

Mount Rainier Police Department

Policy Manual

CHIEF'S PREFACE

Mount Rainier Police Department

Policy Manual

LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or abuse and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

Mount Rainier Police Department

Policy Manual

MISSION, VISION, VALUES

The employees of the Mount Rainier Police Department are committed to providing the highest quality of professional service to our citizens and visitors. We accomplish this with the impartial enforcement of laws and codes, commitment to community policing and problem solving in a friendly and compassionate manner. We are accountable for our actions and responsive to the community.

The Mount Rainier Police Department has moved into the new millennium with an old approach of service and stewardship in facilitating the law enforcement and policing needs of the Mount Rainier citizenry.

We are committed to working in Partnership with the community and each other to identify and resolve issues.

We are committed to Respecting individual rights, human dignity, and the value of all members of the community and the Bureau. Our Integrity is paramount.

We are committed to nurturing the public trust by holding ourselves accountable to the highest standards of professionalism and ethics.

We are Dedicated to providing the highest quality of professional law enforcement service to the community with the goal of enhancing the quality of life within the City of Mount Rainier.

We are committed to Empowering our members and the community to resolve problems by creating an environment that encourages solutions that address the needs of the community. "PRIDE in our City, PRIDE in ourselves."

Vision

We strive for constant improvement, enhancement of education and skills to provide a safe community for our residents, employees and visitors. We encourage comment on our efforts, the use of volunteers, assisting other departments or agencies to ensure a high quality of service. We train for the future, look to resolve crime and other community issues with long range goal planning.

Values

We are committed to the six pillars of character:

TRUSTWORTHINESS - Honesty in communication and conduct.

RESPONSIBILITY - Accountability for actions and the pursuit of excellence.

RESPECT - Treat all persons with respect, without intimidation or prejudice.

FAIRNESS - Equity, due process and consistency.

CARING – Empathy and a concern for the interests of others.

Mount Rainier Police Department

Policy Manual

Mission, Vision, Values

CITIZENSHIP - Contribute to the overall public good.

We perform our jobs with the highest level of integrity and professionalism at all times.

Mount Rainier Police Department

Policy Manual

Table of Contents

Chief's Preface	1
Law Enforcement Code of Ethics	2
Mission, Vision, Values	3
Chapter 1 - Law Enforcement Role and Authority	7
100 - Oath of Office	8
101 - Policy Manual	9
102 - Unbiased Policing	13
103 - Community Policing	15
Chapter 2 - Organization and Administration	19
200 - Organizational Structure and Chain of Command	20
201 - General Orders	22
202 - Emergency Operations Plan	23
203 - Training	25
204 - Electronic Mail	29
205 - Administrative Communications	31
Chapter 3 - General Operations	32
301 - Use of Force Reporting	33
302 - Use of Force Review Boards	36
308 - Retiree Concealed Firearms	38
310 - Foot Pursuits	41
312 - Domestic Violence	47
320 - Hate Crimes	56
323 - Report Preparation	59
338 - Service Animals	64
340 - Native American Graves Protection and Repatriation	67
342 - Department Use of Social Media	69
343 - Equal Employment Opportunity	73
Chapter 4 - Patrol Operations	74
401 - Racial- or Bias-Based Profiling	75
421 - Bicycle Patrol	78
425 - First Amendment Assemblies	82
428 - Public Recording of Law Enforcement Activity	88
429 - Segway Patrol Operations	92
430 - Wearable Body Cameras	94
Chapter 8 - Support Services	102
806 - Animal Control	103
807 - Jeanne Clery Campus Security Act	106

Mount Rainier Police Department

Policy Manual

Chapter 9 - Custody	111
903 - Prison Rape Elimination	112
Chapter 10 - Personnel	122
1011 - Seat Belts	123
1016 - Fitness for Duty	125
1018 - Lactation Breaks	129
1023 - Personal Appearance and Grooming Standards	131
1024 - Uniforms and Civilian Attire	135
1027 - Temporary Modified-Duty Assignments	144
1031 - Courtesy and Hand Salute	148
1032 - Diabetic Officer	150
1034 - Rules of Conduct	152
1035 - Ethics and Integrity	158
Attachments	159
Vehicle Preventative Maintenance 2016.pdf	160
Emergency Operation Plan - REVISED MARCH 2011.pdf	162
Field Inspection Form 2016.pdf	185
Diabetic Officer Compliance Certification.pdf	187
TASER Use Report.pdf	189

Chapter 1 - Law Enforcement Role and Authority

Oath of Office

100.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that, when appropriate, oaths are administered to department members.

100.2 POLICY

It is the policy of the Mount Rainier Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

100.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the required oath or affirmation to the Mayor of the City of Mount Rainier in addition to any other form of oath or affirmation required by the Maryland Constitution, state law or ordinance (Md. Const. Art. I § 9; Md. Code CJ § 2-104; Md. Code PS § 3-309). If a member is opposed to taking an oath, he/she shall be permitted to substitute the word "affirm" for the word "swear."

