

RELEASE: Revised Policies for Incidents Involving Foreign Nationals.

EFFECTIVE: Immediately.

This message is being distributed to advise members that Chief Robert O. McCullough has approved revisions to the Department's policies addressing incidents involving foreign nationals. The revised materials will appear in the following sections of the Field and Administrative manuals in a future General Order:

- Field Manual, Article 1, Section 3.10, METERS/NLETS/NCIC Record Checks;
- Field Manual, Article 1, Section 3.13.1, Incidents Involving Persons Claiming Diplomatic or Consular Immunity;
- Field Manual, Article 1, Section 3.13.2, Incidents Involving Foreign Nationals;
- Field Manual, Article 2, Section 2.5, Reciprocity;
- Field Manual, Article 2, Section 2.6, Diplomatic and Consular Immunity;
- Field Manual, Article 4, Section 4.1, Arrests of Foreign Nationals;
- Field Manual, Article 4, Section 4.1.1, Notifications to the U.S. Immigration and Customs Enforcement (ICE);
- Field Manual, Article 4, Section 4.1.2, Consular Notification and Access;
- Field Manual, Article 8, Section 1.4, Report Completion and Submission;
- Field Manual, Article 14, Section 2.2, Reasons for Denial of a Maryland Public Information Act (MPIA) Request;
- Administrative Manual, Article 4, Section 9.0, Police Reports; and
- Administration Manual, Article 5, Section 5.3, Technology Section.

NOTE: Members should be aware that multiple of the above listed sections have been renumbered and/or retitled for clarity and organization.

The attachment to this message contains copies of the revised manual sections. These revised sections supersede the related materials currently displayed in the Department's Field and Administrative manuals (i.e., General Order 2023-01). Also included in the attachment is a copy of Field Manual, Article 1, Section 3.10.2, NCIC Immigration Violation Related Responses. This section was not revised, but is being included for members to review.

Members are advised that the Department's *Reports Requiring Distribution* List has been revised effective this date.

This message rescinds Miscellaneous Message Requiring a Form 159, *Policies on the Release of Public Information* (dated February 27, 2024).

The following reference documents are available on the Department's intranet site for members' use:

1. [Consular Notification and Access \(U.S. Department of State\)](#)
2. [Diplomatic and Consular Immunity Guide \(U.S. Department of State\)](#)

Commanders: Please complete a Form 159, Order/Directive Verification Form, for each member in your command and attach one printed copy of this message and the attached document. Members will sign the Form 159 stating that they received a copy of this message

and the attached document, which is located in their Department e-mail account. A copy of this message and the document will also be posted on the Department's Intranet site.

Please contact the Strategic Planning Team with any questions at X2260.

This message has been reviewed and approved by Captain Joseph W. Donohue (#3844).

Field Manual, Article 1, Investigations

1-3.10 METERS/NLETS/NCIC RECORD CHECKS

INQUIRIES

- Made into METERS/NLETS/NCIC through:
 1. The METERS Master Query, using the stated identifiers:
 - a. Wanted persons - name and one numerical identifier (i.e., full date of birth, driver's license number and state, or Social Security number).
 - b. Stolen/wanted vehicles, mopeds/scooters, license tags, and vehicle parts - license tag number, vehicle identification number, off-road vehicle (ORV) number, or serial number.
 - c. Stolen disabled placard - placard number.
 - d. Stolen guns - serial number.
 - e. Stolen articles - serial number or owner applied number.
 - f. Stolen boats - boat hull number or boat registration number and state.
 2. METERS/NCIC, using the stated identifiers:
 - a. Wanted persons - name and one numerical identifier (i.e., full date of birth, Social Security number, Universal Control Number (UCN), driver's license number, or miscellaneous number (e.g., passport, military identification number, etc.)).
 - b. Stolen/wanted vehicles, license tags, and vehicle parts - license tag number and state, vehicle identification number, owner applied number, or serial number.
 - c. Stolen guns - serial number.
 - d. Stolen articles - serial or owner applied number and type of article.
 - e. Stolen securities - serial number, type, and denomination.
 - f. Stolen boats - boat hull number, boat registration number and state, Coast Guard document number, or owner applied number.
- Routinely made by the arresting officer on all arrested persons, prior to prisoner processing.

NOTE: The Information & Records Management Section (IRMS) will run a second records check, upon issue of a UID number or a juvenile identification (JID) number for the subject.
- Routinely made on all firearms by the EMU, upon submission.
- Will not be made for the sole purpose of determining a person's citizenship, immigration status, or place of birth.

NOTE: This prohibition does not prevent a member from making inquiries about any information that is material to a criminal investigation or for prisoner processing.

MEMBERS RECEIVING A POSITIVE RESPONSE

- Verify responses with all known facts and the agency entering the record.
- Contact the IRMS and request that a hit confirmation be sent by the Telecommunications/Inquiry Desk.

NOTE: A hit confirmation will be sent to confirm all positive responses. Telephoning the originating agency to confirm the data and obtain further details will not be used in lieu of a hit confirmation sent by the Telecommunications/Inquiry Desk.
- Take the property or person under inquiry back to the precinct.

Field Manual, Article 1, Investigations

- Contact the originating agency to confirm the data and obtain further details if possible.
NOTE: This contact can be made by telephone if the agency is nearby or by computer message if the agency is out of state or not a neighboring jurisdiction.

EXCEPTION: Members will not complete any of the above actions in reference to positive responses for alleged violations of the immigration laws (e.g., immigration warrant, final order of removal, etc.). Members will not stop, arrest, detain, or continue detention of individuals in reference to positive responses in reference to alleged violations of the immigration laws. Members receiving a positive response for alleged violations of the immigration laws will refer to Section 3.10.2 of this Article.

