

Ocean Pines Police Department
General Manual

TABLE of CONTENTS

Date of Revision: June 22, 2015

Section 100- Administrative Section

Order

- 100-1 Departmental Organization
- 100-2 Directive System
- 100-3 Rules of Conduct
- 100-4 Performance of Duty
- 100-5 Counseling Record
- 100-6 Secondary Employment
- 100-7 General Appearance
- 100-8 Property and Evidence
- 100-9 Reporting Requirements
- 100-10 Departmental Awards
- 100-11 Promotion to Police Officer First Class (PFC)
- 100-12 Duties and Responsibilities of Communications Officers
- 100-13 Duties and Responsibilities of Officers and PFCs
- 100-14 Duties and Responsibilities of Supervisors

TABLE of CONTENTS (Continued)

Date of Revision: June 22, 2015

Order

- 100-15 Duties and Responsibilities of Community Service Officer
- 100-16 Training Requirements
- 100-17 Notification of Command Staff
- 100-18 Field Training Officer Program
- 100-19 Criminal Investigation Section
- 100-20 Release of Criminal History Information
- 100-21 Staff Inspections
- 100-22 Intern Program
- 100-23 Wearing of Ballistic Vests
- 100-24 Criminal Citations
- 100-25 Performance Evaluations

Section 200- Operations Section

- 200-1 Use of Force
- 200-2 Emergency Operation of Vehicles
- 200-3 Accident Investigation
- 200-4 Warrantless Arrest
- 200-5 Juvenile Detention Procedures

TABLE of CONTENTS (Continued)

Date of Revision: June 22, 2015

Order

- 200-6 Non-Salaried Deputy Status
- 200-7 Domestic Violence Investigations
- 200-8 Animal Control
- 200-9 Criminal Investigation
- 200-10 Search of Vehicles
- 200-11 Care and Maintenance of Departmental Vehicles
- 200-12 Disciplinary Process
- 200-13 Physical Health Protection
- 200-14 Booking/Detention Procedures
- 200-15 Eyewitness Identification
- 200-16 Missing Persons Investigations
- 200-17 Handling &Transporting Prisoners
- 200-18 Service of Protective Orders
- 200-19 Civil Possession of Marijuana
- 200-20 Mental Health Incidents

Ocean Pines Police Department
General Manual

General Order: 100-1

Effective Date: June 03, 2014

Subject: Departmental Organization

Rescinds/Amends: October 1, 2005

The purpose of the *General Manual* is to provide police operational policies and procedures, as well as rules of conduct to all police department employees. This manual is not intended to replace or amend any policies or procedures in the *Ocean Pines Association Employee Handbook*. All departmental employees shall strictly adhere to all policies as enumerated in this handbook.

The Ocean Pines Police Department shall utilize the military rank structure in keeping with the duties and responsibilities of all personnel. There shall be two classifications of personnel in the department:

- 1) **Sworn Personnel:** Those personnel who have received their oath of office. These personnel have or are in training to obtain the legal authority to arrest and issue traffic citations.
- 2) **Civilian Personnel:** All other personnel, including officers who have not yet been sworn in as Police Officers.
- 3) The **Chief of Police** is an appointed position who directs the administrative and operational policies of the department, serving under the general direction of the Ocean Pines General Manager. The Chief of Police is responsible for protecting and serving the citizens through such measures as will ensure prompt and vigorous enforcement of all statutes, laws, regulations and ordinances, fairly and impartially. The Chief of Police has the power to establish, issue, and enforce rules, regulations, policies and procedures governing conduct of departmental personnel and operations, subject to review by the General Manager.
- 4) Subordinate to the Chief of Police, there shall be two (2) **Lieutenants**, each commanding a **Division** of the department.
- 5) The two departmental **Divisions** are as follows:
 - a) **Patrol Division:**
Consisting of uniformed personnel assigned to shifts that patrol Ocean Pines in marked police vehicles, Patrol personnel enforce traffic and criminal laws and handle initial complaints, as assigned.

b) Services Division:

Consisting of all civilian and investigative personnel in the department. The Services Division is responsible for all dispatching and criminal history information the department oversees. The Criminal Investigation Section shall be included in this Division, as well as the maintenance of the Property Room.

- 6) In the absence of the Chief of Police, a designated **Lieutenant** shall assume command of the department, on a rotating basis.
- 7) During the temporary absence of the Chief of Police or Lieutenant(s), when no other provision has been made, the command automatically devolves upon the senior ranking subordinate. Seniority is determined by rank; in cases of equal rank, by length of service in such rank. If length of service in rank is equal, the officer with the greatest length of service in the Department shall be in command unless otherwise designated.

The following rank structure shall be utilized by all members of the department:

<u>POSITION</u>	<u>RANK</u>	<u>INSIGNIA</u>
1. Chief of Police	Chief	Two Gold Stars
2. Division Commander	Lieutenant	Single Gold Bar
3. Shift/Unit Supervisor	Sergeant	Three Stripe Chevrons
4. Assistant Shift/Unit Supervisor	Corporal	Two Stripe Chevrons
4. Police Officer First Class	P.F.C.	One Stripe Chevron
5. Officer	Officer	Maryland Collar Insignia
6. Civilian Personnel, including non-sworn Officers	Civilian	None

Attachment: Organizational Chart

Ocean Pines Police Department
General Manual

General Order: 100-2

Effective Date: June 3, 2014

Subject: Directive System

Rescinds/Amends: October 1, 2005

Formal written directives, as herein described, shall be utilized to promulgate policy, rules, regulations, and procedures and to provide specific direction to members of the department.

The establishment and promulgation of policy, subject to review by the General Manager, rests with the Chief of Police.

1) **General Orders:**

General Orders are permanent procedure directives which are issued only by the Chief of Police, remaining in effect until amended or rescinded by the Chief, subject to review by the General Manager. General Orders, as issued, shall be placed in the department's *General Manual*. It shall be the employee's responsibility to keep the *General Manual* current and up to date.

2) **Chief of Police Memoranda:**

Chief of Police Memoranda are formal directives primarily utilized to disseminate information or instructions to the department, or a segment of the department, to further explain or emphasize previously issued General or Special Orders. Chief of Police Memorandum can be used to direct the actions in specific situations or circumstances.

3) **Special Orders:**

Special Orders are directives which are issued by the Chief of Police or Lieutenant, intended to provide specific instructions for special situations, events, training activities, or official travel of departmental personnel. These orders cover temporary situations and are self-canceling once the situation or event ceases to exist.

4) **Patrol/Services Divisional Memorandums:**

These memorandums are issued by the Commanding Lieutenants to the subordinate personnel of their divisions. They provide specific instruction to divisional personnel relating to divisional matters.

Ocean Pines Police Department
General Manual

General Order: 100-3

Effective Date: October 1, 2005

Subject: Rules of Conduct

Rescinds/Amends:

- 1) No member shall commit any act which constitutes conduct unbecoming a member of the department, conduct unbecoming includes, but is not limited to, any breach of the peace, neglect of duty, any criminal act and/or any dishonest/improper action which tend to bring the department in disrepute and also undermine the good order, efficiency, or discipline of the department. Conduct unbecoming a member of the department applies to members on duty or off duty, whether inside or outside Ocean Pines.
- 2) Members shall be courteous and tactful in performing their duties. Members of the department shall control their tempers, exercise utmost patience and discretion, and shall not engage in argumentative discussions even in extreme provocation.
- 3) Members of the department shall not use coarse, violent, profane or insolent language or gestures. Members of the department shall not express any prejudice, harass, or use derogatory language in referring to any other member or citizen concerning race, religion, ethnic origin, politics, lifestyle, or other personal characteristics.
- 4) When a person requests assistance, advice, or makes a complaint or report, either by telephone or in person, all pertinent information will be obtained in an official, courteous manner and will be properly acted upon consistent with departmental procedures.
- 5) Members of the department shall obey all laws of the United States and of any state, local or foreign jurisdiction in which they are present.
- 6) The suspension, revocation, cancellation or refusal of a departmental member's driver's license shall be immediately reported by the member to his/her supervisor and shall be prima facie evidence of a violation of this order.
- 7) All members of the department are required to report to their immediate supervisor the fact that they have been arrested and/or cited for any criminal and/or traffic violation within 24 hours of the occurrence.

Subject: General Order 100-3 Rules of Conduct

- 8) Members shall not make false accusations of a criminal or traffic charge for the purpose of influencing the outcome of any investigation, subsequent trial, or for personal gain.
- 9) Members of the department shall not undertake any financial obligations which they know or should know they are unable to meet, and shall pay all just debts when due.
- 10) Members of the department shall not possess or use any controlled dangerous substances except when prescribed by a physician or dentist. When controlled dangerous substances (CDS) are prescribed, members shall notify their immediate supervisor and file all required departmental documents on the CDS use and effects. This section does not prohibit possession of CDS as required in the line of duty as in drugs seized as evidence.
- 11) Members of the department shall complete all police incident reports in a timely manner. All incident reports shall be completed within 24 hours of the incident being assigned to the member, except in those cases deemed serious enough by a supervisor to be completed immediately.
- 12) All reports and correspondence submitted by members of the department will be accurate, complete, and timely.
- 13) Members of the department shall have telephones in their residences. It is the responsibility of each member to assure that any change of telephone or residence is reported to their supervisor and the Chief of Police. Member's telephone numbers and residential addresses will be treated as confidential and shall not be given to the general public.
- 14) Sworn members shall furnish name, rank, and identification number to all persons who request same when the member is acting in an official capacity as a member of the Ocean Pines Police Department. Sworn members acting in an undercover capacity are exempt from this section.
- 15) Members of the department who discover, gather, or receive property and/or evidence in connection with departmental responsibilities shall process these items in accordance with the law and departmental policy and procedure prior to ending their tour of duty. Members shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, or tamper with or withhold any property or evidence in connection with an investigation or other police action, except in accordance with departmental procedures.

Subject: General Order 100-3 Rules of Conduct

- 16) Members of the department are prohibited from providing confidential information concerning departmental investigations or operations to any unauthorized person. This includes all internal investigations conducted by the department.

- 17) Members of the department are prohibited from providing confidential information obtained from the Criminal Justice Information System (CJIS), Motor Vehicle Administration (MVA), National Crime Information Center (NCIC), or any other source to any unauthorized person, except in the performance of their duties and in accordance with proper departmental policies, procedures and the law.

Ocean Pines Police Department
General Manual

General Order: 100-4

Effective Date: October 1, 2005

Subject: Performance of Duty

Rescinds/Amends:

- 1) Members of the department shall report for duty at the time and place required by assignment or order and shall be physically and mentally fit to perform their duties. Judicial summonses and other writs shall constitute orders to report for duty.
- 2) No member of the department shall be absent from duty without leave or without authorization from his/her supervisor.
- 3) Members of the department shall remain awake and alert while on duty. If a member is unable to do so, he/she shall report this condition to a supervisor.
- 4) Sworn members of the department shall promptly come to the aid of any sworn officer who, when carrying out official duties, is in need of assistance.
- 5) Members of the department shall not participate in any form of illegal gambling except in an official capacity with the permission of a supervisor.
- 6) Members of the department shall not purchase nor consume alcoholic beverages while at work or on duty, except while acting under the proper and specific orders of a superior officer. Alcoholic beverages will not be consumed by a member of the department while wearing any part of the department's uniform.
- 7) A sworn member of the department will not exercise any police authority, take any official action or represent him/herself as a police officer while impaired by, or under the influence of alcohol. "Impairment and/or Under the Influence of Alcohol" is defined as having an alcohol concentration of .08 or higher.
- 8) Members of the department shall not feign illness or injury. All personnel are required to report to their supervisors any condition of health which may affect their ability to perform official duties.
- 9) Members of the department shall not mistreat persons, animals, or property in the custody of the department and shall handle them in accordance with the law and departmental policies and procedures.

General Order 100-4 Performance of Duty

- 10) Members of the department shall use force only in accordance with the law and departmental policies and procedures and will not use more force than is reasonably necessary under circumstances to affect an arrest or protect themselves or citizens from harm.
- 11) Members of the department who have knowledge of any mutinous, seditious, rebellious, or reactionary movement within the department must do their utmost to suppress it and shall report the activity to a supervisor without delay.
- 12) Members of the department shall be responsible for the proper performance of their duties. Members shall maintain sufficient competency to perform their duties and assume the responsibilities of their positions. Failure to do so will be considered neglect of duty. Unsatisfactory performance shall be documented for lack of knowledge; unwillingness or inability to perform assigned tasks; failure to conform to work standards of the member's rank, grade or position; failure to take appropriate action on a crime, disorder, or other condition requiring police attention; absence without leave; or unnecessary absence from assignment during work hours. Prima facie evidence of unsatisfactory performance includes: repeated poor evaluations; written records of repeated infractions of rules, regulations, directives or orders; or repeated inability to perform duties due to physical incapacitation resulting from excessive alcohol use.
- 13) Sworn members of the department are always considered to be on duty when in Ocean Pines although they are not involved in the routine performance of their duties. Members are always subject to orders from superiors even when they are technically off-duty. This shall not relieve them from the responsibility for taking police action within Ocean Pines on a matter coming to their attention. All members of the department are subject to being called in at any time. Necessary police duty while off-duty in Ocean Pines may include, but is not limited to immediately notifying the Ocean Pines Police Department or causing the appropriate action to be taken by the on-duty members of the Ocean Pines Police Department. Members shall only become directly involved in an off-duty incident after due consideration of the gravity of the situation and of their present physical and mental ability to act in an "on-duty" capacity and of their possible liability and that of the department and the Ocean Pines Association.
- 14) Members of the department shall not exercise police authority outside Ocean Pines, except as legally allowed by mutual aid agreements, and when consistent with legal requirements of "fresh pursuit" of violations originating in within Ocean Pines. When a sworn member assumes his/her official role as a police officer outside of Ocean Pines as legally allowed under mutual aid agreements, he/she is governed by all policies, procedures, rules and regulations of the department.

General Order 100-4 Performance of Duty

- 15) Members of the department shall not engage in activities of personal business on-duty that causes them to be negligent or inattentive to their duties.
- 16) Members of the department shall not engage in political activities on-duty, or when acting in an official capacity, or when in uniform, except to vote.
- 17) No compensation, reward, gift, or other consideration may be solicited or accepted by a member of the department without special permission from the Chief of Police.
- 18) Members of the department shall not bring improper influence on any member of the department or Ocean Pines officials to secure promotion or transfer, or to avoid penalties for action or conduct.
- 19) Members of the department shall not publicly criticize or ridicule the department, its policies or employees, by speech, writing, or other expression, when such action can undermine the effectiveness of the department, interfere with discipline, or are made with disregard for the truth. This shall not be interpreted to inhibit or hamper right to free speech.
- 20) Members of the department shall treat the official business of the department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with departmental policies and procedures. Members shall not divulge the identities of confidential informants, except as authorized.
- 21) Members of the department must not act officially without authority in any civil case, except when the action is required to prevent a breach of the peace, or to assist in quelling a disturbance. Members shall be expected to refer to the proper Ocean Pines department matters regarding restrictive covenant violations.
- 22) Any member of the department summoned to the Worcester County State's Attorney's Office or any other city, county, or federal jurisdiction or before any judge concerning any matter in which the member or any other member of the department becomes a defendant, shall immediately notify the Chief of Police.
- 23) Members of the department shall not be insubordinate or disrespectful to superiors or persons designated to command, nor shall they disobey any lawful command, verbal or written. Members will obey a lawful order which has been relayed from a superior by a member of the same rank or lesser rank.

Ocean Pines Police Department
General Manual

General Order: 100 - 5

Effective Date: October 1, 2005

Subject: Counseling Record

Rescinds/:

The Ocean Pines Police Department desires that its personnel be counseled on a regular basis, and that accurate records be maintained regarding this counseling. Unlike performance evaluations which cover an employee's behavior over a period of time, a record of counseling pertains to the employee's activity relating to a specific event. Supervisors shall provide the appropriate and timely counseling to their employees.

- 1) The Employee Counseling Record shall record both above average performance as well as below average performance. This form shall replace the EMPLOYEE WARNING RECORD that was previously utilized by the department. It shall also be a source of positive reinforcement to employees when they perform in an *above average* manner.
- 2) Counseling Records shall be issued by supervisory personnel to their subordinates to document performance, and shall be referred to when performance appraisals are completed. They shall be placed in the official employee personnel file of the employee counseled.
- 3) All employees shall have the right to review, sign, receive a copy, and comment in writing, on the Counseling Record being issued to them. Counseling Records do **not** replace more formal disciplinary measures or commendation procedures, but they may be utilized to supplement them. A Counseling Record computer template has been designed and shall be installed on all supervisory computers. A copy of this form is attached.

Attachment:

Counseling Record Form

Ocean Pines Police Department
Ocean Pines, Maryland

Counseling Record:

To : Personnel File

Via : Official Channels

From:

Subject Employee:

The above named employee has been counseled regarding the following incident:

The employee's behavior is considered:

_____ Above Average

_____ Below Average

Supervisor Signature

Employee Comments: _____

Employee Signature

Date

Time

Ocean Pines Police Department
General Manual

General Order: 100 - 6

Effective Date: June 15, 2015

Subject: Secondary Employment

Rescinds/Amends: October 1, 2005

All employment outside the police department is considered by the department as secondary employment.

Employees may apply to engage in secondary employment outside the police department when that employment meets the following criteria:

- 1) When said employment does not compromise the Ocean Pines Association's interests, or adversely affect the employee's job performance or ability to fulfill all responsibilities to the Association.
- 2) When the employment competes with the Association or compromises its interests. This prohibition includes performing any services for customers on non-working time that are normally performed by Association personnel, and the unauthorized use or application of any confidential trade information or techniques.
- 3) Employees are not to conduct any secondary employment during paid working time.
- 4) Employees who accept secondary employment are not eligible for paid sick leave when the absence is used to work on the secondary employment or is the result of an injury sustained as a result of that employment. Fraudulent use of sick leave will be subject to disciplinary action, up to and including termination.
- 5) Secondary employment must not represent a conflict of interest with the police department. Examples of employment *representing a conflict of interest* are:
 - A. Employment as a process server, reposessor, or bill collector, towing of vehicles or in any other employment in which police authority might tend to be used to collect money or merchandise for private purposes.
 - B. Personal investigations or any employment which might require an employee to have access to police information, files, records, or services.

General Order 100-6 Secondary Employment

- C. Employment which may require the police uniform in any tasks other than that of a sanctioned police nature.
 - D. Any employment which assists (in any manner) the case preparation for any matter to be adjudicated in any Maryland Court either civil or criminal.
- 6). Employment does not constitute a threat to the status or dignity of the police as a professional occupation. Examples of employment *representing a threat to the dignity of the police profession* are:
- A. Bouncers in night clubs, bars, liquor establishments.
 - B. Any employment involving the sale, manufacture, or transport of alcoholic beverages as the principle business.
 - C. Any gambling establishment not exempted by law.
 - D. Any establishment which provides entertainment or services of a sexual nature.
- 7). Employees wishing to engage in secondary employment must submit an *Application for Secondary Employment*
- 8). This application must be approved by the Chief of Police, before secondary employment is sanctioned. The Chief may impose additional conditions of approval, based upon the nature of the secondary employment.
- 9.) Secondary employment shall be subject to periodic review and re-application, per direction of the Chief of Police.

Ocean Pines Police Department
General Manual

General Order: 100 -7

Effective Date: June 15, 2015

Subject: Departmental Appearance Standards **Rescinds/Amends: October 1, 2005**

The policy of the Ocean Pines Police Department is to provide all personnel with the equipment necessary to perform their duties. With approval, and consistent with established standards, personnel may substitute privately owned equipment in lieu of issued departmental equivalents.