POLICE OFFICER OATH OF OFFICE

City of Mount Rainier County of Prince George's State of Maryland

I, _____, do swear (or affirm, as the case may be) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland; and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of POLICE OFFICER for the City of Mount Rainier, Prince George's County, Maryland according to the Constitution and the Laws of this State and the Charter of the City of Mount Rainier.

[Officer]

[Street Address] [City, State, Zip]

Subscribed and sworn before me, _____, Mayor of the City of Mount Rainier, Prince George's County, Maryland, this the ____ day of _____, 20__.

_____ Mayor

100.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (Md. Const. Art. I § 10; Md. Code PS § 3-309).

Policy Manual

101.1 PURPOSE AND SCOPE

The manual of the Mount Rainier Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

101.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and that circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably apparent at the time of any incident.

101.3 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract or any employment rights or entitlements. The policies contained within this manual are for the internal use of the Mount Rainier Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Mount Rainier Police Department reserves the right to revise any policy content, in whole or in part.

101.4 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

101.5 DEFINITIONS

The following words and terms shall have these assigned meanings, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older (Md. Code CJ § 3-8A-01).

Mount Rainier Police Department

Policy Manual

Policy Manual

APS - Adult Protective Services.

City - The City of Mount Rainier.

Civilian - Employees and volunteers who are not sworn peace officers.

CJIS - Maryland Criminal Justice Information System.

COMAR - Maryland Code of Regulations (Example: COMAR 10.38.03.02).

Custodian of Records - The authorized person having physical custody and control of the records of the Department (Md. Code GP § 4-101).

Department/MRPD - The Mount Rainier Police Department.

DJS - Maryland Department of Juvenile Services.

DPSCS - Maryland Department of Public Safety and Correctional Services.

Employee - Any person employed by the Department.

Manual - The Mount Rainier Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Md. Code - Maryland Annotated Codes (Example: Md. Code PS § 1-301). Following are abbreviations for sections of the Maryland Annotated Codes referenced in this Policy Manual:

- **CJ** - Courts and Judicial Procedure
- **CL** - Commercial Law
- **CP** - Criminal Procedure
- **CR** - Criminal Law
- **CS** - Correctional Services
- **ED** - Education
- **EL** - Election Law
- **ET** - Estates and Trusts
- **FL** - Family Law
- **GP** - General Provisions
- **HG** - Health – General
- **HS** - Human Services
- **IL** - Insurance Law
- **LE** - Labor and Employment
- **LG** - Local Government
- **NR** - Natural Resources

Mount Rainier Police Department

Policy Manual

Policy Manual

- **PS** - Public Safety
- **SG** - State Government
- **SP** - State Personnel and Pensions
- **TG** - Tax – General
- **TR** - Transportation

Md. Const. - Maryland Constitution (Example: Md. Const. Art. IV § 44).

MDOT - Maryland Department of Transportation.

MEMA - Maryland Emergency Management Agency.

Member - Any person employed or appointed by the Mount Rainier Police Department, including:

- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary officers
- Civilian employees
- Volunteers

METERS - Maryland Electronic Telecommunications Enforcement Resource System.

MPTSC - Maryland Police Training and Standards Commission.

MSP - Department of Maryland State Police.

MVA - Motor Vehicle Administration.

OAG - Maryland Office of the Attorney General.

Officer - Those employees, regardless of rank, who are sworn members of the Mount Rainier Police Department.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The

Mount Rainier Police Department

Policy Manual

Policy Manual

supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

101.6 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Policy Manual and General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

101.7 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

101.8 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each supervisor holding the rank of Sergeant or above the rank of Sergeant will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their immediate supervisor, who will consider the recommendations and forward them to the command staff as appropriate.

101.9 POSTING REQUIREMENTS

Mount Rainier Police Department policies, public complaint procedures and current collective bargaining agreements shall be posted on the MPTSC and department websites, with the exception of any policies whose disclosure might jeopardize operations or create a safety risk as determined by the Chief of Police (Md. Code PS § 3-515).

Unbiased Policing

102.1 PURPOSE

The purpose of this policy is to emphasize the Mount Rainier Police Department's commitment to the unbiased, equitable treatment of all persons.

102.2 POLICY

Persons having contact with members of this agency shall be treated in a fair, impartial, equitable, and objective manner, in accordance with the law, and without consideration of their individual demographics as defined in this policy. Officers shall, at all times, remember that their first and most important duty is to protect the Constitutional rights of all persons with whom they come into contact.

102.3 DEFINITIONS

Biased Policing: Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers towards classes of individuals or persons based on individual demographics.