INFORMATION SECURITY

- All records, regardless of format (e.g., electronic, paper, digital, etc.), shall be sanitized or destroyed onsite prior to discarding.
- All digital media storage devices shall be placed in a media disposal bin for destruction.
NOTE: If the member's command does not have a media disposal bin, the Commander will ensure media storage devices are discarded at a command equipped with a bin.
- Commanders having a media disposal bin located at their command will ensure the:
 1. Bin remains locked and access to its contents is controlled.
 2. Contents are destroyed onsite prior to disposal.
- CDs, DVDs, and paper records shall be shredded in a CD/DVD compatible shredder located at the command prior to disposal.
NOTE: If a shredder is not available, the Commander will ensure the CD/DVD media and/or paper records are taken to a command with a shredder and destroyed.

Field Manual, Article 1, Investigations

1-3.10.2 NCIC IMMIGRATION VIOLATION RELATED RESPONSES**GENERAL**

- Documents (e.g., detainers, warrants, etc.) issued and distributed by the U.S. Immigration and Customs Enforcement (ICE) differ from similarly titled documents received from other law enforcement agencies.
NOTE: Documents issued and distributed by ICE frequently use words such as detainer, warrant, etc. that are familiar to members, but do not carry the same legal authority.
- Members of the Department will treat all documents (e.g., detainers, warrants, etc.) received from ICE as civil, regardless of the immigration violation response.
NOTE: Members will not stop, arrest, detain, or continue detention of an individual on the basis of an immigration warrant, a final order of removal, or suspicion of immigration violations.

NCIC IMMIGRATION VIOLATION RESPONSE CATEGORIES

- Deported Felon - contains records of previously deported felons who have been convicted and deported for drug trafficking, firearms trafficking, or serious violent crimes.
- Absconder (i.e., Failure to Appear for Removal) - contains records of individuals with an outstanding administrative warrant of removal from the United States who have unlawfully remained in the country.
- National Security Entry-Exit Registration System (NSEERS) (i.e., National Security Registration) - contains records of individuals with an outstanding administrative warrant for failure to comply with the national security registration requirements.

MEMBERS

- Will not conduct self-initiated stops and/or NCIC checks of subjects for the sole purpose of determining their immigration status.
- Will not detain subjects solely for the purpose of confirming a positive NCIC immigration violation response or the existence of an ICE document (e.g., detainer, warrant, etc.).
- Will release subjects when the legal justification for the stop/detention no longer exists based upon Maryland law.
- Contact the ICE Law Enforcement Support Center (LESC) after the encounter has ended and provide the subject's information.
EXCEPTION: If a subject is arrested in reference to a violation of Maryland law, notification will be done upon arriving at the precinct, and a printed copy of the NCIC response will be placed with the subject's arrest documents.
- Will not delay or postpone an arrestee's appearance in front of a court commissioner or release on a citation:
 1. To confirm the existence of an ICE document (e.g., detainer, warrant, etc.).
 2. At the request of an ICE agent or document (e.g., detainer, warrant, etc.).
- Will not detain an arrestee following his/her appearance in front of a court commissioner due to a request from an ICE agent or document (e.g., detainer, warrant, etc.).
- Document all communications with ICE in the *Activity Log* tab of the subject's EBooking record.

REFERENCE

- Field Manual, Article 4 (Arrest, Custody, and Court).

Field Manual, Article 1, Investigations

1-3.13.1 INCIDENTS INVOLVING PERSONS CLAIMING DIPLOMATIC OR CONSULAR IMMUNITY**DEFINITIONS**

- **Diplomatic/Consular Immunity** - a principle of international law by which certain foreign government officials are not subject to the jurisdiction of local courts and other authorities for both their official, and in certain cases, their personal activities.
- **Foreign Government Officials** - individuals who may have certain diplomatic or consular immunities, including:
 1. Diplomatic agents;
 2. Family members of diplomatic agents;
 3. Administrative and technical staff of a diplomatic mission;
 4. Service staff of a diplomatic mission;
 5. Members of consular posts;
 6. Personnel of international organizations;
 7. Personnel of national missions to international organizations; and
 8. Designated employees of the Taipei Economic and Cultural Representative Office in the United States (TERCO) and of the Taipei Economic and Cultural Officers (TECO).

NOTE: Privileges and immunities granted to foreign government officials vary based on their official position, citizenship, and agreements between the involved countries. Some foreign government officials may only have immunity for official acts. However, those with personal inviolability are generally precluded from handcuffing, arrest, or detention, and are generally protected from entry and/or search of their residences, automobiles, or personal property for both official acts and personal activities.

INVESTIGATING OFFICERS

- Immediately notify their supervisor of all incidents involving persons claiming immunity.
- Request the subject provide their U.S. Department of State, U.S. Mission to the United Nations (i.e., for persons accredited to the United Nations), or American Institute of Taiwan (i.e., For designated employees of TERCO and TECO) official identification card, upon encountering a subject claiming immunity.

NOTES:

1. The rear side of the card contains the official's immunities and a contact phone number for law enforcement inquiries.
 2. Other documents (e.g., foreign diplomatic passports, U.S. diplomatic visas, tax exemption cards, vehicle registrations, etc.) are not conclusive for determining immunity.
 3. Persons claiming immunity who are unable to produce an official identification card may be detained until identity and immunity status are confirmed.
- Immediately contact the 9-1-1 Police Liaison or consult the Diplomatic and Consular Immunity Guide to obtain the contact phone number, should a person claiming immunity not have an official identification card.
 - Immediately confirm the subject's status as a foreign government official and their entitled immunities by calling the appropriate contact phone number (i.e., located on their official identification card, provided by the 9-1-1 Police Liaison, or obtained from the Diplomatic and Consular Immunity Guide), prior to taking police action.