- 1) Personnel are responsible for the proper care and maintenance of all equipment carried or worn while on duty. Supervisors are responsible for inspecting personnel to ensure equipment is maintained in good working order.
- 2) All employees are required to appear neat, clean, and well groomed at all times, except when authorized by their supervisor to appear otherwise. Uniform and civilian clothing shall be kept clean and pressed at all time.
- 3) All sworn personnel are required to wear the departmental uniform while on-duty and in court, except when specifically exempted by the Chief of Police.
- 4) Sworn personnel shall change *uniform of the day* as follows:

Summer Uniform (short sleeve shirt) Worn from May 1 through September 30
Winter Uniform (long sleeve shirt, plus tie or OPPD turtleneck) Worn from October 1 through April 30. A departmentally authorized coat/jacket shall be worn as needed.

- 5) Sworn personnel uniform requirements:
 - Uniform pants
 - Uniform shirt (within seasonal guidelines of uniform of the day)
 - Low cut black shoes capable of a shine
 - Navy blue or black socks
 - Weapon, gun belt, holster and extra magazines.
 - Hat (optional, except as required for ceremonial functions)
 - Departmental Identification Card
 - Handcuffs & Case
 - Pepper spray & case
 - Portable radio & case

Subject: General Order 100-7 Departmental Appearance Standards

- 6) Trainees attending the police academy shall meet all uniform appearance standards required by the academy.
- 7) Departmental insignia shall be worn as follows:
 - The issued nameplate shall be worn centered above the right breast pocket, or on an exterior garment, when a nameplate holder is provided.
 - All departmentally authorized awards shall be centered on the right breast pocket, no more than ¼ inch above the nameplate, in a vertical row.
 - The departmental badge shall be worn on the outer garment of the uniform, where a badge holder is provided.
 - Departmentally authorized specialty units skill pins may be worn centered on the flap of the left breast pocket, in a vertical row.
 - Badge shrouds shall be authorized, either verbally or in writing, by the Chief of Police, for a specific time.
 - Rank insignia shall be worn as follows:
 1. Chief of Police: Two Gold Stars worn parallel to the bottom edge of the collar and centered lengthwise, ¼ inch from the seam.
 2. Lieutenant: 1 Gold Bar worn parallel to the bottom edge of the collar and centered lengthwise, ¼ inch from the seam.
 3. Sergeant: Three chevron patch centered on each sleeve ½ inch below the departmental patch, and a like location on the other sleeve.
 4. Corporal: Two chevron patch centered on each sleeve ½ inch below the departmental patch, and a like location on the other sleeve.
 5. Police Officer First Class (PFC): A single chevron patch centered on each sleeve ½ inch below the departmental patch and a like location on the other sleeve.
 6. The Maryland Collar Seal shall be worn by Sergeants, PFCs and Officers on the collars of all shirts. The device shall be placed with the bottom of the device pointing toward the point of the collar. Each edge of the device will align with the respective thread lines of the collar.
- 8) All personnel will be held personally accountable for the return of all department issued uniform items. No issued item is to become the property of any individual, all remain the property of the department.
- 9) Items lost or damaged during law enforcement activities will be reported to the Chief of Police as soon as possible.
- 10) Property lost or damaged due to negligence may require reimbursement to the department.

Subject: General Order 100-7 Departmental Appearance Standards

- 11) All civilian personnel shall wear clothing appropriate for interaction with the public. The wearing of sweatshirts, shorts, t-shirts, and informal attire while on duty is prohibited.
- 12) Optional Equipment/Attire shall be authorized as follows:
 - A special bike uniform shall be worn when the member is authorized to operate a departmental bike.
 - A black badge shroud shall be issued and worn during official periods of mourning, as authorized by the Chief of Police.
 - Personnel assigned to Criminal Investigation Section may wear plainclothes during assigned duty hours. Clothing shall be appropriate for the type of case being worked.
- 13) Court appearances shall require coat and tie for male members, or uniform of the day, and comparable dress appearance for female members..

Ocean Pines Police Department
General Manual

General Order: 100-8

Effective Date: June 15, 2015

Subject: Property and Evidence

Rescinds/Amends: October 1, 2005

- 1) It is the policy of the department to ensure that evidence in its custody can be properly secured and stored, readily retrieved, and that any changes in custody have been properly and fully documented.
- 2) The officer's first responsibility upon arrival at a crime scene is to locate and assist any person who is injured, ill, or needs personal assistance.
- 3) After completing his/her first responsibility, the first officer on the scene shall initiate security measures to protect the crime scene to prevent destruction or contamination of evidence, including;
 - Officers must prevent unauthorized persons from entering the crime scene or the immediate area.
 - An officer must not touch, move, or pick up objects or disturb in any manner any article, mark, or impression that may have been made by the person or persons committing the crime, unless circumstances arise that could contaminate or destroy evidence.
 - Assigned officers will maintain rigid security until the follow-up investigation has collected all the evidence available or until relieved by an evidence technician.
- 4) All recovered evidence must be immediately and properly marked or labeled in order to assure its proper identification at some later date.
- 5) Each officer is responsible for maintaining the chain of possession and protecting the integrity of his/her evidence. To accomplish this task a form is provided by the department which will document each link in the chain. To further protect the integrity of the evidence the officer will:
 - Record on the chain of possession form to which to which it was given, as well as the time and date.
 - Record the items seized, the Case Number, owner information, and the handling officer.

Subject: General Order 100-8 Property and Evidence

- 7) Evidence discovered incident to a lawful arrest shall be processed in the same manner
- 8) It is the policy of this agency to ensure a property management system that provides for the management and control of property which is owned or used by the department, found, recovered evidentiary property, and property in the custody of the department. This system must ensure that evidence in its custody can be properly secured and stored, readily retrieved and that any changes in its custody have been properly and fully documented.
- 9) The control, storage, security, and accountability control of submitted evidences shall be the responsibility of the designated Evidence Control Officer, as issued under Special Order. Property and evidence management activities are performed by department supervisors.
- 10) All evidence and property as follows:
 - A. Evidence that can fit in Evidence Lockers shall be secured in them.
 - B. Oversize evidence, such as bicycles, shall be placed in the department's Storage Shed, located behind Police Headquarters, secured with an evidence key.
11. Members collecting evidence shall properly handle, mark and package all evidence and transport all physical evidence to evidence lockers or other authorized secure location as soon as practical.
12. Evidence of a hazardous nature shall be placed in a secure location, as designated by the Evidence Control Officer, or a supervisor. Such substances include, but are not limited to, items which may have been exposed to or contaminated by communicable diseases, hazardous chemicals or waste products, or explosives or highly combustible products. If an Officer is working without a supervisor on-duty, he/she shall contact the Evidence Control Officer, or a supervisor for guidance.
13. The Evidence Control Officer, or in the absence of the Evidence Control Officer, the Lieutenant or on-duty supervisor shall be responsible for receiving, storing, maintaining, releasing, and accounting for all evidence in compliance with established departmental policy. This shall be done through the *Evidence Room Documentation Log*.
14. When evidence is deposited into locker(s) or secure storage facilities, a *Chain of Custody Report* (copy attached) shall be completed by the impounding officer. The report shall include all information necessary to both document and insure the integrity of the chain of custody.

Subject: General Order 100-8 Property and Evidence

15. All money that does NOT have evidentiary value shall be turned over to the Ocean Pines Fiscal Controller. Monies shall be counted by the Evidence Control Officer in the presence of the Controller, and monies placed in appropriate financial accounts, as determined by the Controller. This shall also be documented through a *Chain of Custody Report*.
16. The Evidence Control Officer shall be responsible for developing and maintaining a master file of all *Chain of Custody Reports*.
17. Only members of the department authorized by the Chief of Police may enter evidence storage facilities. A log shall be kept by the Evidence Control Officer of the name of any authorized member who enters an evidence storage facility.
18. Unannounced inspections of evidence storage facilities shall be conducted at least semi-annually by the Lieutenant. An annual audit of all evidence storage facilities shall also be conducted by the Lieutenant. He/she shall promptly report the findings of this audit to the Chief of Police.
19. When property is taken out of an evidence storage facility, a *Chain of Custody Report* shall reflect, in writing, who is maintaining custody of the evidence.
20. Members of this law enforcement agency, who assume custody of evidence from an evidence storage facility, bear full responsibility for ensuring its security, proper storage, and maintenance for the ready retrieval of such evidence upon demand.
21. When no longer needed for evidentiary purposes, all evidence, with the exception of firearms and contraband, shall be returned to its lawful owner, *unless title to the evidence is transferred to the department by court order, or the lawful owner fails to claim the evidence*. In such cases, the agency may, as permitted under state law:
 - A. Destroy it;
 - B. Dispose of it at public auction; or
 - C. Retain for its use by the department.
 - D. Firearms and contraband shall be physically destroyed unless directed by the Chief of Police; or
 1. Court Order authorizes use of the item by the department; or
 2. The firearm is required by state law to be returned to its lawful owner.
22. For suspected controlled dangerous substances, seized as evidence, and requiring chemical analysis, the appropriate *Maryland State Police Form 67A*, chain of custody form shall be completed.

Subject: General Order 100-8 Property and Evidence

23. All physical evidence collected for DNA or Latent Print analysis shall be properly packaged using Maryland State Police guidelines. An *MSP Form 67 Chain of Custody* form shall accompany the evidence.
24. Upon completion of trial and due process appeals, the Chief of Police or his/her designee, shall designate the Evidence Control Officer to monitor the drug destruction process at an authorized drug destruction site. The Detective Sergeant shall accompany and witness the destruction of drugs. A receipt for destruction shall be retained by the Evidence Control Officer.

Ocean Pines Police Department
General Manual

General Order: 100-9

Effective Date: June 15, 2015

Subject: Police Reporting Requirements

Rescinds: October 1, 2005

It is the policy of the Ocean Pines Police Department to document all police calls for service originating in Ocean Pines. In cases of repeat calls for service originating at the same location which occur at different times, each call shall be documented via a separate incident report.

A. General

- 1) All assistance to other Ocean Pines departments and other police agencies shall be documented, and coded via the police computer records management system.
- 2) Sworn personnel assigned a Part 1 criminal offense, a Part 2 criminal offense, or any felony criminal offense, or any traffic accident as defined by order shall complete an incident report with narrative, no later than 24 hours from assignment of the call for service. Supervisors may require complete reporting before the officer goes off duty, at their discretion.
- 3) When an officer is unsure of the necessity of completing a narrative report on an incident, he/she shall defer to the recommended course of action that is deemed appropriate by the on-duty supervisor. If a supervisor is not working, the officer shall contact the supervisor via telephone for guidance.
- 4) In cases where a suspect or arrestee complains of injury sustained during an arrest or transport, appropriate medical attention shall be rendered, and any visible injuries shall be documented in the narrative of the incident report. When practical, photographic documentation shall be made of the injuries.
- 5) All deaths occurring in Ocean Pines shall be reported via an Incident Report with narrative report, regardless of the circumstances.
- 6) Communications Officers shall assist in expediting police reporting by assisting in completing those Incident Reports which do not require a narrative report, when possible.
- 7) Sworn personnel assigned a criminal offense shall ensure that a complete and thorough investigation is completed in a timely manner.

Subject: General Order 100-9 Police Reporting Requirements

B. Report Approval Process:

It is the policy of this department to review case reports as initiated by sworn personnel. All reports created procedurally go through a report review/correction process. The below listed procedure shall be followed for all Criminal Investigation Cases:

- 1) All sworn personnel are required to write and submit a case report in the computer Records Management System (RMS) **no later than 24 hours** from the initial complaint.
- 2) Each assigned sworn member's supervisor shall read the report for review, legal sufficiency, and corrections.
- 3) Each supervisor shall log all criminal report case numbers in the ***Criminal Report Log***.
- 4) The ***Criminal Report Log*** shall be kept up to date by supervisors. The log shall document the complaint control number and the sworn member assigned.
- 5) The Criminal Investigation Section (CIS) shall be responsible for checking the ***Criminal Report Log*** when on-duty. CIS will document the review of the case with a case review form. This form shall include recommendations for corrections, or approval.
- 6) The case review form shall be sent back to the member's supervisor for final case report approval. CIS shall note approval/denial in the case log.
- 7) No criminal case report shall be finally approved without approval from both the supervisor and CIS.

Ocean Pines Police Department
General Manual

General Order: 100-10

Effective Date: June 15, 2015

Subject: Departmental Commendation Awards **Rescinds/Amends: 10/01/2005**

Deserving police employees, both sworn and civilian, as well as members of the community which aid the department shall be eligible to receive official departmental recognition.

1) The following types of awards have been established in their order of importance:

a) Silver Star (Silver Star on Red/White/Blue bar)

Awarded to any member of the police department who distinguishes him/herself conspicuously by gallantry and at the risk of his/her life.

The basic elements which must be present are:

1. Sworn personnel;
2. Bravery at risk of his/her life, beyond a doubt;
3. Clearly above the call of duty; and,
4. If not done, would not reflect negatively on the officer.

b) Excellent Police Performance (Red/White/Red bar)

Awarded to any member of the police department who distinguishes him/herself by displaying courage and devotion to duty that is over and above that usually required when enforcing the laws of arrest. The act must be one that occurred under unusual circumstances, and the individual demonstrated initiative, intelligence, expertise, or self-sacrifice that is over and above that required by the rules and regulations for solving crime and the apprehension of offenders.

The basic elements which must be present in order to qualify are:

1. Sworn personnel;
2. Courage and devotion to duty;
3. Clearly over and above that usually required when enforcing laws or arrest;
4. Demonstrated initiative, intelligence, expertise or self-sacrifice.

Subject: General Order 100-10 Departmental Commendation Awards

c) Meritorious Service (Red/White/Blue bar)

Awarded to any member of the police department who distinguishes him/herself by performing his/her duties in a manner that clearly exceeds what is normally required or expected for a highly creditable police accomplishment.

The principle elements which are necessary to qualify for this award are:

Sworn or civilian personnel;

- 1) Performance substantially above normal requirements;
- 2) Important contributions to the achievement of law enforcement goals;
- 3) Demonstrates a high degree of personal initiative;
- 4) Exemplary performance which is either sustained or for a single act.

d) Certificate of Appreciation: (Certificate)

Awarded to a citizen for an act which materially contributes to a police accomplishment in the field of traffic safety, crime prevention, or police/community relations.

Examples of conduct which would qualify for this award:

- 1) Providing information that leads to the arrest of a suspect(s) in a felony case or multiple misdemeanor cases.
 - 2) Voluntary assistance in emergency situations.
 - 3) Those who have materially or conceptually contributed significantly to the safety of the community, or the well-being of persons in the community.
- 2) Members can be recommended for commendation awards at any time, by any member of the department. Recommendations shall be sent electronically, with justification, directly to the Chief of Police. All recommendations shall be voted on by a panel of supervisors, or be awarded directly by the Chief of Police. Awards meetings shall be held every 6 months.

Ocean Pines Police Department
General Manual

General Order: 100-11

Effective Date: October 10, 2013

Subject: Promotion to the Rank of P.F.C.

Rescinds/Amends: July 15, 2013

The policy of the department is to encourage career development, through training, which meets the needs of the individual officer, as well as the citizens of Ocean Pines.

The rank of Police Officer First Class (PFC) has been created to allow officers to remain on the street while encouraging advanced training in the field of criminal investigation.

The following requirements are necessary to apply for promotion to the rank of PFC:

- Completion of **two** years of continual service with the Ocean Pines Police Department as a Police Officer.
- If the applicant has prior experience as a Police Officer in another police agency, he/she may apply up to 1 year experience towards the two year service requirement.
- The applicant must complete advanced police training in five (5) the following areas:
 1. Advanced Criminal Investigation
 2. Interview and Interrogation
 3. Domestic Violence
 4. Juvenile Crimes/Child Abuse
 5. Narcotics Investigation
 6. Driving While Intoxicated Training
 7. Crime Prevention

Training classes in each subject must be at least 16 hours minimum per class, and training received in the entry level police academy is not applicable.

Candidates for promotion must have satisfactory job performance as an Officer.

The Chief of Police shall recommend candidates for promotion to the General Manager, who shall make the final decision.

Ocean Pines Police Department
General Manual

General Order: 100-12

Effective Date: June 15, 2015

Subject: Duties and Responsibilities of
Communications Officers

Rescinds/Amends: October 1, 2005

Communications Officers shall be responsible for the following duties and responsibilities:

- Answer and screen incoming multi-line telephone calls to provide assistance or refer call to appropriate person/department.
- Communicate orally with department employees, other law enforcement and criminal justice agencies, emergency service providers and general public to obtain and disseminate information using multi-line telephone system and multi-channel radio and Computer Aided Dispatch (CAD).
- Dispatches to law enforcement personnel in the field, including information broadcasts, calls for service, and requests for information, in order to meet needs of users by utilizing multi-channel radio console, telephone, CAD computer, and necessary paperwork.
- Prioritizes calls in order to provide timely and appropriate response by departmental personnel.
- Records call information into computer records management system in a timely and accurate manner.
- Reviews daily bulletins, roll call pads and previous incident reports in order to remain current on wanted suspects, stolen vehicles, and officer safety issues.
- Record radio transmissions on departmental radio log, and maintain vacant premise records in an accurate and up to date manner.
- Review shift activities at end of shift with relieving dispatcher to ensure an accurate exchange of information.
- Operate and maintain necessary equipment, including phone-log recorder, alarm system(s), computer system, and multi-channel radio system. Notify necessary personnel of equipment failures in an timely and accurate manner, and ensure that proper steps have been taken to continue service, as possible.

General Order 100-12 -Duties and Responsibilities of Police Communications Officers

- Monitor prisoners placed in the security room in the absence of any officer or supervisor being present to do so. Monitoring to consist only of looking through the window glass or video monitor. Under no circumstances shall civilian communications officers have any actual contact with prisoners placed in the security room. In cases where assistance is necessary, on-duty sworn personnel shall be contacted and they shall provide the necessary assistance.
- Greets the public and provides assistance or refers to appropriate staff member or department.
- Operate the MILES/NCIC computer terminal and comply with all state and federal regulations regarding security and privacy.
- Forward received administrative messages and send OPPD terminal messages in a timely manner over the MILES/NCIC computer terminal. Maintain necessary logs of messages and data entry and other inquiries in compliance with all state and federal guidelines.
- Performing other duties as directed or assigned.

Ocean Pines Police Department
General Manual

General Order: 100-13

Effective Date: June 15, 2015

Subject: Duties and Responsibilities of
Officers and PFCs

Rescinds/Amends: October 1, 2005

In the absence of all other supervisory personnel, unless another person is so designated, the senior *Police Officer First Class* shall assume the duties of the supervisor until properly relieved. In the absence of a Police Officer First Class, the senior *Police Officer* shall assume the duties of the supervisor, until properly relieved.

Police Officers and Police Officers First Class (PFCs) shall be responsible for:

- Patrolling an assigned area.
- Responding to calls for service, both criminal and non-criminal.
- Initiating crime prevention and community service activities.
- Investigating unusual occurrences and criminal activity and reports findings.
- Serving as a field training officer for new recruits and police trainees.
- Investigating all types of criminal offenses.
- Conducting follow-up investigations.
- Protection of life and property through the enforcement of Federal, State and County ordinances.
- Handling complaints of violations of restrictive covenant regulations.
- Protecting crime scenes.
- Preventing and detecting criminal acts.
- Transporting apprehended individuals in accordance with departmental regulations.
- Serving as a witness in a court of law.

Subject: General Order 100-13 Duties and Responsibilities of Officers and PFCs

- Writing police reports and required correspondence.
- Processing crime scenes and investigating all types of criminal offenses, including complex criminal investigations.
- Relieving the Communications Officers, as needed.
- Monitoring the animals in the custody of the department, as required.
- Performing security checks of residences and association properties.
- Performing other duties as directed or assigned.