Fair and Impartial Treatment: The belief that persons, irrespective of race or other distinctions, shall be treated in the same basic manner under the same circumstances. This does not mean that all persons in the same or similar circumstances can or must be treated identically. Reasonable concessions and accommodations may be, and sometimes should be made, when dealing with individuals with physical or mental disabilities, injury, illness or similar conditions, or when information about them necessitates different treatment.

Individual Demographics: For the purposes of this policy, personal characteristics, to include, but not limited to race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, cultural group, or political status.

Police Services: Sometime referred to as community caretaking functions, these are actions and activities that may not directly include enforcement of the law but that contribute to the overall well-being and safety of the public. These include, but are not limited to, such tasks as assistance at fire scenes, traffic accidents and medical emergencies; lifesaving services; crime prevention; preventative patrol; traffic control; public information; education; and similar activities.

102.4 PROCEDURES

A. Fair and Impartial Treatment

1. Biased policing is prohibited both in enforcement of the law and delivery of police services.
2. Officers shall take equivalent enforcement actions and provide equal services to all persons in the same or similar circumstances.

Mount Rainier Police Department

Policy Manual

Unbiased Policing

3. Officers shall not consider individual demographics when performing law enforcement duties or delivering police services except when such characteristics are part of a specific subject description.

4. Unless exigent circumstances exist, officers shall not engage in a law enforcement matter when it involves a family member, friend, relative, or other person with whom he or she has a personal relationship, such that the officer's objectivity may be, or may appear to be, compromised. In situations where the officer is personally involved, he or she will summon other officers for assistance.

B. Compliance

1. Officers who witness or who are aware of instances of biased policing shall report the incident to a supervisor. Also, where appropriate, officers are encouraged to intervene at the time the biased policing incident occurs.

2. Depending on the nature and seriousness of the incident, supervisors may provide the involved officer(s) with informal, non-punitive intervention such as training and counseling.

3. All external complaints and internal complaints that cannot be resolved effectively and appropriately by supervisory personnel - or that are determined to be potentially serious in nature - shall be forwarded to the Chief of Police or other designated authority for investigation.

4. Data relating specifically to complaints of biased policing shall be maintained by the Chief of Police or other designated authority in a manner most suitable for administrative review, problem identification, and development of appropriate actions.

C. Training

All employees will receive basic and periodic in-service training and, where deemed necessary, remedial training on subjects related to police ethics, cultural diversity, police-citizen interaction, standards of conduct, conducting motor vehicle stops, implicit bias and related topics suitable for preventing incidents of biased policing.

Community Policing

103.1 COMMUNITY POLICING PHILOSOPHY

Community Oriented Policing (COP) and Problem Oriented Policing (POP) are policing philosophies that promote and support organizational strategies to address the causes and reduce the fear of crime and social disorder through problem solving tactics and community and police partnerships. Officers will adopt and utilize this philosophy when conducting their duties and responsibilities. Officers will use the “SARA” (scanning, analysis, response and assessment) model to attack crime and nuisance issues. Community Policing is not an excuse to preclude arrest when necessary. This is a Department wide philosophy.

103.2 SCHOOLS

Through a sergeant, officers will be assigned to assist schools located in the City. This collateral assignment will compliment any officer from the Prince George’s County Police Department that may be assigned to the school. Officers are to work very closely with the schools administrator to close the gap between the youth and police officers. This is accomplished by direct interaction with the children in a learning environment that will also benefit students when out of school.

Examples of direct involvement include but are not limited to reading weekly or bi-weekly to a class, eating lunch with the students and faculty, attending Parent Teacher (and Student) Association meetings at least quarterly and teacher administrator meetings at the schools. Interaction with students and faculty by members of the department are intended to strengthen police and community relations, build partnerships and remove barriers to effectiveness.

103.3 NEIGHBORHOOD ASSOCIATIONS

These groups have many titles, such as Neighborhood Watch, civic association, recreation association, etc. Officers in this assignment will provide assistance through meeting attendance, referral to neighborhood services, working to make neighborhood days successful, planning holiday events, etc. The role of the officer is to be a resource and police liaison to the group.

103.4 PATROL

High visibility patrol serves to promote a safe community and enhances police/community relations. Patrol of the City is the primary duty of officers. Through directed patrols, officers will randomly and frequently patrol assigned areas of concern, and take appropriate action. While on day work officers will patrol on foot the business districts of Rhode Island Avenue, Varnum Street and 34th Street. Segway and bicycle patrols will also be employed to accomplish high visibility patrol.

103.5 ENFORCEMENT

COP starts with establishing trust and partnerships, engages community action and spirit, and results in enforcement initiatives that resolve community concerns and fears. Sometimes the only resolution to a problem is enforcement action (arrest, citation, warnings, etc.). Officers will not

Community Policing

view Community Policing as a substitute for solid police work and enforcement, but should apply problem solving skills to successfully resolve crime and nuisance problems.