Field Manual, Article 1, Investigations

- Shall respect all privileges and immunities confirmed to be applicable to a foreign government official.
EXCEPTION: In circumstances where public safety is in imminent danger or it is apparent that a grave crime may otherwise be committed, investigating officers may intervene to the extent necessary to halt such activity.
- Complete the appropriate incident report prior to the end of their tour of duty to document all incidents involving persons claiming immunity, regardless of whether the individual is confirmed to have immunity or not have immunity in relationship to the incident.
NOTE: The report shall:
 1. Include the name of the person providing the subject's immunity status; and
 2. Be sufficiently thorough for subsequent use by the U.S. Department of State (i.e., for waivers of immunity; future prosecution, if immunity is waived; removal from the country, etc.).
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- Refer to Field Manual, Article 2, Section 2.6, Diplomatic and Consular Immunity, for additional procedures for traffic-related incidents (i.e., traffic stops, crashes, etc.) involving foreign government officials with diplomatic or consular immunity.

SUPERVISORS

- Respond to the scene of all incidents involving persons claiming immunity.

REFERENCES

- Diplomatic and Consular Immunity Guide (U.S. Department of State).
- Field Manual, Article 2 (Traffic Procedures).
- Field Manual, Article 8 (Report Writing).

Field Manual, Article 1, Investigations

1-3.13.2 INCIDENTS INVOLVING FOREIGN NATIONALS

DEFINITION

- **Foreign National** - a person who is not a citizen of the United States.

NOTE: This includes persons who are, and persons who are not, in the United States legally.

MEMBERS

- Handle incidents involving foreign nationals as they handle all other incidents.
- Shall make the appropriate consular notification upon:
 1. Becoming aware of the death or serious injury of a foreign national;
 2. Detaining a foreign national (e.g., for the purpose of an emergency evaluation, Child in Need of Assistance (CINA) placement, etc.).
 3. Arresting a foreign national.

NOTE: Refer to Field Manual, Article 4, Section 4.1, Arrests of Foreign Nationals, for additional policies related to arrests of foreign nationals.

NOTES:

1. Refer to the Consular Notification and Access document for the list of required notifications and contact information. Notification for arrestees/detainees will be made in all cases where required or requested (See Field Manual, Article 4, Section 3.13.1 (Consular Notification and Access)).
2. For foreign nationals that have dual citizenship, both countries will be notified, as appropriate, unless the foreign national has dual citizenship in the United States and another country. Where dual citizenship exists and the subject is a United States citizen, the other country will not be notified.

PROHIBITIONS

- Stop , arresting, detaining, or prolonging the detention of an individual on the basis of an immigration warrant, a final order of removal, or suspicion of immigration violations.
- Inquiring about an individual's citizenship, immigration status, or place of birth during a stop, search, or an arrest.
- Detaining or prolonging the detention of an individual:
 1. For the purpose of investigating the individual's citizenship or immigration status; or
 2. Based on suspicion that the individual has committed a civil immigration violation.
- Transferring an individual to federal immigration authorities unless required by federal immigration law. See Field Manual, Article 4, Section 4.1.1, Notifications to the U.S. Immigration and Customs Enforcement (ICE).
- Coercing, intimidating, or threatening any individual based on actual or perceived immigration status of the individual, or the individual's family member, household member, legal guardian, or another person for whom the individual is a legal guardian.

NOTE: These prohibitions do not prevent a member from inquiring about any information that is material to a criminal investigation or that is needed for the purpose of prisoner processing.

- Informing a foreign national's consulate about the foreign national's refugee or asylum status.

REFERENCES

- Field Manual, Article 4 (Arrest, Custody, and Court).
- Consular Notification and Access (U.S. Department of State).

Field Manual, Article 2, Traffic Procedures

2-2.5 RECIPROCITY

OUT-OF-STATE MOTORISTS

- May be issued a citation for violations of the Maryland Transportation Article.
- From states which do not have reciprocity, will be taken before a commissioner to post bond or collateral if the officer has articulable grounds to believe that the violator will not comply with the citation guidelines.
- There is no reciprocity for the following:
 1. Parking violations.
 2. Highway weight limit restrictions violations.
 3. Transportation of explosives.
 4. A resident who has outstanding traffic or parking citations, warrants, or has been avoiding service of a notice of suspension or revocation.
- For those violators taken before a commissioner to post bond or collateral, the officer will:
 1. Complete a Form DC/CR4, Statement of Probable Cause.
 2. Give the court copy of the Form DC/CR4 and traffic citations to the commissioner.
NOTE: No arrest report is necessary for an out-of-state violator taken before a commissioner.
 3. Forward the State's Attorney's copy of the Form DC/CR4 and traffic citations to the supervisor for review and forwarding to Citation Control.

Field Manual, Article 2, Traffic Procedures

2-2.6 DIPLOMATIC AND CONSULAR IMMUNITY**GENERAL**

- Diplomatic and consular immunity does not extend to the issuance of traffic citations.

MEMBERS

- Refer to Field Manual, Article 1, Section 3.13.1, Incidents Involving Persons Claiming Diplomatic or Consular Immunity, for procedures when encountering a subject claiming immunity.

NOTE: The member must confirm whether the subject is a foreign government official with immunity prior to taking enforcement action, including for traffic related offenses.
- May issue a warning or citation to persons with diplomatic immunity based on the nature of a moving traffic violation.