Ocean Pines Police Department
General Manual

General Order: 100-14

Effective Date: June 15, 2015

Subject: Duties and Responsibilities of
Police Supervisors

Rescinds/Amends: October 1, 2005

In the absence of the Chief of Police, a Lieutenant shall assume the duties of the Chief of Police.

Unless otherwise designated, a Lieutenant shall assume the duties of the Sergeant of the Dayshift.

Supervisors shall be responsible for:

- The immediate supervision, discipline, conduct and efficiency of subordinate personnel.
- Reviewing the Roll Call Pad, and ensuring that all officers are attentive to the reading of orders, look-outs and directives.
- Maintaining all shift level books, logs, and files kept in conformance with established departmental procedures.
- Assuring that officers report promptly to their assignments after roll call and remain on their posts unless otherwise directed by proper authority.
- Personally inspecting patrol vehicles periodically to ascertain:
 1. The cleanliness of the vehicle.
 2. The presence and serviceability of all required equipment.
 3. Proper vehicle maintenance is being done.
- Instructing and assisting officers under their supervision in the proper performance of their duties.
- Visiting subordinates on duty as often as practical on calls for police service and insuring that proper police services are performed.
- Ensuring all reports, of whatever nature, are submitted in a timely manner and are accurate and complete.

Subject: General Order 100-14 Duties and Responsibilities of Police Supervisors

- Reviewing correspondence submitted by assigned personnel.
- Establishing and maintaining a shift level folder for all assigned personnel and recording information deemed pertinent to subordinate's performance of duty.
- Completing thorough and accurate performance evaluations of all assigned personnel as necessary.
- Remaining within the confines of Ocean Pines while on-duty unless necessary for police business.
- Informing the Lieutenant, or in the absence of the Lieutenant, the Chief of Police, of any major or unusual incident.
- Monitoring overtime and payroll for their subordinates.
- Immediately proceeding to the scene and directing the efforts of the police in the event of a major crime, an unusual incident, or disaster, until relieved.
- Requiring proper conduct and appearance of their subordinates.
- Handling calls for service, as needed.
- Making arrests and issuing citations, as needed.
- Recommending items for inclusion in the annual departmental budget proposal.
- Performing such duties as assigned by the Chief of Police or the Lieutenant.

Ocean Pines Police Department
General Manual

General Order: 100-15

Effective Date: October 1, 2005

Subject: Duties and Responsibilities of
Community Service Officer

Rescinds/ Amends

The Community Service Officer position is designed to provide assistance to members of the community by performing a number of support services through the department. An important function of this position is the coordination of all animal control complaints originating in Ocean Pines. The duties and responsibilities of the Community Service Officer are:

- Coordination of all animal control complaints within Ocean Pines.
- Investigates complaints from the community and other agencies regarding nuisance, stray, uncontrolled, dangerous, wild or deceased animals.
- Investigates animal bites, completes all necessary paperwork and coordinates quarantine of animals with the county.
- Coordinates removal and disposal of dead animals from association property.
- Clean dog kennels daily, when animals are present.
- Sets animals traps as necessary and coordinates with community members the use of traps, as necessary.
- Coordinates with sworn personnel the enforcement of all animal control laws, serving as a witness in cases, when necessary.
- Assist sworn personnel, when requested, with traffic control at accident scenes, fires, and other special events.
- Transportation of departmental vehicles to and from the public works garage and other repair facilities for required service and maintenance.
- Report any and all unsafe or unsanitary conditions coming to his/her attention while on patrol.

Subject: General Order 100-15 Duties and Responsibilities of Community Service Officer

- Testing of the departmental power generators every week to ensure they are operational and fully gassed.
- Submit required reports, as necessary.
- Other duties, as assigned by supervisors.

Ocean Pines Police Department
General Manual

General Order: 100-16

Effective Date: October 1, 2005

Subject: Training Requirements

Rescinds/Amends:

The Chief of Police shall appoint a Training Officer to coordinate all training needs within the department. This individual shall be responsible for tracking departmental mandates for in-service training as well as serving as the department's liaison with the Eastern Shore Criminal Justice Academy.

All sworn personnel shall attend a minimum standards entrance level academy certified by the Maryland Police Training Commission, or meet comparative compliance standards.

The Ocean Pines Police Department, on behalf of the Ocean Pines Association, will require all newly hired police officers who have not attended the Maryland Police and Correctional Training Commission's Entrance-Level for Law Enforcement Officer's Course to sign a training agreement prior to attending this training.

All lateral police officer candidates with out of state certification must also satisfy Maryland Police and Correctional Training comparative compliance standards, and shall also be required to sign a training agreement, prior to attending comparative compliance training.

It shall be the Training Officer's responsibility to see that all current employees requesting to attend entrance level training or comparative compliance training read and sign a current employment contract prior to the first day of the training course.

All sworn departmental personnel shall meet Maryland Police Training Commission standards for annual in-service training and firearms training.

Personnel attending training shall be responsible for providing a copy of all training certificates to the Training Officer in a timely manner. This copy shall be inserted in the employee's personnel file.

Personnel attending training shall conform to all rules and regulations in effect at the training facility.

Ocean Pines Police Department
General Manual

General Order: 100-17

Effective Date: June 15, 2015

Subject: Notification of Command Staff

Rescinds/Amends: October 1, 2005

It shall be the responsibility of the highest ranking sworn member of the department on-duty to notify the command staff of the following incidents, as soon as practical:

- Homicides, unattended or suspicious deaths.
- Fatal traffic accidents or traffic accidents that may result in a fatality due to its serious nature.
- Armed robbery, rape, or serious crime against the person.
- Hostage or barricade incident.
- Multi-casualty, or mass evacuations.
- Serious fires or hazmat incidents.
- Arrests or confrontations with prominent persons when a problem arises.
- Any of our personnel seriously injure another person.
- Any of our personnel are seriously injured or are injured to the extent that they must go home.
- Any case that results in the arrest of an Ocean Pines employee.
- Any discharge of a weapon by Ocean Pines Police personnel, regardless of the circumstances.
- In any case when it is felt that notification may be advantageous for the command staff to be made aware of an investigation or incident ahead of the normal investigative process, due to unusual circumstances.

The command staff is defined as Lieutenants and the Chief of Police. If one of the three is on-duty, that shall suffice. If none are working, then a Lieutenant shall be contacted, who shall in-turn notify the Chief of Police. If unable to contact a Lieutenant, the Chief of Police shall be contacted directly.

Ocean Pines Police Department

General Manual

General Order: 100-18

Effective date: September 1, 2016

Subject: Field Training Officer Program

Rescinds/ amends: March 1, 2006

It is the goal of the Ocean Pines Police Department to maintain the highest level of professionalism and service to the citizens of Ocean Pines by training new police officers. To monitor this training, the Ocean Pines Police Department shall maintain a Field Training and Evaluation Program (FTEP) in conformance with all Maryland Police and Correctional Training Commission Guidelines. All trainees; those graduating from the entrance level training academy, certified in-state, and certified out-of-state lateral-entry police officers shall successfully complete FTEP prior to being assigned alone on patrol.

The FTEP shall provide clear standardized training and evaluation to all trainees. This policy applies to all new police academy graduates, sworn personnel newly hired as lateral police officers from in-state/ out-of-state agencies, and personnel (FTOs) responsible for field training those officers.

Definitions:

- A. **ADORE:** A field training management software program
- B. **FTEP:** Field Training and Evaluation Program
- C. **Daily Observation Report:** an electronic report completed by the FTO critiquing the performance of a trainee on a given training day.
- D. **Field Training Officer (FTO):** A Police Officer First Class, who has attended an approved Field Training Officer course and is currently up to date through the Maryland Police and Correctional Training Commission. Has been selected by the FTEP Administrator and FTEP Coordinator and approved by the Chief of Police.
- E. **FTEP Administrator:** A Lieutenant, selected by the Chief of Police.
- F. **FTEP Supervisor:** A Corporal, who will be responsible for monitoring the process of the trainee. The FTEP Supervisors will be selected by the FTEP Administrator and FTEP Coordinator and approved by the Chief of Police.
- G. **Trainee:** A newly hired Ocean Pines Police Officer, who has either graduated from the Academy or lateralled from another Maryland Police Department or Out-of-State Department but not yet completed the Ocean Pines Police Department's FTEP.

Subject: General Order 100-18: Field Training Program

Procedure:

A. Field Training and Evaluation Program (FTEP)

1. Upon completion of required Maryland Police and Correctional Training Commissions' entry level training requirements and/ or comparative compliance requirements, the trainee shall be immediately assigned to the Ocean Pines Police Department's FTEP.
2. The FTEP is a standardized six (6) week course of instruction and evaluation that is considered an extension of entry level police training. Successful completion of the FTEP is mandatory for all new police trainees. Lateral police trainees shall perform the required minimum hours set forth by the Maryland Police and Correctional Training Commission based on his/ her circumstances.
3. During the FTEP a trainee may not work any secondary employment
4. The FTEP will consist of three (3) phases for new trainees:

a. Phase I – Administrative

- The trainee will be assigned to the department to observe administration, officers, and dispatchers during the course of their duties.
- The trainee will learn departmental policies and forms used by the department.
- This phase may be completed prior to attending the Academy.

b. Phase II – Shift Assignments (If man power of the department does not allow the trainee to be placed on each shift the department will place them with as many FTOs as feasible)

- The trainee will rotate through all three (3) patrol shifts
- The first shift will be one (1) week followed by two (2) two (2) week rotations concluding with returning to the initial shift for one (1) final week
- The trainee will be assigned to a different FTO during each rotation except for the first and final rotation which will be the initial FTO
- Shift assignments shall be the responsibility of the FTEP Administrator
- The trainee shall begin his/ her shift rotation on the shift he/ she will be assigned upon completion of the FTEP
- At the conclusion of each shift rotation, a Shift Rotation Evaluation shall be completed

c. Phase III – Final Evaluation

- The trainee will complete the final evaluation week assigned to the same shift that they began their shift rotation
- Evaluation of the trainee is the primary purpose of this phase
- This phase shall be one (1) week in duration

B. Miscellaneous

1. Trainees may not graduate from any phase until a Shift Rotation Evaluation Session is completed

Subject: General Order 100-18: Field Training Program

2. Throughout the FTEP, the assigned first line supervisors of the trainees shall be responsible for their immediate supervision

Duties and Responsibilities:

A. Chief of Police

1. Administer, coordinate and oversee the FTEP
2. Select an FTEP Administrator and FTEP Coordinator

B. FTEP Administrator

1. Actively manage the entire FTEP
2. Review shift rotation evaluations
3. Participate in the selection of FTOs and assignment of trainees to particular FTOs
4. Not socialize off-duty with any trainee currently completing the FTEP
5. Not be involved in any type of relationship with any trainee, currently completing the FTEP other than the professional relationship required under this policy. This includes but is not limited to romantic relationships and landlord/ tenant type relationships

C. FTEP Supervisor

1. Complete weekly evaluations on the trainee. These evaluations shall be completed within forty-eight (48) hours after the week has ended.
2. Conduct the end of shift rotation evaluation sessions and end of phase evaluation sessions.
3. Assist in the selection of assignments of FTO/ Trainees.
4. Not socialize off duty with any trainee currently under his/ her supervision while in the FTEP.
5. Not be involved in any type of relationship with any trainee currently under his/ her supervision while in the FTEP other than the professional relationship required under this policy. This includes but is not limited to romantic relationships and landlord/ tenant type relationships.

D. FTO

1. Provide instruction to the trainee on various job tasks.
2. Carefully evaluate the trainee's performance.
3. Complete Daily Observation Reports on the trainee, every day, prior to the end of the shift.
4. Participate in end of shift rotation evaluation sessions and end of phase evaluation sessions.
5. Not be involved in any type of relationship with a trainee assigned to the FTO other than the professional relationship required under this policy. This includes but is not limited to romantic relationships, business relationships, and landlord/ tenant type relationships.

Selection Process for Field Training Officers (FTOs)

- A. The knowledge and experience of competent officers, coupled with their ability to instruct and evaluate others, is the foundation of the FTEP.
- B. Minimum requirements for FTOs

Subject: General Order 100-18: Field Training Program

1. Must be a Police Officer First Class.
 2. Must have received Satisfactory or Outstanding in all categories on their last two (2) evaluations.
 3. Must not have a sustained excessive force complaint in the past thirty-six (36) months.
 4. Must not have a sustained complaint that exceeds summary punishment in the past twelve (12) months.
- C. Prior to the completion of each Academy class or whenever FTOs are needed, the FTEP Administrator and the FTEP Coordinator shall examine all potential FTO candidates. The examination will include, at least:
1. The FTO candidate's willingness to participate in the program, including his/ her willingness to minimize the use of non-emergency leave when scheduled as a FTO.
 2. The FTO candidate's understanding of the goals and objectives of the program and duties of the FTO.
 3. The FTO candidate's ability to effectively communicate and interact with others, by means of an oral presentation and assessment.
 4. The FTO candidate's attitude toward the department and the law enforcement profession.
 5. The candidate's ability to recommend remedial training or extend field training or in extreme cases termination from service for a trainee.
 6. A review of the FTO candidate's:
 - a. Personnel file
 - b. A review of the FTO candidate's past performance evaluations.
 - c. Input from the FTO candidate's supervisor.
- D. Upon review of the FTO candidates the FTEP Administrator and FTEP Supervisor shall select and assign FTOs to each trainee.

Training

A. FTEP Supervisor and FTO

1. The FTEP Administrator and FTEP Supervisor shall develop all training for FTOs The Chief of Police shall approve all training developed by the FTEP Administrator and FTEP Coordinator.
2. FTOs and FTEP supervisors shall be required to attend an approved basic FTO program.
3. FTOs and FTEP Supervisors shall be required to attend FTO In-Service training conducted at the direction of the FTEP Administrator

B. Trainee Remedial Training

1. All remedial training will be supervised or conducted by the FTEP Supervisor.
2. The decision to conduct remedial training, for non-critical issues will be based on information contained in the daily observation reports and information obtained during evaluation sessions.

Subject: General Order 100-18: Field Training Program

3. Remedial training for non-critical issues will be conducted between shift rotation switches.
4. Remedial training for critical issues will be conducted as soon as possible and prior to any shift rotation or progression to the next phase.

General Order 100-18: Field Training Program

5. Critical issues include, but are not limited to the following areas
 - a. Any use of force related issue.
 - b. Any emergency driving related issue.
 - c. Any serious violation of law or agency rules and regulations.
6. All remedial training will be documented by the FTEP Supervisor on a daily observation report.

Extension of Field Training and Evaluation Program

- A. Occasionally a trainee will show, through his/ her job performance that he/ she is not yet ready to function alone as a patrol officer. The need for an extension of a trainee's field training will be at the discretion of the Chief of Police or Lieutenants after review of the end of shift rotation evaluation sessions or the end of Phase III evaluation prepared by the FTEP Administrator and FTEP Supervisor.
- B. The FTEP Administrator shall notify the Chief of Police of all recommended FTEP extensions.

Termination of a Trainee

- A. Some trainees will be unable to successfully complete the FTEP. After being counseled, given the opportunity to participate in an extension of the FTEP, and having been afforded remedial training as appropriate, such trainees will be recommended for termination.
- B. If a trainee is unable to successfully complete the FTEP, and having been afforded remedial training, as appropriate, the FTEP Supervisor will detail all the circumstances in a report which lead to the recommendation by the FTEP Supervisor that the trainee be terminated from employment.
- C. The FTEP Supervisor shall forward this report to the FTEP Administrator for review. The FTEP Administrator shall review the report and indicate whether or not he/ she agrees with the recommendation or disagrees. The FTEP Administrator shall then forward this information to the Chief of Police.
- D. If the FTEP Administrator agrees with the recommendation for termination the trainee shall immediately have his/ her police powers suspended and be placed on administrative duties until a final determination is made by the Chief of Police.
- E. If the Chief of Police agrees with the termination recommendation, the trainee shall be terminated from employment in accordance with existing Department/ Ocean Pines policy.

Subject: General Order 100-18: Field Training Program

- F. Upon termination of employment, the Department shall immediately notify the Maryland Police and Correctional Training Commission, via approved method, of the termination of employment.

Successful Completion of Field Training and Evaluation Program

- A. Upon successful completion of all phases of the FTEP the trainee shall be assigned to a Patrol Division shift and permitted to work independent of a FTO.

General Order 100-18: Field Training Program

- B. Upon successful completion of all phases of the FTEP the trainee may now be permitted to work secondary employment.
- C. Upon successful completion of the FTEP the FTEP Administrator will notify the Chief of Police. The Department shall then be responsible for notifying the Maryland Police and Correctional Training Commission, via approved method, that the trainee has successfully completed the FTEP.

Ocean Pines Police Department
General Manual

General Order: 100-18

Effective Date: October 1, 2005

Subject: Field Training Officer Program

Rescinds/Amends:

The Ocean Pines Police Department shall maintain a field officer training (FTO) program in conformance with all Maryland Police Training Commission guidelines. All recruits graduating from the entrance level training academy as well as lateral-entry certified police officers shall successfully complete an 80 hour FTO program prior to being assigned alone on vehicular patrol.

Personnel in the FTO program shall be assigned to vehicular patrol with a sworn officer who has attended and successfully completed a field officer training instructor program, as much as practical. The FTO instructor shall complete a Field Training Manual, which shall document instruction as well as performance of the recruit/lateral officer during the 80 hour FTO program. At the conclusion of the 80 hour period of instruction, the performance of the recruit/lateral officer shall be evaluated by the instructor as well as the shift supervisor. Field training may be extended from the 80 hour period with the approval of the Patrol Lieutenant or Chief of Police.

Personnel must successfully complete FTO training to perform their duties as Ocean Pines Police Officers, and to comply with Maryland Police Training Regulations. Failure to successfully complete this program shall constitute failure to properly perform required duties, as defined in *General Order 100-4 Performance of Duties*, and shall be grounds for dismissal from the department.

Ocean Pines Police Department
General Manual

General Order: **100-19** **Effective Date:** **October 1, 2005**

Subject: **Criminal Investigation Section** **Rescinds/Amends:**

The Ocean Pines Police Department shall maintain a Criminal Investigation Section (CIS) to coordinate all criminal investigations that occur within Ocean Pines. Personnel assigned to this section shall be expected to perform the following duties:

- ✓ Perform immediate follow-up on all Part 1 Offenses occurring within Ocean Pines. This includes call-outs after normal working hours for serious crimes, as defined in *General Order 100-19*.
- ✓ Conform to guidelines for criminal investigation as established in *General Order 100-19*.
- ✓ Maintain logs and coordinate dissemination of all criminal history data on cases/suspects originating in Ocean Pines. Provide timely and accurate UCR reporting, per state requirements.
- ✓ Serve as point of contact on all NCIC/MILES matters with state and federal authorities.
- ✓ Serve as departmental contact with all police investigative units, to include WCBI. Coordinate all departmental investigative cases with outside police agencies and task forces.
- ✓ Oversee property and evidence function of the department.

The Criminal Investigation Section shall report directly to the Chief of Police and Lieutenant, and personnel assigned to this unit shall keep the department's command staff apprised of all major criminal investigations and matters needing their attention, as soon as practical.

Ocean Pines Police Department
General Manual

General Order: 100 - 20

Effective Date: June 15, 2015

Subject: Release of Criminal History Records **Rescinds/Amends:** October 1, 2005

The Ocean Pines Police Department shall comply with all Federal, State, and local laws concerning the disclosure of Criminal History Information.

The *Services Division* of the department is responsible for the security of criminal history information and for strict adherence to applicable laws regarding dissemination of Criminal History Records Information (CHRI). All requests for information shall be channeled through *Services Division* personnel.