Traffic law enforcement is particularly effective in curbing crime in the several “hot spots” in the City. Traffic enforcement increases police presence, visibility, and often results in the identification of wanted persons, the recovery of stolen motor vehicles and tags, and a multitude of other non-traffic related violations. “Traffic is the key!”

Recognizing the limitation on resources that the Department experiences from time-to-time, officers are encouraged to work with other agencies (other law enforcement agencies, public works, social services, health department, code enforcement, etc). These other agencies have resources that we can employ to resolve community concerns.

103.6 PROBLEM SOLVING

Listed below are some of the more important steps associated with the SARA (Scanning, Analysis, Response and Assessment) model of problem solving, as first proposed by Herman Goldstein.

SUMMARY OF SCANNING STEPS

Step 1

- Develop a laundry list of potential problems.

Step 2

- Problems identified.

Step 3

- Problems prioritized.

Step 4

- State the specific problem.
- List examples of where the problem occurs.
- Which setting is causing the most difficulty?

Review and Preparation for Analysis

Hypothesis

- From what you already know, what do you think is causing the problem?
- General goal statement.
- How will data be gathered and reported?

- When will data collection begin?

SUMMARY OF ANALYSIS STEPS

Community Policing

Step 1

- What conditions or events precede the problem?
- What conditions or events accompany the problem?
- What are the problem's consequences?
- What harms result from the problem?

Step 2

- How often does the problem occur?
- How long has this been a problem?
- What is the duration of each occurrence of the problem?

Now that the data has been collected, should you continue with analysis or return to scanning and restate the problem?

Hypothesis

- What are your conclusions about why the problem occurs?

Step 3

- Define a tentative goal.
- Identify resources that may be of assistance in solving the problem.
- What procedures, policies or rules have been established to address the problem?

SUMMARY OF RESPONSE STEPS

Step 1

Brainstorm possible interventions.

Step 2

- Consider feasibility and choose among alternatives.
- What needs to be done before the plan is implemented?
- Who will be responsible for preliminary actions?

Step 3

- Outline the plan and who might be responsible for each part.
- Will this plan accomplish all or part of the goal?
- State the specific goals this plan will accomplish.
- What are some ways data might be collected?

Step 4

Community Policing

- Realistically, what are the most likely problems with implementing the plan?
- What are some possible procedures to follow when the plan is not working or when it is not being implemented correctly?

SUMMARY OF ASSESSMENT STEPS

Step 1

- Was the plan implemented?
- What was the goal as specified in response?
- Was the goal attained?
- How do you know if the goal was attained?

Step 2

- What is likely to happen if the plan is removed?
- What is likely to happen if the plan remains in place?
- Identify new strategies to increase the effectiveness of the plan.
- How can the plan be monitored in the future?

Step 3

- Post-implementation planning
- Plan modification
- Follow-up assessment

Chapter 2 - Organization and Administration

Organizational Structure and Chain of Command

200.1 PURPOSE

200.2 POLICY

The Mount Rainier Police Department is established by law (Maryland Annotated Code, City Charter and Code). The Department is under the direct supervision of the Chief of Police as delegated by the City Manager. The Chief of Police serves as the chief executive officer of the Department and enforces all rules and regulations of the Department. The Chief of Police may delegate his/her authority from time-to-time as necessary.

200.3 AUTHORITY AND RESPONSIBILITY

Each employee will be assigned duties and responsibilities. Each employee is delegated the authority necessary to effectively execute those responsibilities. Each employee will also be held accountable for the appropriate application of that delegated authority.

200.4 PROCEDURES

A. Organizational Structure.

1. **CHIEF OF POLICE.** The Chief of Police is the appointed head of the Mount Rainier Police Department and is responsible for its' full and complete operation. The Chief of Police issues orders, both written and oral, from time-to-time that establishes policy and procedures for the operation of the Department and welfare of the community. The Chief of Police has final authority on all disciplinary matters occurring under the Law Enforcement Officers Bill of Rights. The Chief is responsible and reports to the City Manager and from time-to-time the Mayor and Council.
2. **ASSISTANT CHIEF OF POLICE.** This position when filled by a lieutenant or captain is the second in command of the Department reporting directly to the Chief of Police. This position is responsible for the day-to-day effective and accountable operation of the Department. The Deputy Chief is responsible for upholding and promoting the rules and regulations of the Department that insure a smooth and efficient operation.
3. **SERGEANT.** Sergeants are responsible for providing a connective link between command and patrol personnel. This position is responsible for the day-to-day supervision of patrol personnel. Depending upon staffing, this position is directly responsible to the Assistant Chief of Police or the Chief of Police. In the absence of the Chief or Deputy Chief of Police a sergeant may act in his/her place as delegated or appointed. The duties and responsibilities include that of all subordinate personnel. At the discretion of the Chief of Police officers holding the permanent rank of Sergeant may be designated as First Sergeant (1SGT) or Sergeant First Class (SFC). Sergeants designated as a 1SGT or SFC shall exercise supervisory authority over Sergeants of a lower rank. The order of seniority shall be First Sergeant, Sergeant First Class, Sergeant

Mount Rainier Police Department

Policy Manual

Organizational Structure and Chain of Command

4. **CORPORAL.** This is a senior patrol officer or administrative staff member. Employees in this position generally perform uniform patrol duties and from time-to-time supervise subordinate personnel. This position receives direct supervision from the sergeant.