NOTE: The issuance of a traffic citation does not constitute arrest or detention in regard to immunity.
- Issuing a citation to a foreign government official with immunity:
 1. May not compel the official to sign the citation.
 2. Forward the following to the Motor Vehicle Administration within five workdays after the date of the encounter:
 - a. A vehicle crash report, if the driver was involved in a vehicle crash.
 - b. A copy of any citation or other charging document issued.
- Issuing a warning or traffic citation to a foreign government official with immunity will complete the appropriate incident report which includes an explanation of the incident and probable cause.

NOTE: A copy of the citation or charging document (if applicable) will have the report number written on the top right corner and placed in the precinct/section files.
- Complete the appropriate incident report before the end of their tour of duty.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- Stopping a foreign official for a serious traffic or driving under the influence (DUI) violation must take into primary consideration whether the violator is a danger to him/herself or the public. Based upon this and other considerations, the following options are available to the member:
 1. Transport the foreign government official, with their permission, to a precinct or other location, permitting sufficient recovery time to enable the individual to drive safely.
 2. Summon or allow the foreign government official to summon a:
 - a. Friend or relative to drive; or
 - b. Taxi or other ride service.

NOTE: Foreign government officials with immunity will not be handcuffed or physically handled in any fashion unless no other option presents itself, nor is their vehicle subject to a search. If appropriate, sobriety testing should be offered and their response and any results fully documented. The taking of these tests may not be compelled.
- Handling a diplomatic vehicle or vehicle belonging to a subject with immunity that needs to be moved, will attempt to ascertain (e.g., from the Department of State, the subject, etc.) whether there are immunities that prevent the vehicle from being impounded, whether arrangements can be made to have the vehicle legally parked or moved by another subject, etc. If alternate arrangements cannot be agreed upon and made in a timely fashion, the vehicle may be stored in accordance with Department policy for the purpose of removing it from obstructing traffic and/or endangering public safety.

NOTE: The Department of State will be notified of the location of the vehicle.

Field Manual, Article 2, Traffic Procedures

REFERENCES

- Diplomatic and Consular Immunity Guide (U.S. Department of State).
- Field Manual, Article 1 (Investigations).
- Field Manual, Article 8 (Report Writing).

Field Manual, Article 4, Arrests, Custody, and Court

4-4.1 **ARRESTS OF FOREIGN NATIONALS**

Field Manual, Article 4, Arrests, Custody, and Court

4-4.1.1 NOTIFICATIONS TO THE U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)

MEMBERS

- Will only notify the U.S. Immigration and Customs Enforcement (ICE) of arrests of **foreign nationals** when an immigration violation related response is received from the National Crime Information Center (NCIC) in reference to the subject.
NOTE: Notification will be made to the ICE Law Enforcement Support Center (LESC) as soon as possible, when required.
- **Will, w**hen notification of ICE is required:
 1. Provide the LESG with the:
 - a. Name of the subject arrested.
 - b. Date and place of birth.
 - c. Charge, UID number, and date of arrest.
 - d. Registered Alien File Number (on the alien's green identification card).
 2. State in the *Arrest Narrative* block of the EBooking record the fact that the person arrested is an alien/noncitizen and the name of the LESG staff member contacted, date and time contacted, and Registered Alien File Number, if available.

NOTE: See Field Manual, Article 1, Section 3.10.2, for procedures in reference to immigration violation related responses from NCIC.

- **May not supply a photograph of the arrestee to ICE or other federal agency seeking access for the purpose of enforcing federal immigration law.**
- **May not transfer an individual to federal immigration authorities unless required by federal immigration law.**

REFERENCE

- Field Manual, Article 1 (Investigations).

Field Manual, Article 4, Arrests, Custody, and Court

4-4.1.2 CONSULAR NOTIFICATION AND ACCESS**GENERAL**

- Refer to Field Manual, Article 1, Section 3.13.1, Incidents Involving Persons Claiming Diplomatic or Consular Immunity, for pre-arrest procedures.
- Prisoners who are foreign nationals, as defined in Field Manual, Article 1, Section 3.13.2, will be treated as all other prisoners.
- When foreign nationals from most countries are arrested or detained, they may, upon request, have consular notification made, without delay, and are entitled to communicate with and have access to consular officers for assistance, including in obtaining legal representation.
- For foreign nationals of some countries, consular officers must be notified, even if the foreign national does not request or want notification.
NOTE: Refer to the Consular Notification and Access document, for a list of countries requiring consular notification and contact phone numbers.
- For foreign nationals that have dual citizenship, both countries will be notified, as appropriate, unless the foreign national has dual citizenship in the United States and another country. Where dual citizenship exists and the subject is a United States citizen, the other country will not be notified.

MEMBERS

- Shall not inquire about an arrestee's citizenship, immigration status, or place of birth.
EXCEPTIONS:
 1. Place of birth may be asked and recorded as part of prisoner processing; and
 2. Citizenship, immigration status, and place of birth may be asked and recorded if the information is material to a criminal investigation.
- Suspecting that an arrestee may be a foreign national with rights or requirements for consular notification and access, shall:
 1. Notify the individual of the protection or requirement; and
 2. Provide the individual an opportunity to voluntarily disclose their citizenship or immigration status for the purpose of receiving the protection or complying with the requirement.
- Learning that an arrestee is a foreign national shall:
 1. Notify their supervisor.
 2. Without delay, make all:
 - a. Requested notifications; and
 - b. Required notifications.**NOTE:** Required notifications will be made regardless of whether the foreign national requested or wanted notification.
- Are prohibited from informing a foreign national's consulate regarding their refugee or asylum status.
- Ensure foreign nationals are given consular access, upon request and where required.
- Document the following in the appropriate incident report:
 1. The information provided to the foreign national and when it was provided;
 2. The foreign national's requests, if any;
 3. Whether consular notification was made, and if so, to whom and by what method (e.g., fax, e-mail, telephone, etc.); and
 4. Any other relevant action taken.