A. **Dissemination of Criminal History Records Information:**

1) **Individuals:**

A person may inspect his/her own Ocean Pines Police CHRI. This does not include arrest information from other jurisdictions. Copies of CHRI may only be obtained from Maryland State Police Criminal Records-Central Repository (MSP/CRCR).

2) **Defense Attorneys:**

An attorney may inspect Ocean Pines Police CHRI of his/her client, after he/she presents written authorization from that client. The right of review does not extend to providing a copy of the information.

3) **Criminal Justice Agencies:**

When officers or agents of Federal, State and local criminal justice agencies request CHRI, and a delay in receiving it from CRCR would unduly impede necessary action by the requesting agency or would violate or impair a substantive right of the person about whom the information is needed, such CHRI data may be released. These cases might include State's Attorney records checks for court, court commissioners' inquiries about bail hearings, or requests from officers or other agencies regarding CHRI in reference to an on-going investigation. When any such information is released, it should be noted on the appropriate dissemination logs.

Subject: General Order 100 - 20

4) Recruiters:

Military recruiters are entitled to CHRI *only after* they have applied to MSP/CRCR and have received a stamp of approval authorizing the release of information by local criminal justice agencies.

5) Private Employers:

All requests for CHRI received from private employers shall be referred to MSP/CRCR.

6) Federal Background Investigators:

The Security Clearance Information Act (SCIA) requires that Ocean Pines Police provide CHRI to investigators from the following agencies without first obtaining CRCR authorization:

- a) The Department of Defense (DOD)
- b) The Office of Personnel Management (OPM)
- c) The Central Intelligence Agency (CIA)
- d) The Federal Bureau of Investigation (FBI)
- e) The Secret Service
- f) Naval Intelligence

CHRI included in SCIA includes arrests or other formal charges, and any disposition information available. It *DOES NOT* include juvenile information, sealed record information, non-criminal fingerprint information, or intelligence and investigative file information. Requests for STATEWIDE CHRI must be referred to CRCR.

B. Criminal History Records Information to be Released:

When a request for a check of Ocean Pines Police CHRI is received, a designated employee shall check the Ocean Pines Police records.

1. If a record is found, it shall be verified by completing a State Central Record Check and the MILES/NCIC Computer dissemination log. If the Ocean Pines Police arrest record is not shown on the State Rap Sheet, it shall **NOT** be disclosed without approval of a designated employee.
2. If no record is found, the request should be stamped, "No Record," and returned to the requesting agency or person.

Ocean Pines Police Department
General Manual

General Order: 100-21

Effective Date: August 10, 2006

Subject: Staff Inspections

Rescinds: Chief of Police Memo
04-07

It is the policy of the department to periodically conduct full dress inspections of personnel, departmental vehicles, as well as the police facility. It is incumbent on all personnel to be properly equipped and to maintain departmental equipment in the highest state of readiness at all times. Staff inspections shall be announced via Special Order and shall consist of inspection of the following:

Personnel:

All departmental personnel, both civilian and sworn, shall be inspected as to personal appearance and are expected to be fully equipped, per General Order 100-7.

All departmental personnel are expected to display a departmental photo ID card, and valid driver's license. Sworn personnel shall also display valid Maryland Police Training Certification cards. Hats, long sleeve shirts, and ties are required for sworn personnel during Staff inspections. Each member shall also be responsible to bring an up to date departmental **General Manual** to the scheduled inspection.

Vehicles:

All departmental vehicles shall be inspected during staff inspections. Vehicles shall be waxed, cleaned, and fully equipped with medical kits, fire extinguishers, and other required equipment, as issued. All vehicle service stickers shall be up to date and within required service limits.

Facility:

Supervisors shall be responsible for the cleanliness of the headquarters facility. Communications Officers shall be responsible for the cleanliness of their work area, as well as the upkeep of all logs and records they are expected to maintain. All offices and work/storage areas shall be inspected for cleanliness and appearance. Supervisors shall be expected to maintain and present all logs and folders on their subordinate personnel kept for evaluations purposes. Supervisors shall also be responsible to see that the entire facility is cleaned and floors are waxed for the departmental Staff Inspection.

Ocean Pines Police Department
General Manual

General Order: 100-22

Effective Date: January 6, 2012

Subject: Intern Program

Rescinds/Amends: March 1, 2015

In an effort to promote law enforcement as a career, and work closely with criminal justice programs at the college level, the Ocean Pines Police Department shall implement an Intern Program. This program further promotes our department within our region, and may assist us in the recruitment of qualified candidates for future employment.

- Interns are selected and approved by the Chief of Police, after careful screening.
- Interns have no legal authority, other than a normal civilian. They shall be supervised at all times.
- They shall sign appropriate ride-a-long forms each time they accompany sworn personnel on the road. They are subject to all restrictions present on the ride-a-long form.
- The Ocean Pines Intern Program consists of 110 hours in various aspects of our department. Attached to this General Order is an Intern Form which shall be filled out, documenting completion of the Intern Program.
- Supervisors, or in the absence of the supervisor, the sworn member, shall initial the various categories on the form, as they are completed, and return same to the Intern.
- It shall be the responsibility of the Intern to forward a completed form to the Chief of Police for final documentation.
- The department shall maintain a folder, with copies of all Intern Forms, for future reference.

Attachment: **Intern Form**

Ocean Pines Police Department
General Manual

General Order: 100-23

Effective Date: April 25, 2012

Subject: Wearing of Ballistic Vests

Rescinds/Amends:

The wearing of protective ballistic vests is a vital tool in promoting officer safety at the enforcement level. All sworn personnel shall be required to wear ballistic vests during their tours of duty, with the following exceptions:

- Administrative personnel- wearing vests are OPTIONAL.
- Detectives, when not conducting raids. Vests are required when serving Search and Seizure Warrants.
- When attending court- wearing of vests are OPTIONAL.
- When specifically given permission **not** to wear a vest by a supervisor, due to the non-enforcement duties the sworn personnel is performing.
- During training.

Ocean Pines Police Department
General Manual

General Order: 100-24

Effective Date: January 1, 2013

Subject: Issuance of Uniform Criminal Citation **Rescinds/Amends:**

Background:

Chapter 504/505 (Senate Bill 422/House Bill 261) passed by the Maryland General Assembly in 2012 goes into effect January 1, 2013. A portion of the law **mandates**, with certain exceptions, that a law enforcement officer charge a defendant by a **Uniform Criminal Citation** for certain criminal offenses in lieu of a statement of charges; however, the law also authorizes a law enforcement officer to make a custodial arrest and process a defendant prior to release upon his or her signature on a criminal citation.

Rationale for Custodial Arrest:

Although the law requires that a law enforcement officer must charge a defendant for certain misdemeanors outlined herein, subject to certain exceptions, the law also allows for custodial arrest and processing (i.e. fingerprinting, booking, photograph, warrant checks, etc.). A police officer who has grounds to make an arrest for an offense that may be charged by citation may instead make the arrest and subsequently issue a citation in lieu of continued custody.

Qualifying Offenses for Citations:

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

Offenses that Cannot be Charged by Citation:

- 1) Failure to comply with peace order under Section 3-1508 of the Courts Article;
- 2) Failure to comply with protective order under Section 4-509 of the Family Law Article;
- 3) A violation of a condition of pretrial or post-trial release charged with a sexual crime against a minor under Section 5-213.1 of the Criminal Procedure Article;

Subject: General Order 100-24

- 4) Possession of an electronic control device after conviction of a drug felony or crime of violence under Section 4-109(b) of the Criminal Law Article;
- 5) Violation of an out-of-state domestic violence order under Section 4-508.1 of the Family Law Article; and
- 6) Abuse or neglect of an animal under Section 10-604 of the Criminal Law Article.

Criteria for Issuing Citation:

Although the law mandates the issuance of a citation for qualifying offenses, the Maryland General Assembly recognized that a defendant must meet certain criteria to be released without approval by a court commissioner. If the defendant cannot meet the criteria listed below, the officer must charge the individual on a statement of charges and ensure the defendant's appearance before a court commissioner. A law enforcement officer may charge a defendant by citation **only** if:

- A. The officer is satisfied with the defendant's evidence of identity;
- B. The officer reasonably believes the defendant will comply with the citation;
- C. The officer reasonably believes that the failure to charge on a statement of charges will not pose a threat to public safety;
- D. The defendant is not subject to arrest for another criminal charge arising out of the same incident; and
- E. The defendant complies with all lawful orders by the officer.

Required Forms and Reports:

A. Uniform Criminal Citation Form DC/CR 45

The officer shall use the Criminal Citation Form to charge a defendant by citation. The officer shall use either:

- 1) the pre-printed/pre-numbered book provided by the District Court; or
- 2) in the case of an electronic format, the assigned electronic citation number provided by the District Court.

B. Probable Cause Continuation Sheet Form DC/CR 4

Under no circumstances shall the officer try to write the entire probable cause statement on the first page of the Uniform Criminal Citation. The officer shall use the statement of probable cause continuation sheet to complete the probable cause narrative outlining the facts and circumstances substantiating the charge. The Uniform Criminal Citation number shall be recorded in the case number block on the continuation sheet.

Subject: General Order 100-24

C. Incident Report

In addition to the Uniform Criminal Citation and the probable cause continuation sheet(s), the law enforcement officer shall complete an Incident Report detailing the circumstances of the incident, per departmental policy. A copy of the report shall be forwarded to the State's Attorney's Office with a copy of the citation.

D. Statistical Data Collection

Beginning January 1, 2013, by law, the department shall be required to collect the following data on all criminal citations issued:

- 1) The date, location, and time of the issuance of the citation;
- 2) The offense charged;
- 3) The gender of the offender;
- 4) The date of birth of the offender;
- 5) The state and, if available, the county of residence of the offender; and
- 6) The race or ethnicity of the offender as:
 - a) Asian;
 - b) Black;
 - c) Hispanic;
 - d) White; or
 - e) Other.

APPENDIX A: QUALIFYING OFFENSES

Attached is Appendix A, which lists qualifying offenses for the issuance of a Uniform Criminal Citation, subject to the above guidelines.

Ocean Pines Police Department
General Manual

General Order: 100-25

Effective Date: June 22, 2015

Subject: Performance Evaluations

Rescinds/Amends:

It is the policy of the Department for supervisors to evaluate employees' work performance at least annually. Supervisors are accountable for the performance of their employees. Evaluations shall be completed upon the approved departmental evaluation form.

A. The objectives of the Performance Evaluation system are:

- 1) Provide a continuing record of employee development and work performance.
- 2) Provide a basis for informed decisions on career status, promotions, pay increases, work assignments, training, awards, and disciplinary actions.
- 3) Keep employees informed of what is expected of them and how well they are meeting those expectations.
- 4) Encourage improved work performance and total involvement and commitment to established goals.
- 5) Provide a basis for meeting employee needs for training and career development.
- 6) Foster an effective working relationship between supervisors and employees.

B. Supervisors shall be evaluated on their administration of the performance evaluation system. Raters are to be evaluated by their supervisors regarding the quality of ratings given employees using the following factors:

- 1) Fairness and impartiality
- 2) Their participation in counseling rated employees.
- 3) Their ability to carry out the role of the rater in the performance evaluation system.
- 4) The rater's ability to apply ratings uniformly to all subordinates.

C. Performance Planning:

Supervisors should conduct at least one counseling session with the employee during the appraisal period. The purpose of this meeting is to appraise the employee as to the employee's progress in meeting performance expectations.

D. Supervisory Files:

Supervisors will maintain a file for each employee under their supervision which contains notes concerning the employee's job performance or conduct; notes made in performance review or other counseling sessions; and copies of any material which may assist in completing an accurate performance evaluation.

- E. Supervisors will conduct an annual written evaluation of the work performance over a 12 month period for each employee under their supervision. Unless otherwise directed, the evaluation will only be based upon performance during the designated evaluation period. The evaluation should be completed prior to the employee's anniversary date. Recommendations for merit increases shall be based upon performance.
- F. The employee being rated will be given the opportunity to review, discuss, sign, and comment in writing on the supervisor's evaluation.
- G. Employee's successfully graduating from the initial entry police academy shall serve a probationary period of one year, after graduation. Failure to successfully complete the probationary period shall result in termination of employment. Failure to successfully graduate from the police academy shall also serve as a basis for termination of employment.
- H. Personnel who are promoted in rank shall serve a one year probationary period in their new rank. If the employee fails to perform in a satisfactory manner during that year, they shall be returned to their previous rank.

Ocean Pines Police Department
General Manual

General Order: 200 -1

Effective Date: February 25, 2016

Subject: Use of Force

Rescinds/Amends: June 22, 2015

It is the policy of the Ocean Pines Police Department that officers use the least amount of force necessary to control an incident, to effect an arrest, or to protect themselves or others from personal harm or death. The degree of force used by the officer should be progressive along a continuum that spans from verbal commands to deadly force.

It is the policy of the Ocean Pines Police Department that the use of deadly force is authorized under the following circumstances:

- A. In defense of self or another when the officer has reasonable cause to perceive an immediate threat of death or serious injury.
- B. To prevent the escape of a suspect of a violent felony whom the officer has probable cause to believe will pose a significant threat of death or serious physical injury to other officers or the public.
- C. When **practicable** prior to discharge of a firearm, the officer shall identify himself or herself as a law enforcement officer and warn of his or her intent to shoot.

Deadly Force Restrictions:

- 1) Warning shots are prohibited.
- 2) Firearms shall not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with deadly force by means other than the vehicle. The moving vehicle itself shall not presumptively constitute a threat that justifies an officer's deadly use of force. When possible, an officer threatened by an oncoming vehicle shall move out of its path instead of discharging a firearm at it or any of its occupants.
- 3) Firearms shall not be discharged from a moving vehicle.

General Order 200-1 Use of Force

The parameters for the use of *non-deadly force* are as follows:

- 1) Where deadly force is not authorized, officers should assess the incident in order to determine which non-deadly technique or weapon will best de-escalate the incident and bring it under control in a safe manner.
- 2) Police officers are authorized to use department approved non-deadly force techniques and approved equipment for resolution of incidents, as follows:
 - a) to protect themselves or another from physical harm, or;
 - b) to restrain or subdue a resistant individual, or;
 - c) to bring an unlawful situation safely and effectively under control.

It is the policy of the Ocean Pines Police Department to train and qualify sworn personnel in the use of any firearm and other tools used to apply force (e.g. police batons, pepper spray, etc.)

This policy directs officers to report to their immediate supervisor:

- a) Any use of deadly force by an officer, including reports by another member of the agency who witnessed the force used by an officer.
- b) Any use of a tool used to apply force.
- c) Any discharge of a firearm while on-duty or acting as an officer of the law while officially off-duty.
- d) Any use of force where the subject claims to be injured. When practical, visible injuries should be photographed as evidence in the case.
- e) Supervisors shall **require the documentation** of any of the above (a,b,c,d) in the Incident Report, and any violation of policy shall be brought to the attention of Command personnel, as soon as practical, for review.

This policy suggests that every use of force and discharge of a firearm be reviewed to determine if an unwarranted use of force was applied.

When circumstances allow, officers should communicate to the suspect their identity, purpose and intention of using force.

General Order 200-1 Use of Force

DEFINITIONS:

Deadly Force: The use of force which is intended to, or likely to cause death or serious physical injury. For the purposes of this policy, deadly force will also include the intentional striking with any vehicle.

Non-Deadly Force: The use of force which is applied to effect an arrest or protect the officer or others from attack, physical resistance, harm, or death but is not intended or expected to cause death.

Probable Cause: A conclusion based upon information known to the officer at the time which leads to the belief that a violent crime has been, is being, or is about to be, committed by a particular individual.

Serious Physical Injury: Bodily injury which causes death, creates a substantial risk of death, serious or permanent disfigurement, or results in the long term or permanent impairment of an organ or limb.

Ocean Pines Police Department
General Manual

General Order: 200 - 2

Effective Date: October 1, 2005

**Subject: Emergency Operation of
Departmental Vehicles**

Rescinds/Amends:

Members operating an emergency vehicle shall do so with due regard for the safety of others. Members shall not be relieved of the duty to exercise such reasonable care and diligence as the circumstances of the situation may impose.

The Maryland Vehicle Law SS21-106 (Transportation Article, Maryland Annotated Code) enumerates the privileges an operator of an emergency vehicle may exercise when responding to an emergency call. These include pursuing a violator, or suspected violator; or responding to, but not returning from, a fire alarm. The enumerated privileges under these circumstances include the ability to:

- A. Park or stand without regard to the other provisions of this title;
- B. Pass a red or stop signal; a stop sign, or a yield sign, but only after slowing down as necessary for safety.
- C. Exceed any maximum speed limit, but only so long as the driver does not endanger life or property; and
- D. Disregard any traffic control device or regulation governing direction of movement or turning in a specified direction.

An officer is required to sound the vehicle's audible signal (siren) as well as to activate the emergency lights when responding to an emergency so as to avail him/herself of these privileges.

The Ocean Pines Police Department has established departmental guidelines defining the term "**emergency call**" under subsection A-1 of the Transportation Article 21-106. Departmental personnel shall adhere to these guidelines, and personnel found violating these guidelines shall face disciplinary action. Members are cautioned as to the potential civil liability arising from an accident.

"Emergency Call" shall be defined as:

- A. 10-50 PI: traffic accident with personal injury;
- B. Assist ambulance; when dispatch confirms a serious medical problem, such as cardiac arrest, drowning, or life threatening injury;
- C. An officer in trouble, and requiring immediate assistance;
- D. Rape/sexual assault in progress;

General Order 200-2 Emergency Operation of Departmental Vehicles

- E. Attempted murder/aggravated assault in progress, or had just occurred;
- F. Suicide in progress;
- G. Robbery in progress;
- H. Burglary/B&E in progress (**not** alarms);
- I. Fights (assaults) in progress;
- J. Any other extraordinary situation which may necessitate such response according to the discretion of the dispatcher or supervisor.
- K. When engaged in an authorized vehicular pursuit.

It is the policy of the department that the initiation of a vehicular pursuit is authorized when a suspect uses a vehicle to elude apprehension, and the following has occurred:

- A. Driving in a manner which would indicate the driver is under the influence of alcohol or drugs or presents a threat to public safety.
- B. Failure to stop and remain at the scene of a fatal, personal injury, or property damage accident.
- C. Unauthorized use of a motor vehicle.
- D. Operator is a suspect in a serious crime. Crimes which fall into this category are normally crimes against persons which pose a serious and immediate threat to society. The pursuing officer should be able to articulate the reason a particular suspect posed such a threat.

Factors to be considered and weighed in deciding whether to initiate a pursuit are:

1. The condition and performance capabilities of the pursuit vehicle;
2. The condition of the road surface upon which the pursuit is being conducted;
3. The amount of vehicular and pedestrian traffic in the area; and
4. Weather conditions.

When a pursuit begins, the pursuing officer shall immediately notify the dispatcher that a pursuit is underway. The officer shall provide the dispatcher the following information:

- A. Unit identification;
- B. Location and direction of travel of the fleeing vehicle;
- C. Description and license plate number, if known, of the fleeing vehicle;
- D. Number of occupants in the fleeing vehicle, and descriptions, where possible;
- E. Reasons supporting the decision to pursue.

The on-duty supervisor or in his/her absence, the senior officer on-duty, should monitor the situation and direct the officer to terminate the pursuit whenever he/she believes the risk to public safety is higher than failure to apprehend the suspect.

General Order 200-2 Emergency Operation of Departmental Vehicles

Pursuits should be limited to two fully marked vehicles with operable emergency equipment and radio communication. The secondary vehicle will communicate updates on the status, location, and direction of the pursuit via radio communication.