5. **POLICE OFFICER FIRST CLASS.** This is a patrol officer position. Employees in this position are charged with the impartial enforcement of the law. This position receives direct supervision from the sergeant.

6. **POLICE OFFICER.** This is an entry-level patrol position. Employees in this position are charged with the impartial enforcement of the law. Employees in this position are subject to one-year probationary period. This position receives direct supervision from the sergeant or corporal.

7. **CIVILIAN EMPLOYEES.** Employees classified as civilians are an integral part of the Department operation. Since most persons in these positions are support staff, their direct supervision will be determined according to job classification.

B. Chain of Command

1. The chain of command will be followed at all times. Permission to supersede the chain may only be given by the Chief or Assistant Chief of Police.

2. All supervisory personnel are responsible for the performance of employees under their immediate control.

General Orders

201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing General Orders.

201.2 POLICY

General Orders will be used to modify policies of the Mount Rainier Police Department when an immediate need to adopt a policy or procedure exists, in order to best meet the mission of the Department. Applicable memorandums of understanding/collective bargaining agreements and other alternatives should be considered before a General Order is issued.

201.3 PROTOCOL

General Orders will be incorporated into the Policy Manual, as required, upon approval. General Orders will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual.

The Chief of Police or the authorized designee should ensure that all General Orders are disseminated appropriately. General Orders should be numbered consecutively and incorporate the year of issue. All members will be notified when a General Order is rescinded or has been formally adopted into the Policy Manual.

201.4 RESPONSIBILITIES

201.4.1 COMMAND STAFF

Command staff shall periodically review General Orders to determine whether they should be formally incorporated into the Policy Manual, and, as appropriate, will recommend necessary modifications to the Chief of Police.

201.4.2 CHIEF OF POLICE

Only the Chief of Police or the authorized designee may approve and issue General Orders.

201.5 ACCEPTANCE OF DIRECTIVES

All members shall be provided access to the General Orders. Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions they do not fully understand.

Emergency Operations Plan

202.1 PURPOSE AND SCOPE

This policy clarifies the role of the Mount Rainier Police Department and the responsibilities of its members pertaining to large scale emergencies and the Maryland Emergency Management Agency (MEMA) operating under the State of Maryland Emergency Operations Core Plan.

202.2 POLICY

The Mount Rainier Police Department will prepare for large scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The City Emergency Operations Plan complies with the State of Maryland's Emergency Operations Core Plan, as part of the Comprehensive Emergency Management Program (Md. Code PS § 14-109; Md. Code PS § 14-110). This plan provides guidance for City emergency operations within and outside its borders as may be required.

202.3 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan can be activated in a number of ways. For the Mount Rainier Police Department, the Chief of Police or the highest ranking on-duty supervisor may activate the local Emergency Operations Plan in response to a major emergency.

The declaration of a local state of emergency may only be made by the City Manager or his or her designee if required by the circumstances. Such a declaration activates the jurisdiction's response (if not already activated) and recovery plan (Md. Code PS §14-111; Md. Code PS § 14-403).

Upon activation of the plan, the Chief of Police or the authorized designee should contact MEMA to assist with mutual aid response from local, state and federal law enforcement agencies (Md. Code PS §14-701; Md. Code PS §14-801; Md. Code PS § 14-601; Md. Code CP § 2-105).

202.3.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Mount Rainier Police Department are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the highest ranking on-duty supervisor.

Failure to promptly respond to an order to report for duty may result in discipline.

202.4 LOCATION OF THE EMERGENCY OPERATIONS PLAN

Copies of the Emergency Operations Plan are available in Administration, the Shift Supervisor's office and Communications. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles members will play when the plan is implemented. The Administration Section Commander should ensure that department members are familiar with the roles they will play when the plan is implemented.

Mount Rainier Police Department

Policy Manual

Emergency Operations Plan

202.5 EMERGENCY OPERATIONS PLAN REVIEW

The Chief of Police or the authorized designee shall review the Emergency Operations Plan at least once every two years and ensure that the plan conforms to any revisions made by the National Incident Management System (NIMS). The Chief of Police or the authorized designee should appropriately address any needed revisions.

202.6 TRAINING

The Department should provide annual training on the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command discussion.

Training

203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local and the Maryland Police Training and Standards Commission (MPTSC) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with MPTSC rules and regulations concerning law enforcement training.