Field Manual, Article 4, Arrests, Custody, and Court

REFERENCES

- Consular Notification and Access (U.S. Department of State).
- Field Manual, Article 1 (Investigations).

Field Manual, Article 8, Report Writing

8-1.4 REPORT COMPLETION AND SUBMISSION

GENERAL

- All Case Reports must be initiated and saved within the RMS, as soon as practicable, upon coding of a call.
NOTE: This will help ensure the initial reporting officer completes the initial version of the Case Report and help prevent versioning errors from reporting inaccurate data to NIBRS/UCR.
- Case Reports and Officer Reports must be completed and approved at the supervisor level, and shift/unit commander level within 72 hours. Any applicable supporting documentation must be approved and forwarded to the Information & Records Management Section (IRMS) within 72 hours.
EXCEPTION: Reports pertaining to the following incidents must be completed and approved by a supervisor and a shift commander prior to the end of the officer's tour of duty:
 1. Animal Bite, Animal Cruelty, Animal Abuse, and Animal Neglect.
 2. Arsons (all) or any fire with life-threatening injury.
 3. Assaults with life-threatening injury.
 4. Auto-thefts and/or recovered stolen vehicles.
 5. Bias-related incidents.
 6. Burglary – all degrees (including attempts).
 7. Child Abduction.
 8. Child Abuse.
 9. Child Neglect.
 10. Demonstrations, strikes, and riots.
 11. Domestic Assault.
 12. Elder/Vulnerable Adult Abuse.
 13. Explosives involved incident where public safety may be jeopardized.
 14. Firearm discharge by a police officer on or off duty (except to humanely kill animals).
 15. Incidents involving persons claiming diplomatic or consular immunity, regardless of whether the person is confirmed to have immunity or not have immunity.
 16. Hazardous Materials (non-credible and credible).
 17. Homicides (including attempts).
 18. Interim and temporary protective order services if the order requires a child to be returned to the petitioner and the respondent refuses.
 19. Juvenile in custody and remanded to DJS or DSS.
 20. Kidnappings (including attempts).
 21. Lost and/or stolen police equipment.
 22. Lost and/or stolen tags and cancellations.
 23. Missing persons, runaways, escapees and cancellations.
 24. Rape and sex offenses (including attempts).
 25. Robberies – all (including attempts).
 26. Seized assets in controlled dangerous substance (CDS) cases.
 27. Serialized property stolen or recovered.
 28. Suicides.
 29. Threats against police officers or installations.
 30. Unusual occurrences.
 31. Use of force incidents.
 32. Incident where the report requires immediate distribution.
NOTE: Distribution does not qualify as official notification.
 33. Any incident that the shift commander (or above) deems necessary.

Field Manual, Article 8, Report Writing

- All incidents requiring a Case Report that do not require completion and submission by the end of the officer's tour of duty must have, at a minimum, the following information completed and approved at the supervisor level, and shift/unit commander level, prior to the end of the reporting officer's tour of duty:
 1. All NIBRS/UCR related fields.
 2. All required fields.

NOTE: This includes all required fields activated by opening all applicable *New Offense*, *New Suspect*, *New Arrestee*, and *New Property Item* sections on the related tabs.

3. A narrative that contains, at a minimum:
 - a. The rank, first initial, last name, and identification (ID) number of the member documenting the narrative.
 - b. The date and time the narrative was documented.
 - c. The text "Report narrative to be continued."

NOTE: Case Reports that are submitted without a complete narrative must be recalled and updated (i.e., if not at a workflow state of "workflow complete"), or updated in a subsequent version of the Case Report (i.e., if at a state of "workflow complete"), within 72 hours.

- All Automated Crash Reporting System (ACRS) reports and supporting documentation must be approved and forwarded to the IRMS within 72 hours.
- All EBooking arrest records must be approved and submitted within 72 hours of the arrest and, if possible, with any accompanying paperwork.
- Reports which have been rejected by a supervisor or shift/unit commander will be corrected and resubmitted in a timely manner in accordance with report submission guidelines.
- Reports requiring completion when a report writer becomes incapacitated for 72 hours or longer will require reassignment to another member for completion.

NOTE: In these instances, the shift/unit commander will contact the Technology Section for instruction.

NOTE: Shift/unit commanders will ensure that incident reports, and related paperwork are submitted and approved within 72 hours and will be held accountable for their completion and submission.

Field Manual, Article 14, Public Information

14-2.2 REASONS FOR DENIAL OF A MARYLAND PUBLIC INFORMATION ACT (MPIA) REQUEST

GENERAL

- The following reasons will be used to determine if MPIA requests may or shall be denied:
 1. Public interest denial;
 2. Intelligence information and security procedures;
 3. Investigatory records;
 4. Sociological information;
 5. Personnel records;
 6. Letters of reference;
 7. Crash reports, unserved criminal charging documents, and traffic citations;
 8. Public employee information;
 9. License plate data;
 10. Shielded criminal and police records;
 11. Medical or psychological information;
 12. Security of information systems; and
 13. Information for the purpose of federal immigration enforcement.