If a pursuit occurs and continues into another jurisdiction, ***with additional police vehicles joining***, only the primary pursuit vehicle shall remain outside Ocean Pines. The primary vehicle shall surrender the vehicle to the agency of the jurisdiction in which the pursuit continues.

Officers may not intentionally use their vehicle to bump or ram the suspect's vehicle in order to force the vehicle to a stop.

This policy directs officers to report to their immediate supervisor any and all occurrences of vehicular pursuit. Supervisors may require written reports detailing the circumstances before, during, and after the pursuit.

Whenever an officer becomes involved in a traffic accident during the course of a vehicular pursuit, the officer shall immediately terminate the pursuit and take proper action as is required by the "Maryland Transportation Article", unless;

1. The person being pursued is a dangerous felon;
2. No unit is available to assume the pursuit for the unit involved;
3. Damage to the departmental vehicle is minor and it can still be operated without danger; and
4. There is no apparent injuries as a result of the accident.

Ocean Pines Police Department
General Manual

General Order: 200-3

Effective Date: October 16, 2012

Subject: Accident Investigation

Rescinds/Amends: October 1, 2005

Officers shall investigate and prepare a MAARS report on any:

- Fatal Accident
- Personal injury accident regardless of severity.
- Accident relating to the placement of charges specifically relating to the cause of the accident.
- Hit and Run Accidents where a witness is available or where physical evidence exists that may identify the striking vehicle.
- Accidents involving Ocean Pines Association vehicles in Ocean Pines.
- Property damage accidents when either vehicle is so damaged as to require it to be towed, except in property damage accidents on private property, regardless of severity.
- Accidents where the officer believes a written report will be in the best interests of the individuals involved and the general community.

Whenever an accident investigation is **not** required by this Order, the officer shall:

- Ensure all drivers involved possess valid licenses and registrations.
- Distribute the **Traffic Accident Information Form** to involved drivers, in cases where a MAARS report is **not** required.
- Place appropriate charges not related to the cause of the accident.
- Notify owners of any property damage as a result of the accident.
- Ensure the free flow of traffic as quickly as possible.

Ocean Pines Police Department
General Manual

General Order: 200-4

Effective Date: October 1, 2005

Subject: Warrantless Arrests

Rescinds/Amends:

An arrest, with or without a warrant, is simply the seizure of a person. All custodial arrests require the same quantum of evidence — probable cause.

Arrests made under the authority of an arrest warrant are reasonable. Warrantless arrests that are made in compliance with the laws of arrest as specified in the Annotated Code of Maryland, Article 27, Crimes and Punishment, Section 594B are also considered reasonable.

Upon making a warrantless criminal arrest of an adult, or a juvenile who has been waived as an adult, the charging officer must complete a Statement of Charges. The Officer shall use the current District Court Commissioner's Manual to determine the exact wording and proper codes for each offense charged.

In the case of a traffic arrest (adult), the charging officer will complete a Uniform Complaint and Citation for each offense charged. The Citation will serve as the statement of charges in these cases.

Any officer making a criminal or traffic arrest shall complete a Statement of Probable Cause. The narrative portion of the Statement of Probable Cause shall be a plain, concise, complete and definitive statement of essential facts constituting the offense(s) charged.

In the case of the arrest of a juvenile, the arresting officers shall process and charge the juvenile in accordance with established procedures as found in **General Order 200-6 Juvenile Detention Procedures.**

Ocean Pines Police Department
General Manual

General Order: 200-5

Effective Date: October 1, 2005

Subject: Juvenile Detention Procedures

Rescinds/:

An officer may take a juvenile into custody if:

1. The juvenile commits a delinquent act which, if committed by an adult, would be an arrestable offense; or
2. Pursuant to an order by the court; or
3. The officer has reasonable grounds to believe the child is in immediate danger from their surroundings and custody is necessary for their protection; or
4. The officer has grounds to believe the child has run away from their parent, guardian, or legal custodian.

When a juvenile is taken into custody, the detaining officer shall notify the juvenile's parent, guardian or legal custodian of the action in a timely manner. The officer shall document in an incident report the date, time, address, phone number and name of the person contacted. If the offense is minor, and proper documentation has been obtained, the juvenile may be released into the custody of a parent/guardian at the scene of an incident.

When a juvenile is taken into custody, the detaining officer shall notify the on-duty Department of Justice intake officer of the action in a timely manner. The detaining officer shall provide the intake officer with details pertaining to the juvenile's detention and any pertinent information which may assist the intake officer in their evaluation of the juvenile. The following are examples of such information:

1. The juvenile is in need of protection, or
2. The child is likely to flee the jurisdiction of the court; or
3. The parent, guardian or legal custodian is unable to care or provide supervision for the juvenile, or
4. The parent, guardian or legal custodian is unable to return the juvenile to court as required.

When a juvenile is taken into custody, the detaining officer shall ensure that if the juvenile is transported to the police station, he/she shall be placed in an area separate from adult offenders.

Subject: General Order 200-5 Juvenile Detention Procedures

All juvenile offenders arrested by the Ocean Pines Police, except those classified as children in need of assistance or supervision, shall be entered into the police computer information system. Photographs and fingerprints of a *Juvenile Delinquent Offender* shall be taken whenever the juvenile is believed to have committed a felony or serious misdemeanor, or if the juvenile delinquent offender has no positive means of identification. When in doubt, a supervisor shall be contacted and final authority shall rest with the supervisor on the decision to process the delinquent juvenile offender.

Only the court or intake officer may authorize the commitment of a juvenile to a detention or shelter care facility.

Juveniles detained by the Ocean Pines Police shall be handled in accordance with federal regulations outlined in the Juvenile Justice and Delinquency Prevention Act.

Juveniles being detained are characterized as follows:

1. **Juvenile Delinquent Offender:** A juvenile who has been charged or adjudicated for conduct that would be a crime if committed by an adult.
2. **Status Offender:** A juvenile who has been charged or adjudicated for conduct that would **not** be a crime if committed by an adult. Runaways, children in need of assistance and children in need of supervision are listed in this category.
3. **Waived Juvenile Delinquent Offenders:** A juvenile charged with a criminal offense, where jurisdiction has been transferred from juvenile court to adult criminal court.

Juvenile Delinquent Offenders:

May be exposed to secure confinement (cell or handcuffing station) for a period **not to exceed 6 hours**. There are absolutely **no exceptions** to the six hour limit. Once started, the 6 hour limit **cannot** be interrupted, regardless of a juvenile's intermittent removal from secured detention. *Juvenile Delinquent Offenders* shall be secured and housed with sight and sound separation from adult offenders, at all times.

Detention of the *Juvenile Delinquent Offender* is for the purpose of identification, processing, release to parent/guardian/legal custodian and/or transfer to a detention facility by authority of a court order or intake officer.

In every case, where a juvenile is placed into a cell or secured to a handcuffing station, the well being of the juvenile shall be checked at a frequency consistent with his/her behavior; however, no less than every 30 minutes.

Subject: General Order 200-5 Juvenile Detention Procedures

Juvenile Status Offenders:

Cannot, under any circumstance, be held in secure confinement. *Juvenile Status Offenders* are to be supervised by the arresting officer at all times.

Detention of the *Juvenile Status Offender* is for the purpose of identification, processing, release to parent/guardian/legal custodian and/or transfer to a detention facility by authority of a court order or intake officer.

Juvenile Status Offenders are to be separated by sight and sound from adult offenders, at all times.

Waived Juvenile Delinquent Offenders:

Waived *Juvenile Delinquent Offenders* are excluded from the Juvenile Justice and Delinquency Prevention Act requirements. This exclusion relieves intake and processing officers from the mandated six hour time limit.

Juveniles in this category may occupy common adult housing areas and may be transported in the company of adult offenders.

Arresting officers shall document the times a *Juvenile Delinquent Offender* begins and ends secure confinement while in the custody of the Ocean Pines Police Department.

Ocean Pines Police Department
General Manual

General Order: 200-6

Effective Date: June 22, 2015

Subject: Extra Jurisdictional Authority

Rescinds/Amends: October 1, 2005

Sworn members of the department may be requested to assist the Worcester County Sheriff's Office or the Maryland State Police, outside the jurisdiction of Ocean Pines.

When requested to render assistance outside the jurisdiction of Ocean Pines, Sworn Police members shall be acting under authority as derived in signed Mutual Aid Agreement(s) between the County and the Ocean Pines Association. Under this agreement, which has been approved by the Ocean Pines Association Board of Directors, when requested by the Worcester County Sheriff's Office or Maryland State Police, an Ocean Pines Police Officer may perform the following duties; (1) police functions when requested by the Sheriff or State Police, (2) functions when in pursuit of suspects of violations of criminal traffic laws occurring in Worcester County, but outside the subdivision of Ocean Pines when requested by the Sheriff or State Police, (3) participate in investigations when requested by the Sheriff or State Police, (4) participate in assistance and investigation of automobile accidents as requested by the Sheriff or State Police. Sheriff requests may be specific or continuing and (5) rendering assistance in emergency situations.

All duties shall be limited to Worcester County, only.

When operating outside Ocean Pines and assisting the Sheriff's Office, personnel shall be subject to command and control of the Sheriff.

When operating outside Ocean Pines and assisting the Maryland State Police, personnel shall be subject to command and control of the Maryland State Police.

Departmental personnel shall ensure that all assistance is rendered with **PRIOR** permission of the State Police or Sheriff's Office. This consent may be rendered by the on-scene Trooper or Deputy.

Nothing in this Order precludes Ocean Pines Police personnel from engaging in "fresh pursuit" of offenders who commit crimes in Ocean Pines and are who are stopped in Worcester County. The severity of the offense shall govern the necessity and duration of "fresh pursuit".

All personnel shall be familiar with and strictly adhere to all conditions set forth under this Agreement.

Ocean Pines Police Department
General Manual

General Order: 200-7

Effective Date: June 22, 2015

Subject: Domestic Violence Investigations **Rescinds/Amends:** October 1, 2005

The purpose of this policy is to establish guidelines for handling cases which involve violence among domestic partners.

- A. It is the policy of the Ocean Pines Police Department that domestic violence will be handled as a crime without regard for the relationship between the victim and the offender or the probability of prosecution by the victim.
- B. It is the policy of the department to dispatch at least two officers, when available, to each case that involves allegations of domestic violence. Communications Officers shall invoke mutual aid assistance from either the Maryland State Police or Worcester County Sheriff's Department for assistance when necessary. The Ocean Pines officer who is first to respond shall be the primary officer to handle the case until he or she is relieved of this duty by a supervising officer.
- C. It is the policy of the department that, when dispatched to a reported case of domestic violence, officers will act in a pro-active fashion with an emphasis towards arresting domestic abuse offenders and protecting victims. Officers will arrest domestic abuse offenders without warrants when there is probable cause to believe the following, as set forth in the *Annotated Code of Maryland, Criminal Procedure Article 2-204*:
1. The battered person is the offender's spouse, or the abuser and the victim share a residence, or have a child in common, and;
 2. There is evidence of physical injury, and;
 3. Unless immediately arrested, the abuser will elude apprehension, cause physical injury or property damage, or will tamper with, dispose of, or destroy evidence, and;
 4. An assault occurred within 48 hours of the alleged incident.

Self-defense.- If the officer has probable cause to believe that a mutual battery occurred and arrest is necessary under Section C, the officer shall consider whether one of the persons acted in self-defense when determining whether to arrest the person whom the officer believes to be the primary aggressor.

Subject: General Order 200-7 Domestic Violence Investigations

- D. It is the policy of the department that, when officers have determined that an assault has occurred, the health and safety of the victim should be assessed immediately, and if appropriate, medical assistance provided. Subsequent to this, priority should be given to the following:
1. Arrest the assailant if it is possible to do so in accordance with Section II, C of this policy.
 2. Secure the crime scene and preserve any available evidence.
 3. Request a crime lab technician to respond to the scene of the crime, or in the absence of a crime lab technician, process the scene for physical evidence.
 4. Interview and obtain a written statement from the victim.
 4. Interview any witnesses.
- E. Before leaving the scene of a domestic assault, the officers should provide information to the victim indicating the availability of legal remedies to prevent further violence as well as the availability of local support services.
- F. Officers who respond to cases involving validated domestic abuse shall complete an Incident Report before the end of their shift.
- G. Officers should determine than an incident of domestic violence actually occurred based upon their preliminary investigation, and not rely on the nature of the call for service as broadcast by a Communications Officer.

Ocean Pines Police Department
General Manual

General Order: 200 - 8

Effective Date: June 22, 2015

Subject: Animal Control Incidents

Rescinds/Amends: October 1, 2005

The department is charged with the responsibility of enforcing all pertinent county regulations concerning animal control, as well as the care and proper treatment of all animals coming into the custody of the department. The safety and welfare of our residents shall be of primary concern in the enforcement of all existing regulations.

All citizen complaints concerning animal control issues shall be properly documented through the drawing of an incident report on the departmental computer system.

In cases of dog bites, a written narrative report shall be completed detailing the particulars of the incident, and all county and state regulations adhered to concerning the confinement of the identified animal responsible for the bite. County health department officials shall be notified of the incident as soon as practical.

All sworn police officers, as well as the animal control officer, shall be responsible to carry warning books, as well as civil citation books on which county animal control law violations shall be written, when necessary. They shall also be responsible to be knowledgeable of existing county regulations concerning animal control. Until formal enforcement authority is granted to our animal control officer, he/she may be a witness for violations he/she observes, which may then be written by sworn personnel.

On every *citizen generated complaint* of a dog running at large or violating a particular section of the county ordinance, *where the sworn officer or animal control officer witnesses the offense*, a written warning, at minimum, shall be issued to the owner of the animal, and this shall be noted on the incident control number by the dispatcher. If circumstances justify a civil citation being issued, then one may be issued. Circumstances such as ***repeat violations, the fact that an individual was chased or bitten by an unleashed dog or that a leashed dog was attacked by an unleashed dog*** would justify a citation. It is to be remembered that these violations are civil in nature.

A computer database shall be kept of all written animal control warnings and civil citations issued by members of the department. This information shall be shared with the county.

Subject: General Order 200-8

Dogs coming in to custody of the department shall be properly housed and cared for, and the proper storage fees assessed the identified owners, per existing departmental and association policies and procedures.

Common sense and education shall be a large portion of enforcement of these “quality of life” issues. Consistent and fair enforcement also comprises a large segment of this issue. It must be remembered that as a law enforcement agency, our responsibility is to ensure that these ordinance are enforced for the safety of all of our residents, and to prevent serious injuries by uncontrolled animals.

Personnel taking animals into custody shall utilize, when time allows, all provided departmental safety equipment designed to safely take animals into custody, without injury to departmental personnel.

Ocean Pines Police Department
General Manual

General Order: 200-9

Effective Date: October 1, 2005

Subject: Criminal Investigations

Rescinds/Amends:

All members of the department must clearly understand their responsibilities for the conduct of preliminary and follow-up criminal investigations.

I. Preliminary Investigation:

The preliminary investigation begins when the first law enforcement unit arrives at the scene, or telephonic information is taken by an officer concerning a crime, and continues until postponement of the investigation or the transfer of responsibility will not jeopardize the successful completion of the investigation.

- 1) The following officer responsibilities are part of the preliminary investigation and will vary according to the type of crime being investigated and the circumstances associated with the crime scene:
 - a) Provide aid to the injured.
 - b) Protect the crime scene to ensure evidence is not lost or contaminated.
 - c) Determine if an offense has actually been committed, and if so, the exact nature of the offense.
 - d) Determine the identity of the suspect(s), and effect an arrest if it can be accomplished either at the scene or through immediate pursuit.
 - e) Furnish other field units descriptions, method and direction of flight of suspects, and other relevant information concerning wanted suspect(s) or vehicle(s).
 - f) Obtain complete identification of all witnesses.
 - g) Determine what information is known by the victim and each witness.
 - h) Determine in detail the exact circumstance of the offense.
 - i) Arrange for the collection of evidence.

Subject: General Order 200-9 Criminal Investigations

- j) Obtain written and signed statements from victim(s), witnesses, and from the suspect(s).
 - k) Determine the necessity of some degree of follow up surveillance of the crime scene.
 - l) Accurately and completely record all pertinent information on the incident report, as prescribed in General Order 100-9.
- 2) The initial stages of all preliminary investigations, including crime scene processing, will be conducted by sworn officers. In certain serious crimes as defined in Section 6, the Criminal Investigation Section will be contacted, and will respond, and will assume responsibility for completion of the investigation.
- 3) As soon as the preliminary investigation is completed by a sworn officer, the initial incident report should be completed, including all information obtained at the scene of the offense.
- 4) It shall be the responsibility of a supervisor to ensure that an adequate and complete preliminary investigation has been made and to review, screen, and approve the sworn officer's incident report.
- 5) Serious Crime- Criminal Investigation Response:

The following offenses are of a nature requiring the immediate assignment of the Criminal Investigation Section to assume responsibility for the completion of the preliminary investigation and to begin a follow-up investigation:

- a) Death of a violent or suspicious nature.
- b) Rapes or suspected rapes.
- c) Assaults resulting in serious injury or death to the victim.
- d) Robberies, with or without weapon(s).
- e) Burglaries where there is excessive or unusual loss (high dollar value, negotiables, cash jewelry, coins, etc.).
- f) Any major disaster (where CIS can assist in identification of victims).
- g) Hostage/barricade incidents.

Subject: General Order 200-9 Criminal Investigations

- h) Kidnappings, extortion.
 - i) Officer involved shooting.
 - j) Bombings
 - k) Any criminal offense or situation for which the ranking officer/supervisor in charge believes a criminal investigator should be immediately contacted.
- 6) In the event the criminal investigator is unavailable, the Lieutenant or Chief of Police shall be contacted for further guidance.
- 7) If additional resources are needed; CIS, the Lieutenant or the Chief of Police may authorize contacting the Worcester County Bureau of Investigation (WCBI) for assistance.
- 8) In cases where the Worcester County Bureau of Investigation assumes control of a criminal investigation in Ocean Pines, personnel shall assist as needed, and conform to all policies and procedures of WCBI, unless otherwise directed by a supervisor.

II. Follow-up Investigation:

- 1) The follow-up investigation is an extension of the preliminary investigation. The purpose of the follow-up is to provide additional investigation in order to effect the arrest of an offender and/or recover stolen property.
- 2) Officer or CIS responsibilities of the follow-up investigation include:
- a) Identification and apprehension of the offender.
 - b) Collection and preservation of additional evidence and arrangements for the analysis and evaluation of the evidence. If evidence was sent to lab; on its return review lab results.
 - c) Recovery of stolen property.
 - d) Conduct any additional interviews of victims and witnesses as required.
 - e) Seek other information from law enforcement officers and informants.
 - f) Review department records and coordinate with adjoining agencies pertaining to other similar offenses to determine if other crimes may

General Order 200-9 Criminal Investigations

have been committed by the suspects. Review all information contained in case file (preliminary investigation and earlier follow-up reports) concerning the offense.

- g) Conduct any additional interrogation of suspects as required.
- h) Recording of information obtained and preparing supplementary reports as required.
- i) Give out information as appropriate.
- j) If necessary, plan, organize, and conduct searches.
- k) Arrange for polygraph examinations, if necessary, with consent of CIS or a supervisor.
- l) Prepare case folder on suspect for court.
- m) Check suspect's local police record and criminal histories.
- n) Prepare case and assist in prosecution.

Ocean Pines Police Department
General Manual

General Order: 200-10

Effective Date: March 12, 2012

Subject: Search of Motor Vehicles

Rescinds/Amends: October 1, 2005

It is the policy of this department to conduct motor vehicle searches that are both legal and thorough. Such searches are to be conducted in strict observance of the constitutional rights of the owner and occupants of the vehicle being searched, and with the due regard for the safety of all officers, other persons and property involved.

