately from the **DAMAGED** property.

Graffiti/Vandalism

Incident

Graffiti/Vandalism.

Correct Form

MI (Crime/Incident Report Form).

Heading

- ☐ Box 1: Owner of property defaced/damaged
 - ➔ **NOTE:** If Baltimore City owns the property, see below.
- ☐ Box 2: As provided by Communications.
- ☐ Box 9: Company/business representative.
- ☐ Box 29: Attempt to locate and identify witness(es).
- ☐ Box 30: Description of suspect(s).

Requirements for the Beginning of the Narrative

- ☐ In Bold letters: "COPY TO CRIME RESISTANCE UNIT."
- ☐ Property Listing: A specific description of the property damaged, defaced, or destroyed. Include approximate size of the area affected, the implement or material used in the vandalism (spray paint, paint brush, magic marker, etc.), the color of the writing/drawing, and the surface type (brick wall, wooden door, etc.) affected.
- ☐ Drawing of graffiti found. Complete and specific description of the writing/drawing found.

Requirements For the Beginning of the Narrative

Name the specific agency of the city (Recreation and Parks, Transit and Traffic, etc.)

Narrative Requirements

The following information must be included in the narrative of the report:

- ☐ Note attempts to locate witnesses. Identify those found.
- ☐ Specific location of the property damaged, and of the building/structure type (mail box, private house, etc.)
- ☐ If the graffiti is so offensive or unsightly that its removal should be immediate, contact the Mayor's Anti-Vandalism Coordinator at 396-1177. Note in your report the time of contact, and the name of the person contacted.
- ☐ In other cases, provide the above listed phone number to the victim, and note this in the report. This office can provide victims with assistance and information on graffiti removal.
- ☐ Also note in report if victim was referred to the Crime Resistance Unit's Anti-Vandalism Awareness Program, at 396-2441 (for information about vandalism prevention in their neighborhood).
- ☐ Note that you provided Form 309.

Additional Information

If the property vandalized is owned by the City of Baltimore, use this report heading:

- ☐ Box #1: Mayor and City Council of Baltimore
- ☐ Box #3: 100 N. Holliday Street

Stop and Frisk

((See GO #16-86 M-5, as Amended 7/5/88 and GO #49-77 J-5)

Incident

Stop and Frisk.

Correct Form

MI (Crime/Incident Report Form).

Heading

- ☐ Box 1: Person frisked.
- ☐ Box 2: (See below, under CC#).
- ☐ Box 9: Officer conducting the Stop and Frisk.
- ☐ Box 30: Person arrested (if any).

Special Requirements

- ☐ You must write the Stop and Frisk report BEFORE ending your tour of duty (required by Maryland law).
- ☐ You must write a Stop and Frisk report for EVERY Stop and Frisk performed, whether or not a weapon was found, whether or not an arrest was made, and whether or not the subject stopped cooperates by identifying himself to you.
- ☐ A separate report is required for EACH person stopped and frisked (Same CC# if part of a single investigation).

Requirements for Beginning of Narrative

Property Listing (if a weapon or other contraband was recovered/seized).

Narrative Requirements

The following information must be included in the narrative of the report:

- ☐ Date, time, and location of the Stop and Frisk.
- ☐ Date, time, and location that you wrote the report.
- ☐ Charge(s) placed (if any).
- ☐ Full description of the circumstances and conduct of the Stop and Frisk.
- ☐ Full explanation of the reasons and justifications for the Stop and Frisk.
- ☐ Officer's signature, rank, and sequence number.
- ☐ Supervisor's signature, rank, and sequence. Also, the approving supervisor must note the date and time he signed and approved the report.
- ☐ Property listing if a weapon or other contraband was recovered or seized.
- ☐ Results of NCIC check on recovered weapon.

Additional Information Required Regarding Person Stopped

- ☐ Subject's Drivers License (Soundex) Number.

- ☐ Subject's Social Security Number.
- ☐ Subject's DOB.
- ☐ Subject's height and weight.
- ☐ Subject's Handgun Permit Number (if any).

→ **NOTE:** Politely REQUEST the information above, but if it is refused, DO NOT make an issue out of it, as the subject is NOT REQUIRED to give you the information. If the subject refuses to provide the information, simply NOTE HIS LACK OF COOPERATION IN THE NARRATIVE OF THE REPORT.

