



Arrest Processing Procedures

I. PURPOSE

To comply with the requirements of Maryland Law and all mandates set forth by the Governor's Office of Crime Control and Prevention; and to insure the safety and security of all persons coming under the custody and control of the Ridgely Police Department.

II. POLICY

Each person arrested (taken into physical custody) for a criminal offense investigated by this agency will be assigned an arrest number (Global Jacket No.) that will be unique to that person. That number will remain with that person throughout his/her arrest career with this agency.

III. PROCEDURE

- A. Once an arrest number is obtained, the arrested person will be fingerprinted utilizing one Criminal Justice Information System (CJIS - State of Maryland) fingerprint card if the arrested person is a juvenile.
- B. If the person arrested is an adult, he/she will be fingerprinted utilizing the Live Scan machine located at the Caroline County Sheriff's Office.
- C. Each card/Live Scan screen will be completed by the arresting Officer following the prescribed guidelines as directed in the (CJIS) fingerprint and instruction manual. Fingerprint cards (when live scan is not utilized) will be submitted with the report and the Chief of Police will forward them to C.J.I.S.
- D. Each arrested person will be photographed from a front and side view, 2 to 4 feet away, with a plain wall background, utilizing the digital camera or other method as prescribed. The photographs will then be imported into the Crimestar Arrest and Booking Module.
- E. All of the arrestee's information will be entered into the computer system and an arrest report will be completed, along with any other required paperwork.
- F. It is imperative that each Officer be accurate and complete in the booking process and forward all printed cards to the Chief of Police within 72 hours.

General Order No. 8-2 (Cont.)

G. Fingerprinting will be done each time a person is taken into custody except for Bench Warrants (District and Circuit Courts), Civil Warrants / Body Attachments (Child Support), persons arrested for being Out of State Fugitives or for a criminal matter not investigated by this agency.

H. There may be instances where the demanding or issuing authority may request that fingerprints be taken.

I. Fingerprints may also be taken in instances where the arresting Officer desires to do so or by order of the court. (i.e must appear traffic offenses, whereby; the Officer is not convinced of the person's identity)

IV. JUVENILE ARREST AND PROCESSING PROCEDURES

Federal and State laws allow for juveniles fingerprinting, however, Maryland rule and procedure prohibits the submission of FBI fingerprint cards for juveniles.

A. When juveniles are arrested/taken into custody they will be fingerprinted utilizing the State of Maryland card only. The card will be fully completed; however all charges will be omitted and "Juvenile" will be entered into the primary charge section.

B. Each juvenile will also be photographed in the same manner as adults.

C. Each juvenile arrested or referred to the Department of Juvenile Justice will be issued a juvenile arrest number or if previously referred /arrested the existing number will be used. Officers shall utilize the Juvenile Referral form (RPD Form 31)

D. An arrest report will be completed each time an arrest / referral is completed. An arrest narrative will accompany the arrest report, which will reference if the juvenile was taken into custody and transported to the Ridgely Police Department or if the juvenile was merely referred to the Department of Juvenile Justice.

E. Juvenile may only be held in custody by a member of this agency for a total of six (6) hours.

F. Parental Notification: An Officer charging or arresting a minor for a criminal offense is required to make notification to the minor's parent or guardian in a reasonable period of time after said arrest / charging. A reasonable period of time has been defined in Maryland Law as 48 hours. The Officer will ensure that the notification, to include who was notified, date and time, is documented in the arrest report. If notification is not made prior to ending your tour of duty and a designee, who can only be a sworn member of this agency, is asked to make notification, the name of the Officer will be indicated in the report and they will assume responsibility for completing the juvenile notification section of the arrest report.

General Order No. 8-2 (Cont.)

G. A child in need of supervision (runaways) or a child in need of assistance should never be placed into a jail cell or attached to a stationary object (to the detention table or bench).

