

Ridgely Police Department

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To: All RPD Personnel

From: Chief Gary Manos

Date: November 1, 2019

Ref: S.O.P. 19:002 – Student Safety and Support Act

Purpose:

The Student Safety and Support Act is legislation enacted by the Maryland General Assembly and became effective June 1, 1995. This Act establishes reporting responsibilities for all Maryland law enforcement agencies.

The Act requires that law enforcement agencies contact the public-school superintendent or designee within (24) twenty-four hours whenever a student regardless of age is arrested and charged with certain reportable offenses. This required action will inform public school systems about students that commit particular crimes and could impact their status as a public-school student.

*Effective July 1, 2010, the Maryland Safe School Act 2010 amended Maryland Annotated Code Education Article § 7-303 and mandates the local public school superintendent, the school principal, and the School Resource Officer, **both public schools and non-public schools**, be notified of the arrest and charges placed against a student 5 years of age or older and under 22 years of age for certain offenses. This notification of arrest and charges shall occur within 24 hours of the arrest or as soon as practical.*

This notification will inform both public and non-public school systems in Caroline County about students who commit particular crimes, specifically when the crimes might potentially impact the student's status in the school environment.

The reporting responsibilities will require police officers to include particular information in their reports to initiate the notification process.

Policy:

Whenever a Maryland public or non-public school student under the age of 22 years of age is arrested and charged with any of the following crimes, the appropriate school district superintendent or designee, the student's school principal and the school's School Resource Officer of a public and non-public Caroline County school shall be notified of the charges within 24 hours or as soon as practicable after the arrest. Reportable offenses listed below include crimes of violence as defined in § 14-101 of the Criminal Law Article and the Student Safety and Support Act (1995). These offenses include:

Crimes Against Persons

- First degree murder – CR 2-201
- Second degree murder – CR 2-204
- Manslaughter, except involuntary manslaughter – CR 2-207(a)
- Mayhem
- Maiming, as previously proscribed under former Article 27 §§ 385 and 386 of the Code
- First degree assault – CR 3-202
- Second degree assault – CR 3-203
- First degree rape – CR 3-303
- Second degree rape – CR 3-304
- First degree sexual offense – CR 3-305
- Second degree sexual offense – CR 3-306
- Third degree sexual offense – CR 3-307
- Robbery – CR 3-402
- Robbery with a dangerous or deadly weapon – CR 3-403
- Carjacking – CR 3-405(b)(1)
- Armed carjacking – CR 3-405(c)(1)
- Kidnapping – CR 3-502
- Abduction – CR 3-503

Weapons Violations

- Carrying or wearing a concealed weapon – CR 4-101
- Carrying or wearing a concealed weapon on school property – CR 4-102
- Wearing, carrying, or transporting a handgun; unlawful use in the commission of a crime – CR 4-203
- Use of an antique firearm capable of being concealed on the person or any handgun in the commission of an act of violence – CR 4-204
- A crime using assault weapons – CR 4-303
- Sale, transfer, etc. of stolen pistol – CR 4-305/CR 4-306
- Restrictions on sale, transfer, and possession of pistols and revolvers – CR 4-306(b)(1)
- Use of a machine gun for crime – CR 4-404
- Use of a machine gun for aggressive purpose – CR 4-405(a)
- Sale of firearms – PS 5-106
- Possession of a regulated firearm by a prohibited person

- PS 5-133
- Selling/transferring regulated firearm to a prohibited person– PS 5-134
- Possession, sale, transfer, or disposal of a stolen regulated firearm– PS 5-138
- Knowingly manufacture, transport, possess, control, store, sell, distribute, or use a destructive device; or possess explosive material, incendiary material, or toxic material with intent to create a destructive device– CR 4-503
- A crime using short-barreled rifles and short-barreled shotguns – PS 5-203(a)

Drug Violations

- Manufacturing, distributing or dispensing CDS; possession of CDS in a quantity indicative of an intent to manufacture, distribute, or dispense – CR 5-602
- Manufacturing, distributing or possessing a equipment to produce CDS– CR 5-603
- Manufacturing, distributing or possessing equipment to print, imprint, or reproduce an authentic or imitation trademark, or other identifying mark, onto a drug or the container or label of a drug, rendering the drug a counterfeit substance– CR 5-604
- Maintaining a Common Nuisance– CR 5-605
- False prescription for a CDS with intent to distribute the controlled dangerous substance – CR 5-606
- Possess with intent to distribute a non-controlled substance that the person represents as a controlled dangerous substance– CR 5-617
- Possess or purchase a non-controlled substance that the person believes is a controlled dangerous substance– CR 5-618
- Using firearms in drug-trafficking crimes – CR 5-621(b)(1)
- Manufacturing, distributing or dispensing CDS; possession of CDS in a quantity indicative of an intent to manufacture, distribute, or dispense in violation of § 5-602, or conspire to commit any of these crimes in a school vehicle, or in, on, or within 1,000 feet of real property owned by or leased to an elementary school, secondary school, or county board and used for elementary or secondary education– CR 5-627
- Engaging a minor to manufacture, distribute or dispense CDS in a sufficient quantity to indicate intent to distribute the CDS– CR 5-628

Other Criminal Acts

- Arson in the first degree – CR 6-102(a)
- Malicious destruction to property – CR 6-301
- Auto theft – CR 7-105
- Inducing false testimony or avoidance of a subpoena – CR 9-302
- Retaliation for testimony – CR 9-303
- Intimidating or corrupting a juror – CR 9-305
- Making a false bomb threat– CR 9-504
- Manufacturing, possessing, transporting or placing a device or container labeled as representing a toxic material with intent to terrorize or threaten– CR 9-505

Gang Violations

- Threatening an individual, or a friend or family member of an individual, with physical violence with the intent to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang– CR 9-802
- Threatening an individual, or a friend or family member of an individual, with physical violence with the intent to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang in a school vehicle, or in, on, or within 1,000 feet of real property owned by or leased to an elementary school, secondary school, or county board and used for elementary or secondary education– CR 5-803.
- The arrest and charges for an offense related to a student's membership in a criminal gang. Maryland Education Article Section § 7-303 (7)(b).

Procedure:

A. Officer Responsibility

- 1) When an officer charges someone with one or more of the crimes listed in this Special Order, he/she must determine whether the person is a Caroline County school student under the age of 22 years of age.
- 2) After obtaining the above information the officer will complete all appropriate paperwork for the arrest and immediately notify the RPD sergeant of the event.
- 3) The officer will forward the entire case file to the RPD sergeant within 24 hours of the arrest.
- 4) The officer will detail in the narrative of the incident report the date/time that the RPD sergeant was notified of the incident and provided with the report.

B. Sergeant Responsibility

- 1) It will be the responsibility of the sergeant to immediately make the necessary and appropriate notifications as outlined in the Annotated Code Education Article Sec 7-303.
- 2) The sergeant, after making the necessary notifications, will prepare a supplement to the original report documenting that the required notifications have been made and will ensure that the fax or scan/email documentation has been included in the case file.