Procedures:

- A. Whenever feasible, a warrant shall be obtained for the search of a motor vehicle. Warrantless searches are to be conducted only when lack of time or other exigencies make it impractical for officers to obtain a warrant. When a vehicle has broken down, or there is otherwise no significant chance the vehicle will be driven away or that evidence contained will be removed or destroyed, the vehicle should be searched only after a warrant has been obtained. In other cases, vehicles may be searched:
- 1) With Consent of the owner or operator;
 - 2) Incident to arrest, *only if the arrestee is within reaching distance of the passenger compartment, at the time of the search, or a reasonable belief that evidence of the offense of the arrest is present.*
 - 3) When necessary to examine the vehicle identification number or to determine the ownership of the vehicle;
 - 5) In situations where evidence or criminal activity or contraband is in Plain View;
 - 6) For investigatory purposes to ensure the safety of officers;
 - 7) For inventory purposes pursuant to departmental policy; or
 - 8) Under emergency circumstances not stated above.
- B. **Scope of Vehicle Searches:**
- 1) *Searches with a warrant:* When searching under a warrant, officers may search all areas of the vehicle unless the warrant states otherwise.
 - 2) *Reasonable cause searches:* Reasonable cause searches of the passenger compartment of a vehicle are permissible only if the arrestee is within reaching distance of the passenger compartment, and is based upon the “safety and evidentiary justifications of the reaching-distance rule”, at the time of the search.

Subject: General Order 200-10

- 3) *Consent searches:* The extent of the consent search depends upon the terms of the consent itself. If the consent is limited to specific areas of the vehicle, officers may search only portions of the vehicle covered by consent. Written consent should be obtained whenever possible before conducting these searches.
 - 4) *Searches incident to arrest:* An officer who is making a lawful arrest may, without a search warrant, conduct a search of a vehicle occupied by the accused, if the suspect has reaching distance access of the vehicle, or has a reasonable belief that ***evidence of the offense of the arrest*** is located in the passenger compartment of the vehicle to be searched.
 - 5) *Entries to examine a vehicle identification number or to determine ownership of the vehicle:* Entries made to examine the vehicle identification number or to determine the ownership of the vehicle must be limited to actions reasonably necessary to accomplish these goals.
 - 6) *Emergencies:* Search of a motor vehicle under emergency circumstances not otherwise listed above must be co-extensive with the nature of the emergency. The proper extent of the search must therefore be determined by search personnel in each specific situation, but in no event will the extent of the search exceed that necessary to respond properly to the emergency.
 - 7) *Plain View:* A police officer who is lawfully in a position from which he/she can view a particular area of a vehicle and observes an item that is evidence of criminality, contraband or otherwise seizable, may seize the item in question. An officer may then, depending on the item seized and other circumstances surrounding, conduct a warrantless search of the entire vehicle, or portions of the vehicle, based upon probable cause, consent, search incident to arrest, etc..
 - 8) *Investigatory:* An investigatory search allows police officers to conduct a protective sweep of the vehicle passenger compartment for weapons if there is reasonable suspicion that a person may be armed.
 - 9) *Inventory:* This search will be completed at any time a vehicle is taken into custody or control by a law enforcement officer of this department. The inventory search shall include all spaces within the vehicle and the trunk or bed of the vehicle and shall include an inventory of all containers therein, including those that are closed or locked. Personnel conducting an inventory search shall complete an OPPD Vehicle Inventory Record form, itemizing vehicle contents.
- C. *Search of Containers Found in a Vehicle:* In no instance, other than for inventory purposes, shall a container be searched unless it could contain the item(s) being

Subject: General Order 200-10

- 1) *Unlocked containers* found in motor vehicles are governed by the nature of the search as follows:
 - a) When the passenger compartment of a vehicle is being searched incident to an arrest, **and** the suspect is within reaching distance of the passenger compartment such containers found within the passenger compartment may be opened.
 - b) Containers discovered during a consent search of the vehicle may be opened provided that the terms of the consent expressly permit or reasonably imply that the particular container may be opened.
 - c) Containers found in or discarded from a vehicle under circumstances that do not justify their search under probable cause rules or in connection with a search incident to arrest should be secured but not searched until a warrant is obtained to search them.
 - 2) *Locked containers* such as attaché cases, suitcases and footlockers found during a vehicle search should be opened only if:
 - a) The search is being conducted under a warrant; or
 - b) A valid consent to open the locked container is first obtained. When these conditions are not met, locked containers should be secured by search personnel and opened only after a warrant has been obtained.
EXCEPTION: Inventory search, unless inventory results in locating evidence of criminality before the containers are opened. If evidence of criminality is discovered as a result of the inventory, discontinue and obtain a search warrant.
- D. Whenever possible, search of a motor vehicle, and of containers found therein should be conducted at the location where the vehicle was discovered or detained. Under exigent circumstances, search of the vehicle or container may be delayed and/or conducted after the vehicle or container has been moved to another location. However, in all instances searches shall be conducted as soon as reasonably possible; that is, as soon as adequate personnel are available to conduct a thorough search with due regard for the safety of all officers, citizens and property concerned.
- E. Motor vehicle searches shall be conducted in a manner that minimizes the intrusiveness of the search and the inconvenience caused to vehicle owners, occupants and other persons involved.

Ocean Pines Police Department
General Manual

General Order: 200 - 11

Effective Date: October 1, 2005

Subject: Care and Maintenance of
Departmental Vehicles

Rescinds/Amends:

It is the policy of the department that employees shall be responsible for the care and maintenance of departmental vehicles assigned to them during their particular tour of duty. The employee responsible for the vehicle shall report any damage or malfunction of the assigned unit which occurs while in his/her care to his supervisor or officer in charge.

- 1) The employee responsible for the vehicle shall inspect the assigned unit for damage before taking the vehicle out on tour and report damage not previously reported to his/her supervisor or officer in charge immediately. The only exception shall be in the case of emergency dispatch at the start of the tour. The inspection shall then be performed as soon as possible and the appropriate report made as directed in this section.
- 2) In addition to the verbal report of noted damage, the employee shall also forward an internal memorandum to the Chief of Police noting the damage, before going off-duty.
- 3) Failure to report damage as mandated by rules may be reason for disciplinary action and shall make the employee who failed to report damage liable for same.
- 4) Employees responsible for the vehicle shall see that the interior is kept clean and orderly and shall be clean before going off-duty.
- 5) No employee riding in police vehicles shall carry items in their back pocket or on their person which could cause damage to the seats of vehicles.
- 6) No employee shall downshift manually at high speeds in order to slow the vehicle.
- 7) Police vehicles shall normally be locked whenever employees leave them except when impossible due to situations requiring swift response.
- 8) No departmental vehicle shall be returned to police headquarters at the end of a trip/tour with less than a half tank of gas.

- 9) Employees shall inspect emergency equipment, battery levels, water levels, power steering levels, engine oil levels and tire pressure levels of vehicles assigned to them at the beginning of their tour of duty, except in the case of emergency dispatch at the start of the tour. The inspection shall then be performed as soon as possible
- 10) Flat tires shall be changed by the vehicle operator.
- 11) Seat belts and shoulder harnesses will be worn by all occupants of departmental vehicles when that vehicle is in operation.

Ocean Pines Police Department
General Manual

General Order: 100 - 12

Effective Date:

Subject: Disciplinary Process

Rescinds/Amends:

Actions of a non-punitive nature; including training, documented counseling, transfers or reassignment of duties, determined to be in the best interests of the department and consistent with law, are not covered by the provisions of this order.

I. General:

A. This order shall apply to personnel as follows:

- 1) The sections covering the handling of complaints and investigative procedures shall apply to all employees of the department.
- 2) The sections pertaining to departmental charges, hearing board and suspension from duty, which are governed by the Code of Maryland, Public Safety, Title 3, Subtitle 1, the "Law Enforcement Officers' Bill of Rights" shall apply to all non-probationary sworn personnel.
- 3) Disciplinary action against probationary sworn personnel and civilian employees shall be governed by the *Ocean Pines Association, Inc. Employee Handbook*.

B. Each member of the department shall assume the obligations of their rank/position and perform his/her duties in the investigation of complaints or allegations of misconduct against members, and shall cooperate fully with personnel conducting these investigations.

C. Command and supervisory personnel shall initiate investigations when the alleged violation reported or observed is within the scope of their authority. Violations outside an individual's authority shall be reported to higher authority consistent with procedures herein. Complaints reported to or observed by an officer-in-charge shall be referred to a supervisor, as soon as practical.

D. Untruthfulness by any member of the department is a very serious transgression and any member found guilty of the transgression may be subject to dismissal or such other punishment as may be adjudged.

Subject: General Order 100 – 12 Disciplinary Process

II. Complaints Originating Outside the Department:

- A. Personnel receiving such complaints shall refer them to an on-duty supervisor or officer-in-charge.
- B. Complaints relative to difference of opinion between police officers and citizens over the issuance of traffic citations do not come under the purview of this order. However, where a traffic case also involves an allegation that a police officer was in violation of law, or a serious transgression of departmental rules, an investigation restricted to the allegation of misconduct will be conducted in conformity of this General Order.
- C. Members receiving a General Complaint Form alleging brutality shall not accept it unless it has been sworn to and notarized. This shall not restrict a supervisor from making his own inquiry into matters brought to his/her attention by a citizen.

III. Complaints Originated by Departmental Personnel:

- A. Members shall report to their immediate supervisor all violations of departmental rules and regulations, General Orders, memorandums or procedures.
- B. Command and supervisory shall initiate complaints when the alleged violation reported or observed is committed by a member under their authority. Complaints reported to or observed by an officer-in-charge shall be reported to a supervisor as soon as practical.

IV. Minor Infractions Requiring Counseling:

When an alleged or observed infraction is of such a minor nature, supervisors and officers-in charge will not look to higher authority to initiate action. Such cases are the responsibility of the supervisor or officer-in-charge to resolve by oral or written counseling and they will be expected to take non-punitive action without delay. Examples of such cases are:

- A. Lateness;
- B. Uniform and equipment violations;
- C. Personal appearance violations;
- D. Minor omissions of assigned duties;
- E. Minor infractions of departmental regulations concerning efficiency or safety; and

General Order 200 – 12 Disciplinary Process

F. Discourtesy.

V. Progressive Discipline:

- A. When a member's performance or behavior disrupts normal operation, this event shall be documented.
- B. If several such events occur and it appears that a pattern is developing, the officer-in-charge or supervisor shall:
 - 1) Advise the member that if the disruptive performance or behavior continues, the officer-in-charge or supervisor will recommend that disciplinary action be taken against the offender.
 - 2) Document the advisement.
 - 3) If the disruptive behavior or performance continues, the Lieutenant of Chief of Police shall be contacted as soon as practical.

VI. Excessive Force-Brutality Complaints:

In all sworn complaints alleging the use of excessive force in an official capacity against a member of this department, the officer-in-charge or supervisor shall:

- A. Notify the complainant that by law the complaint must be sworn to and notarized.
- B. Have photographs taken of the alleged injuries involving excessive force. When applicable, photographs should also be taken of departmental personnel involved;
- C. Forward all reports to the Chief of Police as soon as practical.

VII. Complaints of a Criminal Nature:

Any complaints that may result in criminal charges being placed by the department shall be handled in compliance with criminal law. The member under investigation shall be afforded all his/her constitutional rights. Any decision not to pursue prosecution in criminal court shall be determined by the Office of the States Attorney.

VIII. Notification of Investigation:

If it is established that there are sufficient grounds to conduct an investigation, the member under investigation shall receive and execute a Notification of Accused of Complaint form prior to any interrogation and shall be given ten (10) working days from the date of notification to acquire legal representation.

General Order 200 -12 Disciplinary Process

IX. Interrogation of Sworn Officers:

Any interrogation of the accused shall be conducted in accordance with the provisions of the Maryland Code, Public Safety, Title 3, Subtitle 1, "Law Enforcement Officer's Bill of Rights".

X. Unfounded Complaints:

Should it be determined at any time during the investigation that the complaint is clearly unfounded, the investigation shall be terminated, and reports and statements giving evidence of this finding shall be forwarded in accordance with the provisions of this order.

XI. Under the Influence of Alcohol on Duty:

If a member is accused of consuming alcohol or being under the influence of alcohol on duty,

- A. The accused shall submit to a field sobriety test, the result of which, along with the member's appearance and demeanor, shall be recorded by the investigating officer in his/her report.
- B. The accused member shall submit to a Breathalyzer test, which shall be administered as soon as possible after initiation of the investigation.
 1. The lapse of time, expressed in minutes, between the initial report or allegation of the accused member's condition and a Breathalyzer test shall be recorded in his/her report by the investigating officer.
 2. The two hour time limit, for Breathalyzer tests, as outlined in the Maryland vehicle law, shall not apply, except to the issuance of a traffic citation.

XII. Under the Influence of Controlled Dangerous Substances:

If a member is accused of unlawful use of Controlled Dangerous Substances, as defined in the CDS Act,

- a) The investigating officer shall record the appearance and demeanor of the accused member in his/her investigative report.
- b) The accused member shall accompany the investigating officer to a hospital, where the accused shall submit to a physical examination by a competent medical

General Order 200 -12 Disciplinary Process

authority, including urinalysis and/or a blood test, to determine the presence or absence of CDS use.

XII. Confidentiality of the Investigation:

Prior to disposition of any complaint, the circumstances shall not be disclosed within or outside the department by any personnel, particularly to complainants, witnesses, investigative team members or supervisors, except as may be required in the course of the investigation.

XIII. Classification of Complaint:

When the investigation is completed, the investigator will classify the complaint as follows:

- a) Sustained: The allegation is supported by sufficient evidence.
- b) Not Sustained: Insufficient evidence either to prove or disprove the allegation.
- c) Exonerated: Incident complained about occurred but was lawful and proper.
- d) Unreported Misconduct: The investigation indicates discovery of sustained act(s) of misconduct that were not alleged in the original complaint.
- e) Administrative Closure: The investigation could not be conducted because the complainant could not be contacted; the complainant did not want formal action, or the complaint concerned matters of law or departmental procedures and not the member's actions.

XIV. Completed Internal Investigations:

- A. Whenever a case is terminated due to classification as: Unfounded, Exonerated, or Not Sustained, the involved member shall be notified, in writing, by the Chief of Police. The investigative case file shall be retained for such time as the department may be subject to a civil suit.
- B. When a complaint is Sustained or Unreported Misconduct (whereupon sustained misconduct is discovered), the investigating supervisor shall make recommendations to the Chief of Police concerning possible disciplinary action,

General Order 200 – 12 Disciplinary Process

based upon violations of the rules and regulations of the department. The Chief of Police shall have final approval of any recommended disciplinary action, prior to offering any punishment to the member.

XV. Summary Punishment:

- A. Summary punishment may be imposed for minor violations of departmental rules and regulations when:
 - 1) The facts which constitute the minor violations are not in dispute; and
 - 2) The accused member waives the right to a hearing board; and
 - 3) The accused member agrees to the punishment approved by the Chief of Police.
- B. Summary punishment may not exceed three days suspension without pay or a fine of \$150.00, per “Law Enforcement Officer’s Bill of Rights”.
- C. Should the member elect to accept summary punishment, the member shall so state this in a written interdepartmental memorandum to the Chief of Police. This memorandum shall then be made part of the case folder.
- D. Should the member reject the offer of summary punishment, the Chief shall appoint a one member trial board to hear the case. In such instances, procedures for departmental charges shall be followed.

XVI. Departmental Charges:

- A. Departmental charges may be lodged against a member for any violation of the department’s rules, regulations, and procedures, or for any conduct detrimental to the good order, efficiency, or discipline of the department. Departmental charges may also be lodged against a member for any violation of federal, state or local laws.
- B. If the Chief concurs, departmental charges shall be prepared citing the infractions of the Rules and Regulations, and specify the manner in which each rule was violated. The member shall be provided written notice of these charges, the names of all witnesses, and a copy of the investigative file not less than ten days prior to any hearing.

Subject: General Order 200 – 12 Disciplinary Process

XVII. Administrative Hearing Procedures:

- A. Administrative hearings will be conducted in accordance with the Code of Maryland, Public Safety, Title 3, Subtitle 1, the “ Law Enforcement Officer’s Bill of Rights.”
- B. Member(s) of Administrative Hearings shall be from chosen from police agencies in Maryland, other than the Ocean Pines Police Department, to ensure fairness.

XVIII. Suspension From Duty:

The mission of the police Department is a sensitive one and it is necessary that its members be of exemplary character and their reputations be beyond reproach. It is necessary, therefore, that when a member is charged or is to be charged with a crime or a violation of departmental policy that would bring into question the discipline, the integrity or the reputation of the department, the member be suspended from duty. This General Order shall apply to all members of the department.

- A. When infractions occur, a case by case determination must be made as to whether a suspension is appropriate and warranted. While no blanket policy for when suspension can be enumerated, suspension from duty would be appropriate in the following cases:
 - 1. Commission of a crime or a serious violation of the General Orders of the department.
 - 2. Intoxication while on duty.
 - 3. Assault on a member of the department.
 - 4. Intentional filing of a false report.
 - 5. Refusal to obey a lawful order.
 - 6. Deliberate destruction or misuse of departmental equipment.
 - 7. Use of a service weapon resulting in the death of another.
- B. It will be the policy of the department that any officer of the rank of Sergeant or above may suspend a member from duty for the purpose of preferring formal charges against him/her.

Subject: General Order 200 – 12 Disciplinary Process

- C. To suspend a member of the department from duty, the suspending officer will:
 - 1) Notify the member verbally of his/her suspension and relieve him/her of:
 - A. Departmental identification and certification cards.
 - B. Departmental weapon(s) and ammunition.
 - C. Departmental badge(s).
 - D. Departmental vehicle.
 - 2) Make a verbal and written preliminary report to the Chief of Police before going off duty describing the circumstances of the suspension, and the action taken by the suspending supervisor. In the absence of the Chief, notification shall be made to the Lieutenant.
 - 3) Mark and turn in to the Property Room all equipment taken from the suspended member.
- D. Any member suspended from duty will be considered suspended with pay until such time as a suspension hearing is conducted. The member will automatically be granted permission to engage in secondary employment until such time as the suspension is terminated.
- E. The suspended member will report to the office of the Lieutenant at 09:00 on the next regular working day for a suspension hearing. If the Lieutenant is the supervisor who suspended the member, then the suspension hearing shall be conducted in the office of the chief of Police.
- F. The suspension hearing shall be a fact finding hearing, the sole purpose of which will be to determine if the suspension was justified, and whether it should remain in effect with or without pay. Consistent with the "Law Enforcement Officer's Bill of Rights", suspension from duty without pay shall only be allowed in cases where the member has been charged with a felony.
- G. If the suspension hearing officer determines that the suspension was not justified, the suspension will be terminated and the member restored to duty.

Subject: General Order 200 - 12 Disciplinary Process

- H. The Chief will review the report of the suspension hearing and will have power to overrule any action which is deemed inappropriate.
- I. Any member under suspension will not wear any portion of his/her uniform nor will he/she take any action exercising police powers.

Ocean Pines Police Department
General Manual

General Order: 200 - 13

Effective Date: October 1, 2005

Subject: Physical Health Protection

Rescinds/Amends:

This policy is designed to establish guidelines and procedures to be followed when a member of the department is exposed to an infectious disease or hazardous material with a risk of major illness or death and to establish procedures for handling evidence or property that may be contaminated.