203.4 TRAINING PLAN

It is the responsibility of the Assistant Chief to develop, review, update and maintain a training plan and to ensure that mandated basic, in-service and department-required training is completed by all members as needed or required. The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording and logging of all training for all members.

While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Assistant Chief shall review the entire training plan on an annual basis.

The plan will include information on curriculum, training material, training facilities and scheduling. The plan will address federal, state and department-required, minimum-mandated training of officers and other members.

203.4.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all inclusive, identify training that is required under state and federal laws and regulations.

- (a) Federally mandated training:
 - 1. National Incident Management System (NIMS) training.
- (b) State-mandated training:

Mount Rainier Police Department

Policy Manual

Training

1. MPTSC-approved Police Entry Level Training Program or, when applicable, the Comparative Compliance Training Course and successfully pass the licensing examination before being issued a peace officer's license (COMAR 12.04.01.09).
 2. MPTSC-approved entrance-level firearms training and qualification (COMAR 12.04.02.04).
 3. No less than the MPTSC-required duration of field training (COMAR 12.04.01.17).
 4. No less than 18 hours of MPTSC-approved training annually (COMAR 12.04.01.12).
 5. Annual MPTSC-approved firearms training and qualification (COMAR 12.04.02.08).
 6. Promotion of an officer to a first-line, or higher, supervisor position requires successful completion of MPTSC-approved supervisor training no more than two years preceding, or one year after, the promotion.
 7. Promotion of an officer to a first-line, or higher, administrator position requires successful completion of MPTSC-approved administrator training no more than two years preceding, or one year after, the promotion.
 8. If MPTSC-approved supervisor training has not previously been completed, supervisor training shall also be completed within the same timeline.
 9. Completion of MPTSC-approved training program on life-saving techniques, including CPR, every two years (Md. Code PS § 3-207; COMAR 12.04.01.12).
 10. The proper level and use of force (Md. Code PS § 3-207).
 11. Sensitivity to cultural and gender diversity (Md. Code PS § 3-207).
 12. Issues related to individuals with physical, intellectual, developmental and psychiatric disabilities (Md. Code PS § 3-207).
 13. Any additional training required by the MPTSC (Md. Code PS § 3-207).
- (c) Locally mandated training (including county or city).

203.5 TRAINING COMMITTEE

The Assistant Chief may establish a Training Committee, on a temporary or as-needed basis, which will assist with identifying training needs.

The Training Committee should be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Committee members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Assistant Chief may remove or replace members of the committee at his/her discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to an incident. Specific incidents the Training Committee should review include, but are not limited to:

- (a) Any incident involving the death or serious injury of a member.

Mount Rainier Police Department

Policy Manual

Training

- (b) Incidents involving a high risk of death, serious injury or civil liability.
- (c) Incidents identified by the Department to determine possible training needs.

The Training Committee should convene on a regular basis as determined by the Assistant Chief, to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Assistant Chief. The recommendation should not identify specific facts of any incidents, such as identities of members involved or the date, time and location of the incident but should focus on the type of training being recommended.

The Assistant Chief will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and the available resources. Training recommendations as determined by the Assistant Chief shall be submitted to the command staff for review.

203.6 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisors. Excused absences should be limited to:
 - 1. Court appearances.
 - 2. Previously approved vacation or time off.
 - 3. Illness or medical leave.
 - 4. Physical limitations preventing the member's participation.
 - 5. Emergency situations or department necessity.
- (b) Any member who is unable to attend training as scheduled shall notify his/her supervisor as soon as practicable but no later than three hours prior to the start of training and shall:
 - 1. Document his/her absence in a memorandum to his/her supervisor.
 - 2. Make arrangements through his/her supervisor or the Assistant Chief to attend the required training on an alternate date.

203.7 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a Web-accessed system that provides training on the Mount Rainier Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Assistant Chief.

Members assigned to participate in DTBs shall only use the login credentials assigned to them by the Assistant Chief. Members should not share their passwords with others and should frequently change their passwords to protect the security of the system. After each session, members should

Mount Rainier Police Department

Policy Manual

Training

log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Members who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisors. Members should not allow uncompleted DTBs to build up over time, and may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet-enabled computer, members shall only take DTBs as part of their on-duty assignment, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of those under their command to ensure compliance with this policy.

203.8 TRAINING RECORDS

The Assistant Chief is responsible for the creation, filing and storage of all training records. Training records shall be retained in accordance with the established records retention schedule.

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

204.2 POLICY

Mount Rainier Police Department members shall use email in a professional manner in accordance with this policy and current law, remaining aware that emails are subject to public disclosure under the Maryland Public Information Act (Md. Code GP § 4-101 et seq.).

204.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

204.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities and shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration or practices of the Department.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing messages or any other inappropriate content on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from a supervisor in his/her chain of command.