PUBLIC INTEREST DENIAL

- The Department may deny the inspection of a public record if it believes that inspection of a part of the record would be contrary to the public interest.
- Denials in this category include, but may not be limited to the following:
 1. Victim and/or suspect of a rape in any degree, as defined in Criminal Law, Title 3, Subtitle 3, Sexual Crimes;
 2. Victim and/or suspect of a child abuse, as defined in Criminal Law, § 3–601, et. seq.;
 3. Victim and/or suspect of a sexual abuse of a minor, as defined in Criminal Law, § 3–602, et. seq.;
 4. Victim and/or suspect of a human trafficking, as defined in Criminal Law, Title 3, Subtitle 11, Human Trafficking;
 5. The address of a victim and/or suspect of a crime;
EXCEPTION: The hundred block and street address may be released in some cases.
 6. The identity of a juvenile suspect, defendant, or respondent in any case over which the Juvenile Court has or may have jurisdiction;
 7. The identity of any critically injured or deceased person prior to notification of next-of-kin;
 8. Specific cause of death information;
 9. Address, phone number, and e-mail address of a victim, witness, and/or suspect;
 10. Grand Jury subpoena information;
 11. Criminal history from the National Crime Information Center (NCIC) or Criminal Justice Information Services (CJIS); and
 12. Expunged reports.
NOTE: If released, the expunged person's information and name must be redacted throughout report.

INTELLIGENCE INFORMATION AND SECURITY PROCEDURES

- Maryland law permits the withholding of certain investigatory records and records that contain intelligence information and security procedures.
- The Department may deny the right of inspection of records of investigations it conducted, intelligence information, or security procedures of the Department.

Field Manual, Article 14, Public Information

INVESTIGATORY RECORDS

- Maryland law permits the denial of inspection of records by a person, including the person in interest, to the extent that it would:
 1. Interfere with a valid and proper law enforcement proceeding;
 2. Deprive another person of a right to a fair trial or an impartial adjudication (e.g., the results of any investigative procedure (e.g., lineup, etc.)); existence of confessions or statements made by the defendant; defendant's tests results; possibility of a guilty plea; or reports, transcripts, or summaries of proceedings from which the media and public have been excluded by judicial order or in accordance with the MPIA;

NOTE: The above items should be the basis for withholding records, if the case is open and being investigated or when the case is pending prosecution by the State's Attorney's Office (SAO).

3. Constitute an unwarranted invasion of personal privacy;
4. Disclose the identity of a confidential source;
NOTE: Confidential source information should be withheld on this basis. The identifying information should be redacted. If no portion of the record can be shown without identifying the source, the record must be withheld.
5. Disclose an investigative technique or procedure;
NOTE: This exception is rarely used because it applies to techniques or procedures that are not already known by the public.
6. Prejudice an investigation (i.e., information which, if prematurely disclosed, would significantly interfere with an investigation or apprehension). This includes unchecked leads, specifics of a method of operation (MO), details known only to the police or suspect; identity of a victim/witness if disclosure would prejudice an investigation or place the victim/witness in clear personal danger); or
7. Endanger the life or physical safety of an individual.
NOTE: This applies to plainclothes and undercover police officers, witnesses, and suspects. If there are threats or any reason to believe that the disclosure of the individual's identity or other information will endanger the life or physical safety of an individual, that information must be redacted or withheld. In denying records on this basis, it must be stated, in a particularized manner, what information in the investigation leads the reviewer to believe this information should be redacted or withheld.

SOCIOLOGICAL INFORMATION

- Maryland law allows for the withholding of "sociological information" gathered and maintained by the Department.
- Before releasing police reports, that involve crimes of violence as defined by Maryland Annotated Code, Criminal Law Article § 14-101, the following sociological information must be redacted concerning any person named in the report:
 1. Social security number;
 2. Personal address;
 3. Personal phone number;
 4. Any information obtained through a doctor's examination;
 5. Any transcript or information obtained from a high school, college, or other approved educational institution;
 6. Any information regarding marital status or dependents;
 7. Personal relationships, beliefs, values, etc.;
 8. Identity of dependents;
 9. Finances including income, assets, liabilities, and/or debt payments;
 10. Address, occupation, and school status of family members;
 11. Information concerning the support and custody of children;

Field Manual, Article 14, Public Information

12. Religious preference and attendance; and
13. Names of close associates and relatives unless considered a victim, witness, suspect or may have material information regarding an investigation.

EXCEPTION: If the requester is a “person in interest,” as defined by Maryland Annotated Code, General Provisions § 4-101(g), the requester’s personal information need not be redacted.

NOTE: See Field Manual, Article 14, Section 2.3, Maryland Public Information Act (MPIA) Redactions, for information specific to redacting records relating to an administrative or criminal investigation of misconduct by a police officer (i.e., investigatory records of the Internal Affairs Section (IAS), hearing records, and records relating to a disciplinary decision).

PERSONNEL RECORDS

- Are defined as documents that directly pertain to employment and an employee’s ability to perform a job (e.g., applications, performance ratings, scholastic achievement, and records relating to hiring, discipline, promotion, dismissal, or any other matter involving an employee’s status).

EXCEPTION: Records relating to an administrative or criminal investigation of misconduct by a police officer (i.e., investigatory records of the IAS, hearing records, and records relating to a disciplinary decision) are not personnel records and may be released, unless they are records of a technical infraction (i.e., technical infractions are considered personnel records).

NOTES:

1. The Department shall allow the inspection of these non-personnel records by the:
 - a. United States Attorney;
 - b. Attorney General;
 - c. State Prosecutor; or
 - d. State’s Attorney for the jurisdiction relevant to the record.
 2. The Department shall notify the officer when a record is inspected, but may not disclose the identity of the requestor.
- Are protected; however, such records are available to the person who is the subject of the record and to the officials who supervise that person.
 - The Department shall allow inspection by:
 1. The person in interest;
 2. An official who supervises the work of the individual; or
 3. An employee organization described in Title 6 of the Education Article, of the portion of the personnel record that contains the individual's home address, home telephone number; and personal cellular phone number.