I. Administrative Guidelines:

- A. The department is committed to members' safety in the performance of their duties.
- B. Members should always take appropriate precautions to reduce the risk of contracting infectious diseases when rendering assistance to the public, giving first aid, arresting suspects, investigating crime scenes, and when processing evidence and property for impoundment.
- C. Individuals who have infectious diseases may or may not display overt symptoms of disease. Risk related to contracting infectious diseases can be greatly reduced through careful hand washing and by taking preventive measures to reduce exposures, including wearing personal protective equipment.
- D. Members shall report all known and reasonably suspected on-duty exposures to communicable diseases and hazardous materials, in accordance with established procedures. Thereafter, comply with scheduled medical examinations to resolve concern of possible infection.

II. Procedures – Infectious Diseases:

- A. Precautions:
 - 1) Discretion is to be used by members to limit their exposure to contagious diseases.
 - 2) Members shall not eat, drink, or smoke at crime scenes where body fluids are present or other contagious factors exist.
 - 3) Members are to aware that certain prescribed medications, such as steroids and asthma medications, suppress their immune systems and make them more susceptible to infectious diseases.
 - 4) Protective disposable gloves and other infectious disease control materials are to be used by members to prevent transmission of contagious diseases. Direct contact with blood and other body fluids is to be avoided whenever possible. Members shall ensure their police vehicles are stocked with

Subject: General Order 200-13 Physical Health Protection

protective disposable gloves, CPR micro-shields, and germicidal disinfectant.

- 5) Pregnant members are advised to report to their physician any direct contacts with body fluids in the line of duty. Infectious viruses can cause severe problems in newborns.

III. Custody Procedures:

- A. Persons of high risk groups including homosexuals, intravenous drug users, prostitutes, and others are to be treated with caution. Extreme caution is to be used during the search of suspected drug dealers or dealers to prevent accidental skin punctures by needles. Extreme caution must also be used when reaching in to areas that are not visible, such as under car seats.
- B. After the completion of the task or search where protective disposable gloves were utilized while searching an infected person, they are to be removed with caution, placed in a plastic bag and securely sealed. Upon returning to police headquarters, the member shall place the sealed bag into a designated "Infectious Waste" container.
- C. Members should inform other support personnel (firefighters, paramedics, other agency's personnel, etc.) whatever change of transfer of custody occurs and the subject has blood or body fluids present on their person, or if the subject has made a voluntary statement that they have a contagious disease.
- D. Members are to indicate on the appropriate arrest forms when a subject taken into custody makes a voluntary statement that he/she has an infectious disease. Additionally, a notation is to be made when a subject has blood or body fluids present on his person or clothing (i.e., "Body Fluids Present").

IV. Hygiene and Cleaning Practices:

Good hygiene and cleaning practices play an important role in controlling the spread of communicable diseases. This section will outline those practices essential to disease prevention.

- 1) Washing exposed areas of the skin on a regular basis provides a high degree of protection. Hand washing is most important even if gloves are worn. Hands should be washed after:
 - a) Touching another person.
 - b) Touching inanimate objects likely to be contaminated by blood or other body fluids.
 - c) Using any restroom facility.
- 2) The AIDS virus can survive for extended periods of time on a surface at room temperature; therefore, other good hygiene practices, including good

Subject: General Order 200 – 13 Physical Health Protection

- 3) bathing practices, maintaining a clean uniform, etc, should also be practiced.
- 4) Cleaning solutions:
 - a) Soap and water- To be used for removing transient micro-organisms acquired by direct or indirect contact to the skin. Soap and water provide an effective means of self protection and should be used in preference to other skin cleansing solutions.
 - b) Alcohol- Disposable antimicrobial hand wipes should be used when soap and water are not available for cleaning the skin. When soap and water become available, the skin should be rewashed.
 - c) Household- A solution of one part sodium hypochlorite (household bleach) and ten parts water is effective for cleaning counter tops and other surfaces that may have been contaminated with blood or other body fluids.
 - d) Disinfectants- Disinfectants that have a chemical germicide registered with the Environmental Protection Agency, such as “hospital disinfectant” spray, should be used to clean equipment items, counter tops, or other surfaces that may have been contaminated with blood or other body fluids.
- 4) Clothing:
 - a) Since some communicable disease viruses appear to be most stable in a room temperature environment, the chemical dry cleaning process should be adequate to decontaminate any clothing contaminated with body fluids.

NOTE: When having blood-stained uniform clothing cleaned at dry cleaning facilities, the cleaner should be notified in advance of the stain so that appropriate chemicals can be used for removal.
 - b) Any clothing contaminated with blood or other body fluids should be removed and cleaned as soon as possible.
 - c) Clothing reissue should be handled with the approval of the individual’s supervisor, based upon review of the facts.
- 5) Equipment and Department Facilities:
 - a) All members have the responsibility to keep their equipment, vehicle, and/or assigned work area clean and free of soil, trash, or other residue.

Subject: General Order 200 – 13 Physical Health Protection

- b) When police vehicles become contaminated with blood borne pathogens, human body fluids, or airborne pathogens such as tuberculosis, the vehicle shall be decontaminated.
- 6) Protective Equipment:
 - a) Disposable gloves shall be worn when:
 - 1) Searching a prisoner.
 - 2) There is contact with body fluids, including blood, oral secretions, vomit, urine, feces, or contaminated objects.
 - 3) Administering first aid.
 - 4) Handling items such as used mouthpieces from an alcohol breath test machine, or tubes of blood obtained for evidence.
 - 5) The member feels their use is appropriate.

NOTE: All body fluids shall be considered potentially infectious materials. Upon removal of the gloves, the member shall wash his/her hands as soon as possible.

- b) Personal gloves should not be substituted for disposable gloves.
- c) Disposable gloves offer very minimal protection from needle punctures or sharp object cuts. Therefore, particular care should be used when handling or searching for needles or other sharp objects while wearing disposable gloves, because the touch sense may be reduced by the gloves.
- d) Disposable gloves shall be removed as soon as possible upon leaving the emergency scene and placed in an appropriate container for disposal.
- e) Antimicrobial hand wipes shall be used:
 - 1) After removing disposable gloves, where soap and water are not immediately available.
 - 2) Whenever an exposed area of skin contacts a surface potentially contaminated with blood or body fluids (wet or dry) when soap and water are not immediately available.
 - 3) Whenever the skin is punctured, torn, or cut, and soap and water are not available.
 - 4) After using public restroom facilities and soap and water are not available.
- f) Hands should be washed with soap and water as soon as practical following the use of antimicrobial hand wipes.
- g) Micro-Shields when available, may be utilized to perform cardiopulmonary resuscitation (CPR). These masks eliminate the need for traditional mouth-to-mouth contact while performing CPR.

Subject: General Order 200 – 13 Physical Health Protection

- h. Disposable paper masks should be utilized:
 - 1) Anytime there is a possibility of airborne blood or other body fluid while giving first aid.
 - 2) Anytime a member is in the immediate area of a dead body in an advanced state of decomposition.
 - 3) When conducting investigative duties around dead bodies in the morgue.

V. Disposal and Reequipping Responsibilities:

- A. Each member who uses any of the above listed safety equipment shall be responsible for correct disposal of the item
- B. Each member who uses a particular piece of disposable equipment shall be responsible for securing a replacement or providing for a replacement as soon as possible.

VI. Procedures- Hazardous Materials

- A. When departmental members suspect or become aware of a location that is involved in the production of controlled dangerous substances (Suspected Narcotics Laboratory), they shall:
 - 1) Remove and detain occupants.
 - 2) Establish a safe perimeter and secure the premises.
 - 3) Notify the county narcotics task force, as well as the Drug Enforcement Administration (DEA) for proper evidence processing, and the safe dismantling of the lab.
- B. In cases where other hazardous materials are present and a safety hazard exists, the Ocean Pines Volunteer Fire Department shall be notified as soon as possible and they shall assume command of the incident. Members shall assist them, as needed, and handle any criminal complaint which may arise from the incident.

Ocean Pines Police Department
General Manual

General Order: 200-14

Effective Date: June 22, 2015

Subject: Prisoner Booking/ Detention Procedures **Rescinds/Amends:** 12/5/09

It is necessary for the Ocean Pines Police Department to temporarily hold prisoners in its detention cell pending their lawful release or transfer.

- A. It is therefore the intent of the Ocean Pines Police Department to protect the general public through the secure detention of prisoners. Additionally, it is the intent of the department to safeguard and protect prisoners in its custody and provide for their basic needs.
- B. Upon taking custody of a prisoner by the Ocean Pines Police Department, the arresting officer will promptly begin booking procedures.
- C. All prisoners brought into police headquarters shall be searched as soon as possible by the arresting officer. Whenever possible, prisoners should be searched by personnel of the same sex. If the prisoner is searched by personnel of the opposite sex, a witness shall be present.
- D. While in police headquarters, it is the officers discretion to have the prisoner remained secured by the use of handcuffs and/or restraint devices during the booking process prior to being placed into a cell.
- E. Prisoners shall only be strip searched with approval of a supervisor and only when specific factors are present which indicate the search will uncover a weapon, a controlled dangerous substance or other contraband or evidence. A search of any body cavity, other than the mouth, will not be authorized without a search warrant. If a strip search is conducted, it shall be detailed in the narrative of the Incident Report on the arrest.
- F. Property removed from prisoners will be logged on the **Ocean Pines Police Department Property Inventory** form by the individual conducting the inventory.
- G. On any adult prisoner placed in the detention cell, the arresting officer shall complete the required information on the **Ocean Pines Police Department Detention Chart**, located on the cell door. This chart shall reflect date/time the prisoner was placed in the cell, and removed from the cell for any reason.

Subject: General Order 200-14 Prisoner Booking/Detention Procedures

- H. It will be the Police Communications Officer/Dispatcher's responsibility to ensure all juvenile cell checks and other information are logged on the **State of Maryland Secure Juvenile Holding Log**.
- I. The arresting officer will be responsible for obtaining/locating an arrest number, a BI number, and for the fingerprinting and photographing of all prisoners.
- J. Procedures for fingerprinting juveniles are set forth in **General Order 200-5 Juvenile Detention Procedures**.
- K. Upon completion of the booking procedures, the arresting/booking officer will place the prisoner in an appropriate cell. To the extent possible, all adult female prisoners shall be kept in separate cell areas from adult male prisoners. Under no circumstances shall an adult male and an adult female prisoner be placed in the same cell. Procedures concerning detention of juvenile prisoners are covered in **General Order 200-5 Juvenile Detention Procedures**.
- L. The arresting officer shall also obtain appropriate charging codes from the most recent **Commissioner's Manual**.
- M. The arrestee's personal information shall be typed into the "Arrest" file in the RMS system by the arresting officer.
- N. The arresting officer shall allow prisoners the opportunity to make a phone call of a reasonable length (approximately 5 minutes) normally within 2 hours of commencement of the booking procedure. A notation shall be made of the phone call on the **Detention Chart**.
- O. In cases where there is a reasonable belief that a prisoner made harm his/her self, all property shall be removed that could potentially harm the prisoner (i.e. belt, shoelaces, loose material, necklaces), the prisoner must be placed in cell #1 and a sworn officer shall conduct a visual inspection of the prisoner every 15 minutes, logging the inspection on the **Detention Chart**. Arresting officers shall be responsible to notify the PCO/Dispatcher of all medical needs as well as all information that may necessitate visual inspections.
- P. Except in emergency instances, such as medical necessity, a sworn officer shall be utilized to take prisoners into and out of cells.

Subject: General Order 200-14 Prisoner Booking/Detention Procedures

- Q. If a prisoner is in need of medical attention, the PCO/Dispatcher shall contact the appropriate emergency medical services as soon as possible. The decision to transport the prisoner to a hospital shall be made in consultation with emergency medical services.
- S. Should an officer be required to guard/detain a prisoner at the hospital, a supervisor shall be contacted immediately, and review the circumstances of the case. The supervisor shall determine whether continued custody is advisable.
- T. In case of fire in headquarters, all exits shall be posted, and it shall be the responsibility of the PCO/Dispatcher to evacuate the prisoner, with assistance of a sworn officer, if possible.
- U. Violent prisoners, determined to a risk to themselves or others shall be securely detained in the prisoner cell. The Police Supervisor will be responsible for determining the use of any appropriate restraining devices that will protect the officer, other prisoners and the violent prisoner.

Ocean Pines Police Department
General Manual

General Order: 200-15

Effective Date: June 22, 2015

Subject: Eyewitness Identification

Rescinds/Amends: December 30, 2009

01 Preliminary Investigating Officer:

- A. The methods used by the preliminary investigating officer have a direct impact on the amount and accuracy of the information obtained throughout the investigation.
- B. After securing the scene and attending to any victims and injured persons, the preliminary investigating officer should:
 - 1. Determine what crime has occurred and determine the location of the suspect(s).
 - 2. Detain or arrest the suspect(s) if still present at the scene.
 - 3. Broadcast updated description of the incident, suspect(s) and/or vehicle(s), as applicable.
 - 4. Verify the identity of the witness(es).
 - 5. Separate the witnesses and instruct them to avoid discussing details of the incident with other witnesses.
 - 6. Canvass the area of other witnesses.

02 Eyewitnesses:

- A. The manner in which the preliminary investigating officer obtains information from a witness has a direct impact on the amount and accuracy of that information.
- B. When interviewing a witness, the preliminary investigating officer should:
 - 1. Inquire about the witness condition and establish a rapport with him/her.
 - 2. Use open-ended questions (such as, “what can you tell me about the car?”); augment with closed-ended questions (such as, “What color was the car?”). Avoid leading questions (such as, “Was the car red?”).
 - 3. Clarify the information received from the witness and whenever possible, have the witness write a written statement.

4. Document the information obtained from the witness, including the witness' identity in an incident report.
5. Encourage the witness to contact the assigned Criminal Division Investigator with any further information.

03 Interviewing the Witness by the Assigned Criminal Division Investigator

A. Prior to conducting the interview, the assigned Criminal Division Investigator should:

1. Separate the witnesses.
2. Review the available information and plan to conduct the interview as soon as the witness is physically and emotionally capable.
3. Select an environment that minimizes distractions while maintaining the comfort level of the witness.
4. Determine the nature of the witness' prior law enforcement contact.

B. Initial (Pre-Interview) Contact with the Witness:

Establishing a cooperative relationship with the witness likely will result in an interview that yields a greater amount of accurate information. On meeting with the witness, but prior to beginning the interview, the investigator should:

1. Develop rapport with the witness.
2. Inquire about the nature of the witness' prior law enforcement contact related to the incident.
3. Volunteer no specific information about the suspect or case.

C. Conducting the Interview:

Information elicited from the witness during the interview may provide investigative leads and other essential facts. The above interview procedures will enable the witness to provide the most accurate, complete description of the event and encourage the witness to report later recollections. Witnesses commonly recall additional information after the interview that may be critical to the investigation. During the interview, the investigator should:

1. Encourage the witness to volunteer information without prompting, reporting all details, even if they seem trivial.
2. Ask open ended questions (e.g., "What can you tell me about the car?"); augmenting with closed-ended questions (e.g., "What color was the car?") and avoid interrupting the witness.
3. Avoid leading questions, while cautioning the witness not to guess.
4. Ask the witness to mentally recreate the circumstances, and encourage non-verbal communications (e.g., drawings, gestures, objects), when possible.

5. Instruct the witness to avoid discussing details of the incident with other potential witnesses.
6. Encourage the witnesses to avoid contact with the media or exposure to media accounts concerning the incident.
7. Thank the witness for his/her cooperation.

D. Recording Witness Recollections:

Complete and accurate documentation of the witness' statement is essential to the integrity and success of the investigation and any subsequent court proceedings. During, or as soon as reasonably possible after the interview, the investigator should:

1. Document the witness statements. Whenever possible, a written statement from the witness shall be obtained.
2. Review written documentation; ask the witness if there is anything he/she wishes to change, add or emphasize.

E. Assessing the Accuracy of Individual Elements of a Witness' Statement:

Point-by-point consideration of the accuracy of each element of a witness' statement can assist in focusing the investigation. This technique avoids the common misconceptions that the accuracy of an individual element of a witness description predicts the accuracy of another element. After conducting the interview, the investigator should:

1. Consider each individual component of the witness statement separately.
2. Review each element of the witness statement:
 - a. In the context of the entire statement. Look for inconsistencies.
 - b. In the context of evidence known to the investigator from other sources (e.g., other witnesses' statement, physical evidence).

F. Maintaining Contact with the Witness:

Re-establishing contact and rapport with the witness often leads to recovery of additional information. Maintaining an open communication channel with the witness throughout the investigation is critical. During post-interview, follow-up contact with the witness, the investigator should:

1. Re-establish rapport with the witness, asking the witness if he/she has recalled any additional information.
2. Provide no information from other sources.
3. Follow interview and documentation procedures mentioned in this General Order.

04 Field Identification Procedures (One on One):

The use of one-on-one identification can provide investigative information at an early stage, but the inherent suggestiveness of a one-on-one identification requires careful use of procedural safeguards.

A. When conducting a one-on-one identification, officers should:

1. Determine and document, prior to the one-on-one, a description of the suspect.
2. Transport the witness to the detained suspect to limit the legal impact of the suspect's detention.
3. When multiple witnesses are involved:
 - a. Separate witnesses and instruct them to avoid discussing details of the incident with other witnesses.
 - b. If a positive identification is obtained from one witness, consider using other identification procedures for remaining witnesses.
4. Caution the witness that the person he/she is looking at may or may not be the suspect.
5. Obtain a statement of certainty for both identification and non-identifications.

B. Recording one-on-one results:

Preparing a complete and accurate record of the outcome of the one-on-one improve the strength and credibility of the identification and non-identification results obtained from the witness. This can be a critical document in the investigation and any subsequent court proceeding. When conducting a one-on-one, the officer should:

1. Document the time and location of the one-on-one.
2. Record both identification and non-identification results in writing, including the witness' own word regarding how certain he/she is.

C. Composing Photo Lineups:

In a photo line-up, the suspect should not unduly stand out. An identification obtained through a photo line-up using the following procedures should result in a strong evidentiary value. In composing a photo line-up, the investigator should:

1. Include only one suspect in each identification procedure.
2. Select photos that generally fit the witness' description of the suspect. When there is a limited/inadequate description of the suspect provided by the witness, photos should resemble the suspect in significant features.

3. If multiple photos of the suspect are available, select a photo that resembles the suspect description at the time of the incident.
4. A minimum of five non-suspect photos shall be included in the photo lineup each on a separate sheet of paper. All photographs should be similar in size and color.
5. When showing a new suspect, avoid reusing photos in lineups shown to the same witness.
6. Ensure that no writings or information concerning previous arrests will be visible to the witness.
7. View the photo spread to ensure the suspect does not unduly stand out, and preserve the presentation order of the line-up.
8. Photos used in line-ups should be of the same nature and media.

D. Instructing the Witness Prior to Viewing a Photo Lineup:

Instructions provided to the witness prior to presentation of a lineup will likely improve the accuracy and reliability of any identification obtained from the witness and can facilitate the elimination of innocent parties from investigation. Prior to presenting a photo lineup, the investigator should:

1. Instruct the witness that he/she will be asked to view a set of photographs, and that it is just as important to clear innocent persons from suspicion as it is to identify the guilty party.
2. Instruct the witness that the individuals depicted in lineup photos may not exactly appear as they did on the date of the incident because features such as head and facial hair are subject to change
3. Instruct the witness that the person who committed the crime may or may not be in the set of photos presented, and that regardless of whether identification is made, the police will continue to investigate the incident.
4. Instruct the witness that the procedure requires the investigator to ask the witness to state, in his/her own words, how certain he/she is of any identification.

E. When presenting a sequential (one photo after another in a group) photo lineup, the investigator should:

1. Provide viewing instructions to the witness as outlined in “Instructing the Witness Prior to Viewing a Lineup”.
2. Provide the following additional viewing instruction to the witness:
 - Individual photographs will be viewed one at a time, in random order.
 - All photos are shown, even if identification is made.
3. Confirm that the witness understands the nature of the sequential procedure.
4. Present each photo separately, avoiding saying anything that would influence the witness’ selection.