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name or password. Any member who believes his/her password has become known to another person shall change their password immediately and notify their supervisor.

204.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the content of the message, be a public record under the Maryland Public Information Act and must be managed in accordance with the established records retention schedule and in compliance with state law (Md. Code SG § 10-610; COMAR 14.18.02.04).

Mount Rainier Police Department

Policy Manual

Electronic Mail

The Records Manager, in consultation with the City's information technology vendor, shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Administrative Communications

205.1 PURPOSE AND SCOPE

This policy sets forth the manner in which the Department communicates significant changes to its membership, such as promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, or other changes in status. This policy also provides guidelines for the professional handling of electronic and non-electronic administrative communications from the Department.

205.2 POLICY

The Mount Rainier Police Department will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature and disclaimer guidelines, as applicable.

205.3 PERSONNEL ORDERS

Memorandums may be issued periodically by the Chief of Police or the authorized designee to announce and document promotions, transfers, military leave of absence, hiring and appointment of new members, reinstatements, separations, individual and group awards and commendations, or other changes in status.

205.4 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on department letterhead. All department letterhead shall bear the signature element of the Chief of Police. Official correspondence and use of letterhead requires approval of a supervisor. Department letterhead may not be used for personal purposes.

Official internal correspondence shall be on the appropriate department electronic or non-electronic memorandum forms.

Electronic correspondence shall contain the sender's department-approved signature and electronic communications disclaimer language.

205.5 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police or the authorized designee.

205.6 OTHER COMMUNICATIONS

General Orders and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief of Police or the authorized designee (see the General Orders Policy).

Chapter 3 - General Operations

Use of Force Reporting

301.1 PURPOSE

The purpose of this policy is to provide officers and supervisors with guidelines for reporting the use of force by members of the Mount Rainier Police Department.

301.2 POLICY

The authority to use force carries with it the need for accountability in order to safeguard the rights of the public and preserve the integrity of the police agency and the jurisdiction that provides this authority. As such, it is the policy of the Mount Rainier Police Department that the use of force, as designated herein, shall be reported in a timely, complete, and accurate manner as prescribed by this General Order.

301.3 DEFINITIONS

Use of Force - For purposes of this General Order, use of force is the amount of effort required by an officer(s) to compel compliance from a person. Except as noted below, this includes any use of force occurring while the officer is acting in an official law enforcement capacity. This includes undercover, plainclothes, or uniform assignments whether on or off duty. Any individual who has been injured or who reports being injured shall be reported on forms and in a manner designated by this General Order. Police use of force is recognized in the following categories:

Physical Force - Use of any part of the officer's body or the use of police canines to compel compliance.

Chemical Force: Use of any CN, CS, Mace, or OC aerosol or foam spray to compel compliance.

Impact Force - Use of any object, i.e., nightstick, baton, flashlight, etc., as a less-lethal weapon to compel compliance.

Electronic Force - Use of any electronic equipment, i.e. Taser®, stun gun, or similar electronic control device (ECD).

Firearms Force - The discharge of a firearm of any type to compel compliance. Exceptions: Police actions not included in the above definition are handcuffs when used as a restraint in arrest and transport activities; transport by vehicle; physical removal of peacefully resisting demonstrators; display of weapon (unholstering or brandishing of a firearm); presence of police officers, horses or canines; or police issuance of tactical commands (verbal judo).

Exceptions - Police actions not included in the above definition are handcuffs when used as a restraint in arrest and transport activities; transport by vehicle; physical removal of peacefully resisting demonstrators; display of weapon (unholstering or brandishing of a firearm); presence of police officers, horses or canines; or police issuance of tactical commands (verbal judo).

Mount Rainier Police Department

Policy Manual

Use of Force Reporting

301.4 PROCEDURES

A. Responsibility for Reporting

1. Officers shall make an immediate verbal report to their supervisors and then file a use-of-force report following
 - (a) any use of force; and
 - (b) any incident where a person claims to have been injured or is injured during an interaction with an officer.
2. Each officer who uses force in an incident shall submit a separate written use-of-force report.
3. Any officer who witnesses a use of force shall advise a supervisor and shall submit a use-of-force report.
4. Officers who encounter an individual with obvious injuries, and the circumstances of the encounter coupled with the nature of the injuries are such that the person may claim the injuries resulted from contact with the officer, shall complete a use-of-force report.
 - (a) All use-of-force reports shall specify the actions of the suspect that necessitated the use of force, the reasons why the officer used force, as well as any suspect complaints of injury, medical treatment received, or refusal of medical treatment.
 - (b) The arresting officer shall notify transporting officers if force was used on the arrestee, or if the arrestee has an injury or complaint of pain.
 - (c) Supervisory officers shall investigate and report on uses of force as directed in item IV.C of this policy.