H. Juveniles who have been charged with a crime may be attached to a stationary object. Good judgment and safety are of the utmost importance when dealing with the restraint of a person in your custody whether a juvenile or an adult.

I. Accused or adjudicated delinquent offenders, status offenders and non-offenders cannot have sight or sound contact with adult offenders, including inmate trustees. Sight contact is defined as clear visual contact between adult offenders and juveniles within close proximity to each other and sound contact is defined as direct oral communication between adult offenders and juvenile offenders.

V. JUVENILES ARRESTED AND CHARGED/WAIVED AS AN ADULT

Juveniles that are arrested and meet the criteria to be charged as an adult under the Courts and Judicial Proceedings Article Section 3-8A-03 or those juveniles that have been waived to adult status by court order will be processed as an adult.

A. Juveniles that are fourteen (14) years of age or older at the time of the criminal offense and he or she is being charged with one of the following crimes, the juvenile will be charged as an adult:

- 1) First Degree Murder or Attempted First Degree Murder
- 2) First Degree Rape or Attempted First Degree Rape
- 3) First Degree Sex Offense or Attempted First Degree Sex Offense

B. Juveniles that are sixteen (16) years of age or older at the time of the criminal offense and he or she is being charged with one of the following crimes, the juvenile will be charged as an adult:

- 1) Abduction or Kidnapping
- 2) Second Degree Murder and Attempted Second Degree Murder
- 3) Voluntary Manslaughter (i.e. not vehicular manslaughter)
- 4) Second Degree Rape and Attempted Second Degree Rape
- 5) Armed Robbery and Attempted Armed Robbery
- 6) Second Degree Sex Offense and Attempted Second Degree Sex Offense (forcible only, not based on the mental status or age of the victim)
- 7) Third Degree Sex Offense (but not based on the mental status or age of the victim)
- 8) Illegal Sale or Possession of a Handgun, Assault Rifle, Stolen Gun, or Sawed Off Shotgun
- 9) Use of Firearm in Connection with CDS Felony
- 10) Felon in Possession of Firearm, Possession of a Handgun and/or use in a Felony
- 11) First Degree Assault
- 12) Carjacking and Armed Carjacking
- 13) Possession of Machine Gun and/or use "for aggressive purposes"

General Order No. 8-2 (Cont.)

C. If the juvenile has previously been **CONVICTED** as an adult of any felony, and he or she is believed to have committed a new felony (for example, felony theft), he or she should be charged as an adult for that felony and any other charges arising out of the same incident. If a deputy has any questions in regards if a juvenile should be charged as an adult, then he or she should make contact with the Office of the State's Attorney for Caroline County. If the District Court Commissioner hesitates on the waiver, simply direct he/she to Court and Judicial Article Section 3-8A-03.

VI. DOMESTIC RELATED ARRESTS

The Governor's Office of Crime Control & Prevention has mandated that all police agencies participate in the collection of Domestic Related Incident (DRI) Data, effective January 1, 2010.

A. The Governor's Office has defined a Domestic Related Incident for this program as "any criminal offense" (this is not limited to crimes of violence) where the offender and the victim are, or ever have been, married, in an intimate relationship (including dating and same sex relationships), or have a child together.

B. To facilitate the collection of real-time data on domestic related on view arrests or criminal arrest warrants, the Department of Public Safety and Correctional Services Information Technology and Communications Division has created a "dummy" CJIS Code within the Network Livescan and ABS systems: DRI-Domestic Related Incident 9D9999

C. The DIR code is recorded in the Arrest section of LiveScan by the arresting or processing Officer, in addition to the arrest charge(s). This information is for the State of Maryland only and will not be submitted to the FBI nor will it appear on the defendant's Maryland Rap sheet.

D. If the defendant is a juvenile or the LiveScan system is not utilized, and then the Officer will write the DIR Code 9D9999 on the Maryland State fingerprint card in the section titled "Other" which is located on the back of the card in the upper left hand corner.