LETTERS OF REFERENCE

- The Department shall deny inspection of letters of reference.

CRASH REPORTS, UNSERVED CRIMINAL CHARGING DOCUMENTS, AND TRAFFIC CITATIONS

- The Department shall deny inspection of a crash report, unserved criminal charging document, or a traffic citation, to:
 1. Any person who requests inspection of records to solicit or market legal services; and
 2. An attorney who is not an attorney of record of a person named in the record.
- When sending a crash report to an insurance company, members will:
 1. Not redact the address of any driver, vehicle owner, or property owner involved in the crash;

Field Manual, Article 14, Public Information

2. Redact all driver's license numbers of all drivers except the insured.
NOTE: If unable to determine who the insured driver is, redact the driver's license number for all persons listed.

PUBLIC EMPLOYEE INFORMATION

- The Department shall deny inspection of the part of a public record that contains the home address or telephone number of an employee of a unit or an instrumentality of the State or of a political subdivision.
EXCEPTION: A request may be granted if:
 1. The employee has given his or her permission for the inspection; or
 2. The Department determines that inspection is needed to protect the public interest.**NOTE:** See Field Manual, Article 14, Section 2.3, Maryland Public Information Act (MPIA) Redactions, for information specific to redacting records relating to an administrative or criminal investigation of misconduct by a police officer (i.e., investigatory records of the IAS, hearing records, and records relating to a disciplinary decision).

LICENSE PLATE DATA

- The Department shall deny inspection of the license plate data captured by its automatic license plate readers, except for legitimate law enforcement purpose.

SHIELDED CRIMINAL AND POLICE RECORDS

- The Department shall deny inspection of criminal records and police records relating to the conviction of a crime that have been shielded under Title 10, Subtitle 3 of the Criminal Procedure Article.
EXCEPTION: A request may be granted to those enumerated entities in § 10-302(b) of the Criminal Procedure Article.

MEDICAL OR PSYCHOLOGICAL INFORMATION

- The Department shall deny inspection of the part of a public record that contains:
 1. Medical or psychological information about an individual, other than an autopsy report of a medical examiner; or
 2. Personal information about an individual with, or perceived to have, a disability as defined in § 20-701 of the State Government Article.**EXCEPTION:** A request may be granted to a person in interest.
NOTE: See Field Manual, Article 14, Section 2.3, Maryland Public Information Act (MPIA) Redactions, for information specific to redacting records relating to an administrative or criminal investigation of misconduct by a police officer (i.e., investigatory records of the IAS, hearing records, and records relating to a disciplinary decision).

SECURITY OF INFORMATION SYSTEMS

- The Department shall deny inspection of the part of a public record that contains information about the security of an information system.

INFORMATION FOR THE PURPOSE OF FEDERAL IMMIGRATION ENFORCEMENT

- The Department shall deny inspection of the part of a public record that contains personal information or inspection of a photograph of an individual by any federal agency seeking access for the purpose of enforcing federal immigration law.
EXCEPTION: When the Department has been provided with a valid warrant issued by a federal court or Maryland court.

Field Manual, Article 14, Public Information

- The Department shall deny the inspection using a facial recognition search of a digital photographic image or actual stored data of a digital photographic image by any federal agency seeking access for the purpose of enforcing federal immigration law.
EXCEPTION: When the Department is provided with a valid warrant issued by a federal court or a Maryland court.

Administrative Manual, Article 4, Written Communication

4-9.0 POLICE REPORTS

RECORDS MANAGEMENT SYSTEM

- Primary method of retention for Department records (e.g., police reports, Department forms etc.).
- Includes:
 1. Incident reports (e.g., Officer Reports, Case Reports, scanned or imported copies of police reports generated outside of the RMS, historical police report documents, etc.).
 2. Copies of other forms/reports as required by Department policy.
- Reports in the RMS will be printed only when absolutely necessary (e.g., court, administrative investigation, original signature required, etc.).
- The official report for all legacy reports (i.e., reports created outside of the RMS prior the conversion from InPursuit to the current RMS) will be the PDF copy of the original report (i.e., the Form 10 and Form 11, Field-Based Reporting (FBR) Incident Report and Incident Supplements, etc.).

PRECINCT FILING SYSTEM

- Includes:
 1. Copies of arrest report forms containing original signatures.
 2. Copies of other forms as required by departmental policy.

NOTE: Copies of arrest report forms which are not part of a current case will be filed separately and alphabetically by month.
- Is based on the Julian calendar:
 1. A file folder will be established for each day of the calendar year starting with "001" (January 1st) and ending with "365" or "366" (December 31st).
 2. Each folder represents the sequential day of the calendar year and is used to store reports requiring paper filing generated within the command on that day.
 3. The Julian calendar day corresponds to the third, fourth and fifth digits of the Central Complaint (CC) number.

EXAMPLE: Report #94-019-6214 would be filed in the folder marked "019" (which represents the 19th day of the year).
- Reports are filed sequentially within each folder using the last four digits of the CC number. This number represents the chronological order of the report for that day.
- Electronically-maintained reports will be printed only when absolutely necessary (e.g., court, administrative investigation, original signature required, etc.) and not for the sole purpose of filing a station copy.
- Documents are retained for one year. On each day, the appropriate file will be emptied of the previous year's reports to make room for the current year's documents for that day.

NOTE: Unless otherwise noted, at the end of the retention period, documents will be destroyed. Destruction of documents is the responsibility of the commander.