- ☐ Central Complaint Number (CC#).
- ☐ If the Stop and Frisk was a result of a call for service, the CC# for the call will be used for the Stop and Frisk MI.
- ☐ If the Stop and Frisk was an on-view incident, get an on-view CC# number (from KGA by radio, or from Police Services by phone).

Submission of Money to ECS

Correct Form

Supplement Report.

Heading

Should conform to the same heading as other reports submitted for the same incident.

Requirements for the Beginning of the Narrative

In Bold print: "U.S. CURRENCY AND COIN SEIZED/ACQUIRED."

Narrative Requirements

The following information must be included in the Narrative of the report, in the EXACT FORMAT SHOWN BELOW:

U.S. CURRENCY AND COIN SEIZED/ACQUIRED		
AMOUNT	DENOMINATION	QUANTITY
\$200.00	100's	1
\$50.00	50'S	1
\$40.00	20'S	2
\$10.00	10'S	1
\$00.75	Quarters	3
\$00.20	Dimes	2
\$00.15	Nickels	3
\$00.03	Pennies	3
\$301.13 TOTAL AMOUNT		

- ➔ **REMEMBER:** You must follow the format shown above EXACTLY (only the individual amounts and quantities may change).

Under the denomination column, paper money should be shown numerically, and coins should be written out, as shown. Paper currency should be listed first, then coins. Both should always be listed in decending order of denomination, as shown above.

The heading is always written as shown above (U.S. CURRENCY AND COIN SEIZED/ACQUIRED), even if you only recover/submit paper money (currency), or just coins.

10-30	Car or person is WANTED
10-31	Crime in progress
10-32	End response; enough units
10-33	EMERGENCY
10-34	Major civil disturbance
10-35	Major crime alert
10-36	Description; stand-by
10-37	Request for a tow truck
10-38	Request an ambulance
10-39	Disabled departmental vehicle
10-40	Request mobile crime lab
10-41	Request impound truck
10-42	Request animal shelter
10-43	Malfunctioning traffic light
A	Signal completely out
B	Red signal out
C	Signal sticking
D	Stop/Yield sign down/gone
10-44	Request permission to
10-45	Permission denied
10-46	Permission granted
10-47	Negative
10-48	Positive
10-49	Hourly call—Give present location (10-20)
10-50 Green	Fox-Trot Normal landing (other than a heliport)
10-50 Amber	Precautionary landing (minor malfunction)
10-50 Red	Emergency landing (damage or injury likely)
10-90	Civil disturbance-looting
10-91	Civil disturbance-sniper

CPR (CardioPulmonary Resuscitation)

Use gloves and the Laerdal Pocket Mask—if unconscious, then:

- ☐ Look, listen and feel for breath.
- ☐ Place victim on back on hard surface.
- ☐ Hold victim's head tilted back by pushing down on forehead and lift chin.
- ☐ Open victim's mouth, check for vomit and clear any obstruction(s).
- ☐ Give two (2) deep breaths, using mask (about one to one and a half seconds each).
- ☐ Feel for pulse, with finger (NOT thumb), in neck, at either side of adam's apple. IF NO PULSE, then:
- ☐ Call for medical assistance, then place palm of one hand just below the center of the victim's sternum (breastbone).
- ☐ Place your other hand on top of first hand, interlocking the fingers of both hands to keep them off victim's chest (you must apply pressure with the PALM, not the fingers, keeping elbows straight and shoulders directly over your hands).

One Rescuer

- ☐ Apply 15 compressions to chest, then 2 breaths.

Two Rescuers

- ☐ Apply 5 compressions to chest, stop in up position while second rescuer gives one (1) breath.
- ☐ Repeat cycle until expert medical assistance arrives, or until victim revives.

Small Child (1-8 years of age)

Use the procedure outlined above (for adults), with the following changes:

- ☐ Compress with only ONE hand (to avoid excessive pressure)
- ☐ Even if there is only one rescuer, give one breath for every five compressions.

Infant (Less than one year of age):

- ☐ With baby on hard surface, place palm of ONE hand between victim's shoulder blades, providing an open airway.
- ☐ Place Laerdal Pocket Mask, with pointed end DOWN, over the baby's face (mask should cover nose AND mouth). Give two (2) controlled breaths (just enough pressure to cause chest or stomach to rise).
- ☐ Check for pulse (on inside of upper arm, using one finger). IF NO PULSE then,
- ☐ Call for medical assistance then place two (2) fingers between nipples and press downward (about one half to one inch), quickly, five (5) times.
- ☐ Then give one (1) breath. Repeat cycle until professional help arrives, or until victim revives.