5. If identification is made, obtain a statement of certainty before presenting the witness with any information regarding the individual he/she has selected.
6. Document, in writing, the sequential photo line-up procedure, including:
 - Identification information and source of all photos.
 - Names of persons present at the photo lineup.
 - Date and time of the identification procedure.
7. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

F. Conducting the Identification Procedure:

The manner in which an identification procedure is conducted can affect the reliability, fairness, and objectivity of the above procedures and can minimize the effect of external influences on a witness memory.

When conducting a simultaneous photo lineup, the investigator should:

1. Provide viewing instructions as outlined in: “Instructing the Witness Prior to viewing a lineup”.
2. Confirm that the witness understands the nature of the lineup procedure, and avoid saying anything to the witness that may influence the witness’ selection.
3. If identification is made, obtain a statement of certainty before providing the witness with any information regarding the individual he/she has selected.
4. Document, in writing, the photo lineup procedure, including:
 - Identification information and source of all photos
 - Names of all persons present at the photo lineup.
 - Date and time of the identification procedure.
 - If positive identification is made, have identifying person sign, date and time stamp the identified picture.
5. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

G. Recording Identification Results:

When conducting a sequential photo lineup, the investigator should:

1. Record both identification and non-identification results in writing, including the witness’ own words regarding how sure he/she is.
2. Ensure results are signed and dated by the witness and added to the case file.

3. Ensure that no materials indicating previous identification results are visible to the witness, and that the witness does not mark any materials that will be used in other identification procedures.

Ocean Pines Police Department
General Manual

General Order: 200-16

Effective Date: October 1, 2008

Subject: Missing Persons Investigations

Rescinds/Amends:

Any delay in reporting a missing person can hamper a subsequent investigation, and negatively impact the effectiveness and perception of the department within the community. This policy ensures that personnel understand the need for uniform and timely reporting of any missing persons report to this department.

- 1) It is the policy of the department to accept, without delay, a report of a missing person, whether such a report is made in person, via telephone or via other electronic means.
- 2) It is the policy of the department to require anyone reporting a missing person by telephone or other electronic means, to complete the report in person as soon as practical.
- 3) It is the policy of the department to accept a missing person report immediately and without a mandatory waiting period.
- 4) It is the policy of the department to inform the general public and family of missing persons that no mandatory waiting period will be imposed prior to accepting or investigating a missing person report.
- 5) It is the policy of the department to utilize the **Uniform Maryland Missing Person** report form.

Ocean Pines Police Department
General Manual

General Order: 200-17

Effective Date: June 22, 2015

Subject: Handling/Transporting Prisoners

Rescinds/Amends: 12/05/09

-
- 01 The decision to use handcuffs will be based upon the individual officer's personal assessment of each situation. Of primary concern will be the safety of the officer and the prisoner.
 - 02 In most situations, the use of handcuffs will be standard operating procedure when transporting an arrested subject.
 - 03 When feasible, officers will apply handcuffs behind the subject's back, with the palms facing outward. In every case, handcuffs are to be gauged for fit (to prevent an injury to the handcuffed subject), and double locked. If a subject is injured as a result of the use of handcuffs, it is to be reported to an immediate supervisor without delay and documented in the officer's report and any other injury report.
 - 04 In certain cases where a subject becomes very difficult to control, it may be necessary to restrain the subject's legs to restrict the subject's mobility, or to completely immobilize the subject. Leg shackles may be utilized in these cases.
 - 05 It is impossible to establish definitive rules as to the use of handcuffs and other restraining devices. The safe delivery of the arrested person must be accomplished. When in doubt, use the necessary restraining devices. Handcuffs and other devices are merely temporary controls and the arresting/transporting officer(s) must maintain a close guard over the subject(s) at all times. When a prisoner, out of necessity, must be handcuffed with their hands in front of their body, they should be further restrained by a restraining belt with the handcuffs looped through the ring, to eliminate the using of the handcuffs as a potential weapon by the subject.
 - 06 When transporting a prisoner in a vehicle without a prisoner transport screen, the prisoner will be properly restrained wearing the seatbelt and shoulder harness.
 - 07 At no time shall one officer attempt to transport more than (1) one prisoner, except in a vehicle with a transport screen.
 - 08 Juvenile offenders are to be transported separately from adult offenders.

Subject: General Order 200-17, Handling/Transporting Prisoners

- 09 Female prisoners are to be transported separately from male offenders.
10. In certain cases where an arrestee/detainee becomes combative or difficult to control, it may be necessary to restrain the arrestee/detainee's legs and feet to restrict or cease mobility as a means to ensure the safety of police personnel as well as the restrained subject. In this case the Violent Prisoner Restraint (VPRD) device may be utilized to prevent kicking and/or escape from custody.
11. In every case, when a prisoner is to be transported, it is the responsibility of the transporting officer(s) to:
 - A. Ensure the prisoner has been properly searched for weapons and/or contraband;
 - B. Ensure all the prisoner's personal property is properly accounted for;
 - C. Ensure the vehicle used to transport the prisoner is free of any and all weapons and/or contraband, prior to, and at the conclusion of, any and all prisoner transports.

Ocean Pines Police Department
General Manual

General Order: 200-18

Effective Date: May 10, 2010

Subject: Service of Protective Orders

Rescinds/Amends:

A new law on the service of Protective Orders is now in effect. This law states:

- A law enforcement officer shall, within two (2) hours after the service of a Protective Order, electronically notify the Department of Public Safety and Correctional Services (DPSCS) of the service
- DPSCS shall notify the Petitioner of the service on the Respondent of an Interim or Temporary Protective Order within one (1) hour after the law enforcement officer notifies DPSCS.
- DPSCS shall notify the Petitioner of the service on the Respondent of a Final Protective Order within one (1) hour after knowledge of the service of the Protective Order on the Respondent.

It is the responsibility of the **Worcester County Sheriff's Department** to notify DPSCS electronically of the service of Protective Orders. To do so within required time frames, Ocean Pines Police must **immediately** notify the Sheriff's Department when Protective Orders are served within Ocean Pines.

Whenever an Ocean Pines Police Officers serves a Protective Order in Ocean Pines:

- 1) The Officer shall immediately return to Headquarters and fax the return of service to the Worcester County Sheriff's Department.
- 2) If not already done, an Incident Number (Code 86- Peace Order) shall be drawn and the TIME the Order was **served and faxed** shall be noted in the REMARKS Section of the Incident Number.
- 3) The serving Officer shall next place the Protective Order in the department's Log Booklet of Ex Parte and Protective Orders.

Ocean Pines Police Department
General Manual

General Order: 200-19

Effective Date: October 1, 2014

Subject: Civil Possession of Marijuana

Rescinds/Amends:

I. Purpose

Criminal Law Article 5-601 & 5-601.1 (Effective October 1, 2014) re-classifies the use or possession of less than ten (10) grams of marijuana from a criminal offense to a civil offense subject to fines. The purpose of this policy is to provide guidance to officers in distinguishing between criminal and civil marijuana use/possession as well as to provide specific procedures for officers pertaining to charging of marijuana offenses as well as the seizing of marijuana

II. Policy

Marijuana is a potentially dangerous drug, the use of which carries significant public health, public safety and crime-related issues. It remains illegal to possess under federal law and is still a Schedule I controlled dangerous substance under Maryland State law. The policy of the Department shall be to uniformly enforce Maryland laws pertaining to marijuana use and possession and to charge persons according to the requirements of Maryland CR 5-601 & 5-601.1.

III. Procedures

The use and possession of marijuana in Maryland remains illegal, however Maryland CR 5-601 & 5-601.1 require that persons using or possessing marijuana in quantities less than ten (10) grams be charged via civil citation as a civil infraction. In order to comply with Maryland law, the following procedures have been developed:

A. Quantifying Marijuana

Officers are currently trained to recognize suspected marijuana by its appearance, odor, manner of packaging and other circumstances that exist when it is discovered. Officers will also be trained by the Department about factors to consider in making good faith, probable cause estimates of the weight of quantities of marijuana.

1. Officers who discover marijuana during the course of their duties shall seize the marijuana when permitted by current law, applicable legal precedent and Department policy.

Subject: General Order 200-19

2. Once marijuana is lawfully seized, Officers shall estimate the weight of the marijuana as being less than ten (10) grams, or ten (10) grams or more. This probable cause determination shall be based upon the officer's training, knowledge and experience as well as observations in the specific instance.

a. If the amount is estimated to be ten (10) grams or more, the officer may arrest the suspect and shall follow normal arrest/citation procedures as described in Standard Operating Procedure OPS-017, Criminal Citation Procedures.

b. If the amount is estimated to be less than ten (10) grams, the officer may only issue a civil citation as a means of charging and no arrest shall be made.

3. Any doubt concerning the weight of the marijuana shall be resolved decidedly in favor of the defendant.

4. Persons possessing less than 10 grams of marijuana may still be charged with the criminal offense of possession with intent to distribute a controlled dangerous substance (CDS), should probable cause exist for the charge.

B. Seizure and Submission of Marijuana

Marijuana remains a banned substance and officers are authorized to, and shall confiscate marijuana that is discovered in their official duties, however the Maryland State Police Forensic Sciences Division (FSD) has determined that it will not accept for testing small amounts of marijuana on which civil charges are based, unless the incident results in other related criminal charges. The following procedures shall be followed pertaining to the seizure and submission of marijuana:

1. Where criminal charges, or any charges related to a serious traffic offense have been placed against a person, the seizing officer shall properly package and submit the marijuana to the FSD for analysis in accordance with FSD guidelines except as provided below in "2".

2. If possession of drug paraphernalia is the only criminal offense, officers will not arrest or charge the person with possession of drug paraphernalia. In those instances, officers may charge the person with civil possession of marijuana and will seize and submit the marijuana per "3 " or "4" below, unless the person is charged with another criminal violation.

3. Where ONLY civil charges have been placed against a person and the Officer has issued a civil citation or referred the matter to the Department of Juvenile Justice, the seizing officer shall submit the marijuana to the Department's Property & Evidence Section marked as "EVIDENCE".

Subject: General Order 200-19

4. Where no charges will be placed against a person, the seizing officer shall submit the marijuana to the Department's Property & Evidence Section marked "TO BE DESTROYED".

C. Charging and Civil Citation Guidelines

Officers who develop probable cause to believe that a person is using or possessing marijuana in an amount less than ten (10) grams, and choose to charge the person with a civil offense under CR 5-601 & 5-601.1, shall charge the person as follows:

1. **Juveniles:** Juvenile defendants are not eligible to receive civil citations for possession of marijuana. Officers who encounter juveniles in possession of less than ten (10) grams of marijuana shall:

- a. Identify the juvenile
- b. Seize & submit the marijuana when possible
- c. Complete an incident report & forward the incident report to the Department of Juvenile Justice for review and disposition.
- d. Contact the parent/guardian of the juvenile offender

2. **Adults 18-20 Years Old:** Shall be charged on a Maryland Civil Citation. Officers shall check the box stating "YOU MUST APPEAR IN COURT" in "Section 3" of the citation.

3. **Adults 21 Years & Older:** Shall be charged on a Maryland Civil Citation. Officers shall check boxes in "Section 3" of the civil citation as follows:

- a. For a **1st or 2nd offense**, Officers shall check ;
 - i "YOU MAY PAY A FINE OF _____ " and;
 - ii. "YOU MAY ELECT TO STAND TRIAL"

NOTE: The District Court has set the fine for a 1st offense at \$50.00. The fine for a second offense is \$125.00.

b. For a **3rd or subsequent offense**, officers shall check the box stating "YOU MUST APPEAR IN COURT" in "Section 3" of the citation.

Subject: General Order 200-19

D. Determining Prior Offenses

1. For adults 21 years of age and older, Officers must indicate on the civil citation the amount of the fine. The amount of the fine depends on whether it is the first, second or third or subsequent civil offense committed by the person.
2. Despite the requirement to determine prior offenses for issuance of a citation, the law states that “the official record of the court regarding the [marijuana] citation is not subject to public inspection and may not be included on the public website maintained by the Maryland Judiciary.” Moreover, since the citations are civil in nature, they will not be recorded as criminal history information, thus complicating this process.
3. In order to determine “prior offenses” officers should:
 - a. Ask the offender if he/she has any prior offenses for **civil possession of marijuana** and;
 - b. Access the Maryland Judiciary Secure Case Search website with authorized username and password and search the offender in the database for prior offenses of civil possession of marijuana. The Maryland Judiciary Secure Case Search website can be found at <http://jportal.mdcourts.gov/portal/PublicPage.jsf>

IV. Other Considerations

A 4th Amendment Searches

1. Under State and federal law, marijuana is classified as a controlled dangerous substance and possession of it is not lawful. As such, the odor, appearance or other indicia of its presence is probable cause to investigate and search the person/vehicle/space involved. If, as part of that investigation, an amount of less than 10 grams of marijuana is discovered, the officer should, within his discretion, issue a civil citation.
2. If the ONLY infraction is civil in nature and a civil citation is issued, Officers shall not search a person incident to the issuance of the citation. Officers may, depending on the specific circumstances, retain authority to conduct a pat-down for weapons, but any search of the person must be supported by an established exception to the warrant requirement, such as consent.
3. If a person receiving the civil citation is also subject to other offenses that are criminal in nature and the subject is arrested, Officers may then search the person incident to the arrest.

Subject: General Order 200-19

4. Warrantless searches of cars are constitutional so long as the officer has probable cause to believe that the car contains contraband. In such cases, the car may be searched under the automobile exception to the warrant requirement. As always, an officer should take care to document each and every factor that adds to the probable cause.

B. Interview & Interrogation

Persons who are receiving only a civil citation for possession of marijuana less than ten (10) grams and are not subject to arrest are generally not in custody for purposes of interview and interrogation.

C. Civil Court Testimony

1. Civil marijuana offenses will be prosecuted in the District Court of Maryland by the State's Attorney's Office for Worcester County.
2. At the civil proceeding Officers will need to testify based on his/her training, knowledge and experience that the substance in question is/was marijuana, keeping in mind that the standard of proof is by a preponderance of the evidence. The defendant may also have admitted to the possession of marijuana during the course of issuance of the citation.
3. Marijuana seized should be presented as evidence at the civil proceeding.

VI. Reporting Requirements

Officers shall complete an incident report for all investigations when a person is charged with civil possession of marijuana.

Ocean Pines Police Department
General Manual

General Order: 200-20

Effective Date: June 22, 2015

Subject: Mental Health Incidents

Rescinds/Amends:

I. Policy

The Department will handle incidents involving the mentally ill and those in crisis with care and expertise, ensuring that such persons receive a response which is appropriate to the needs of the individual involved. The Department will provide individuals suspected of suffering from mental illness with the same high level of service and protection provided to anyone else. Reasonable procedural adjustments may be made to accommodate individual needs on a case-by-case basis. Individuals will not be taken involuntarily into custody by reason of mental illness alone, but only if they have committed a criminal offense or have demonstrated by their actions to be a threat to the life or safety of themselves or others. All contacts made by officers who are dealing with persons who may be suffering from mental illness will be thoroughly investigated for adherence to procedures and policies. The results of these contacts as well as other related analyses will be the foundation for updating procedures and training.

The Department will restrain and transport persons in need of emergency mental commitment and those named in involuntary commitment orders to an appropriate mental health facility for evaluation. The Department will provide transportation, when manpower permits, for individuals who wish to commit themselves to a mental facility. A sworn police officer will complete all emergency petitions if the County's Crisis Response Team (C.R.T.) is not available

II. Guidelines for the Initial Response to Individuals in Crisis

- A. Although officers are not in a position to diagnose mental illness, they should be alert to symptoms common to such illnesses. These symptoms may vary, but all mentally ill persons experience thoughts, feelings, or behavioral characteristics, which result in varying levels of inability to cope with the ordinary demands of life
- B. When responding to individuals who exhibit symptoms of mental illness, officers should gather as much information as possible to assess and stabilize the situation.

- C. No individual will be arrested for behavioral manifestations of mental illness that are not criminal in nature. Taking a mentally ill individual into custody can occur only when the individual
 - 1. Has committed a crime, or
 - 2. Presents a danger to the safety of himself/herself or others and meets the criteria for involuntary emergency or non-emergency mental commitment.

- D. Persons with mental illness can be easily upset and may engage in tantrums or self-destructive behavior. Minor changes in daily routines may trigger these behaviors.

- E. Family members or friends can be of great value in calming an individual exhibiting unusual behavior such as those resulting from mental or emotional impairment.

- F. When officers encounter individuals suspected of suffering from mental illness crisis, they should immediately seek the assistance from the Crisis Response Team (CRT), if available.

- G. The initial responding officer's interaction with a person suspected of being in crisis can many times dictate the outcome of the event. It is recommended that the initial officer(s) on the scene follow these guidelines while awaiting the arrival of C.R.T.
 - 1. Speak calmly to the individual in crisis;
 - 2. Use non-threatening body language;
 - 3. Eliminate commotion to a degree possible;
 - 4. Keep animals not associated with the individual away;
 - 5. Look for personal identification;
 - 6. Call a caregiver if known and available;
 - 7. Prepare for a lengthy interaction – do not rush;
 - 8. Use short, direct phrases;
 - 9. Be attentive to sensory impairments;

- 10 Seek visual clues that assist the individual;
- 11 Be aware of different forms of communication (signals and gestures);
- 12 Don't express anger with the individual, and;
- 13 Maintain officer safety protocol

III. Custody and Mental Health Referral/Admission

1. General

1. If an individual with a mental, emotional, or psychological illness is taken into custody, officers should make a reasonable effort to minimize the use of restraints but shall assure the public's safety and officer safety are paramount to the decision making.
2. If an individual suffering from an emotional/mental illness is detained for a misdemeanor offense, officer(s) should seek resolution through voluntary admission to a health facility approved to treat mental health issues
3. Based on the totality of the circumstances and a reasonable belief of the potential for self-inflicted violence and/or a danger to public safety, officer(s) will follow the provisions outlined in Maryland code, health General Article § 10-620 et seq., regarding involuntary emergency evaluations.
4. Officers should utilize the services of C.R.T. whenever possible to assist in facilitating an emergency evaluation.
5. Peninsula Regional Medical Center (P.R.M.C.) is the only medical facility in the Maryland Eastern Shore region that can provide approved mental health services to individuals suffering from mental illness.

2. Voluntary Admission

1. Individuals in crisis or who are suffering from mental illness and appear to be in need of psychiatric evaluation and do not pose an imminent danger to themselves or others should be referred to medical facilities specializing in mental health services. This referral service should also be extended to the individual's family members present
2. If an individual in crisis is currently under the care/treatment of a physician, steps should be taken to assist in facilitating contact with the treating physician

3. If the individual in crisis agrees to mental health treatment/evaluation, the Department will provide a means of transportation to the medical facility

3. Involuntary Admission

1. Police intervention is mandatory when a person in crisis is:
 - a. Imminently dangerous to him/herself, to include a threat of suicide and/or an attempted suicide;
 - b. Unable or unwilling to care for his/her essential needs; or
 - c. Suffering substantial physical deterioration and shows an inability to function.
2. In cases where a police officer has personally observed/heard the actions of the individual in crisis, the individual shall be transported to P.R.M.C. for emergency evaluation purposes.
3. A police officer or a C.R.T. representative will be required to complete the Petition for Emergency Evaluation form (CC-DC #13) for submission to the medical staff. Police officers must also complete the Certification by peace Officer form (Cc-DC #14).

4. Reporting

1. Following each call, officers will complete all documentation as required by department policy and submit as outlined in standard operating procedures