REPORT INSPECTION AND RELEASE

- The Department shall deny the inspection and release of records that contain personal information or inspection of a photograph of an individual by any federal agency seeking access for the purpose of enforcing federal immigration law.
- The Department shall deny the inspection using a facial recognition search of a digital photographic image or actual stored data of a digital photographic image by any federal agency seeking access for the purpose of enforcing federal immigration law.

EXCEPTION: When the Department is provided with a valid warrant issued by a federal court or a Maryland court.

Administrative Manual, Article 4, Written Communication

- Persons or agencies not affiliated with the criminal justice system requesting copies of reports:
 1. Will be referred to the Information & Records Management Section (IRMS) Inquiry Desk.
 2. Must meet criteria established and maintained within the unit.
 3. Must be affected by the incident (e.g., victim, defendant, case attorney, etc.).

NOTE: Crime victims will receive a copy of their police report at no charge, upon request.

EXCEPTION: Victims and/or victim advocacy groups may receive redacted copies of police reports directly from Department members who have been authorized by their commander to provide copies of reports. Information that must be redacted from these reports includes: trade secrets, confidential commercial information, confidential financial information (e.g., assets, bank information, credit card numbers, etc.), information that reveals a person receives social services assistance, Social Security numbers, driver's license numbers, medical or psychological information, criminal history information, and intelligence or security procedures information.

- Persons authorized to release reports will utilize the Form 347, Certification of Records Custodian, and will forward a copy of the form to the IRMS for scanning into the Records Management System (RMS).
- Members requesting copies of reports for personal reasons must obtain the report in the same manner as the general public.
- This in no way affects current policy regarding news media releases or requests for statistical information.
- Reports may be released as a printed document or an electronic file. All reports issued electronically will be in a PDF format. This will serve as the official document.

NOTE: Printed data fields from an electronic format (i.e., screen shots) are not official reports and will not be distributed.

COMMANDERS

- Determine if Department members' assigned duties require them to have authorization to release redacted copies of police reports directly to victims or advocacy groups (e.g., Domestic Violence Coordinators, detectives working with victim advocacy groups, etc.).

NOTE: The commanders will also authorize what types of reports may be released (e.g., domestic abuse, etc.).

REFERENCE

- Field Manual, Article 2 (Traffic Procedures).
- Field Manual, Article 14 (Public Information).

Administrative Manual, Article 5, Department Organization

5-5.3 TECHNOLOGY SECTION

COMMANDER

- Responsible for the:
 1. Communications & Security Support Team.
 2. Mobile Support Team.
 3. Projects Coordination Team.
 4. Video Management Team.
- Serves as the Department's assistant computer security coordinator/liaison to the Baltimore County Office of Information Technology (OIT).
- Serves as the Department's communications coordinator/liaison to Baltimore County Electronic Services and the Central Maryland Area Radio Communications (CMARC) System.

COMMUNICATIONS & SECURITY SUPPORT TEAM

- Plans and coordinates technical projects involving the Department's 700-800 MHz Communications system.
- Manages the encryption of sensitive voice communications on the 700-800 MHz Communications system.
- Provides on-scene technical voice and data communications support for large scale events and major incidents.
- Facilitates multi-agency communications interoperability requests, agreements, and operations.
- Manages, services, and deploys Portable Observation Devices (PODs).
- Manages video portal systems user accounts, user support, user classifications, and video source classifications for the Department.
- Manages Criminal Justice Information Services (CJIS) user accounts, user support, and security coordinator responsibilities for the Department.
- Manages system access requests for all Department systems.
NOTE: System access requests will be denied for any individual who is seeking access for the purpose of enforcing federal immigration law, unless the individual presents a valid warrant issued by a federal court or a Maryland court.
- Provides technical support for the Livescan system in the Police Department, Sheriff's Office, and Department of Corrections.
- Provides first line technology support for the Mobile Command & Control Unit.

COMMUNICATIONS & SECURITY SUPPORT TEAM SUPERVISOR

- Serves as the Department's terminal agency coordinator/liaison to the CJIS Division.

MOBILE SUPPORT TEAM

- Provides technical support Department-wide for:
 1. All in-vehicle computer equipment, peripherals, and wireless data connectivity.
 2. DeltaPlus, EBooking, Records Management, and License Plate Reader systems.
 3. The Body Worn Camera (BWC) program.
- Manages and supports the Conducted Electrical Weapon (CEW) System and Cloud Storage System.
- Works with the OIT Service Desk to support the technical needs of operational efforts.
- Manages and operates the Public Safety Building Command & Control Center.

Administrative Manual, Article 5, Department Organization

PROJECTS COORDINATION TEAM

- Plans, coordinates, and develops all information technology related projects for the Department.
- Works closely with the OIT on each project to complete:
 1. Business process analysis.
 2. System requirements/design.
 3. Resource management.
 4. Budget/requisition.
 5. Quality assurance testing.
 6. Policy revision.
 7. User training.
 8. Implementation.
- Identifies and coordinates subject matter experts within the Department specific to each project.
- Facilitates prioritization of technology projects in alignment with the greater priorities of the Department, the OIT, and County Government.
- Makes recommendations to the Chief of Police regarding hardware, software, and system options.
- Serves as direct liaison with the OIT Project Management Office in furtherance of information and technology related projects.

VIDEO MANAGEMENT TEAM

- Responsible for body worn camera recording releases related to Maryland Public Information Act (MPIA), subpoenas, court orders, etc.
- Responsible for the redaction of body worn camera recordings released by the Department.
- Shares body worn camera recordings with the State's Attorney's Office.