B. Referral/Transport for Medical Treatment

1. Arresting and transporting officers shall ask prisoners whether they are injured or ill.
2. A suspect shall be examined by an appropriate health care provider prior to interrogation or prisoner processing for purposes of detention when suffering from or complaining of injury or illness or when, among other instances, the individual:
 - (a) is struck on the head with an impact weapon or other hard object;
 - (b) is restrained about the neck or throat;
 - (c) is struck with a less-lethal weapon projectile such as a Taser® dart, or
 - (d) is bitten by a police canine.
3. An injured prisoner shall not be admitted to or held in detention without being examined and released by a physician or qualified health care provider. Whenever

Mount Rainier Police Department

Policy Manual

Use of Force Reporting

there is doubt concerning the need for medical attention, it should be resolved through examination of the subject by an appropriate health care provider.

4. Refusal of treatment shall be documented and verified by the officer and attending physician or health care provider.

C. Supervisory Responsibilities

- (a) An officer's immediate supervisor shall be summoned and shall respond to any incident of use of force on a priority basis. In any instance of use of force, the supervisor shall:

- A.
 1.
 - (a) Document the officer's and suspect's statements of actions taken, injuries sustained, and medical treatment needed or desired;
 - (b) Identify/interview witnesses as appropriate;
 - (c) Document, as necessary, the scene of the incident;
 - (d) Complete a supervisor's use-of-force report.
 2. The shift supervisor shall notify the Assistant Chief of Police in cases involving injury or complaint of injury, hospitalization, or death of a person resulting or allegedly resulting from an officer's use of force.
 3. In all cases involving a subject's death, the shift supervisor shall immediately notify the Prince George's County Police Special Investigations Response Team.

Use of Force Review Boards

302.1 PURPOSE AND SCOPE

This policy establishes a process for the Mount Rainier Police Department to review the use of force by its members.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or the evaluation of the use of force; and may be conducted concurrently.

302.2 POLICY

The Mount Rainier Police Department will objectively evaluate the use of force by its members to ensure that their authority is used appropriately and consistent with training and policy.

302.3 ADMINISTRATIVE ASSIGNMENT

Generally, whenever a member's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that member will be placed in a temporary administrative assignment by the Chief of Police. The Chief of Police may exercise discretion and choose not to place a member in an administrative assignment.

302.4 REVIEW BOARD

The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the member was on- or off-duty, excluding training or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Assistant Chief will convene the Use of Force Review Board as necessary. It will be the responsibility of the supervisor of the involved member to notify the Assistant Chief of any incidents requiring board review. The involved member's supervisor will also ensure that all relevant reports, documents and materials are available for consideration and review by the board.

302.4.1 COMPOSITION OF THE BOARD

The Assistant Chief should staff the Use of Force Review Board with five individuals from the following, as appropriate:

- The member's immediate supervisor
- Assistant Chief

Mount Rainier Police Department

Policy Manual

Use of Force Review Boards

- Department First Sergeant
- One civilian member of the community trained by MPTSC in law enforcement LEOBR procedure
- A law enforcement officer from an outside law enforcement agency, as appropriate
- Department instructor for the type of weapon, device or technique used

The senior ranking command staff representative who is not in the same section as the involved member will serve as chairperson.

302.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, and call persons to present information.

The board does not have the authority to recommend discipline.

The board should delay its final report until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

The review shall be based upon those facts that were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the involved member at the time shall neither justify nor call into question a member's decision regarding the use of force.

The board shall make one of the following recommended findings:

- (a) The member's actions were within department policy and procedure.
- (b) The member's actions were in violation of department policy and procedure.

The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the member's actions were within policy and procedure, and will determine whether any additional actions, investigations or reviews are appropriate. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

Retiree Concealed Firearms

308.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Mount Rainier Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) (18 USC § 926C).

308.2 POLICY

It is the policy of the Mount Rainier Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

308.3 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

308.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Mount Rainier Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

308.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency

Mount Rainier Police Department

Policy Manual

Retiree Concealed Firearms

to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
 - (c) Not prohibited by federal law from receiving a firearm.
 - (d) Not in a location prohibited by Maryland law or by a private person or entity on his/her property if such prohibition is permitted by Maryland law.

308.4 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Shift Supervisor of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Arrests, Convictions and Court Orders Policy.

The retiree is responsible for obtaining the proper handgun training and qualification for active law enforcement officers. The retiree may obtain handgun certification and a LEOSA certification card from the MPTSC.

308.4.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable Department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

308.5 FIREARM QUALIFICATIONS

The Rangemaster may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.

308.6 DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or

Mount Rainier Police Department

Policy Manual

Retiree Concealed Firearms

revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

308.7 MARYLAND RETIRED LAW ENFORCEMENT OFFICER IDENTIFICATION CARD

The Chief of Police shall provide a retiring officer with an identification card within 45 days after the officer's retirement if the officer (Md. Code PS § 3-513):

- (a) Retired in good standing for reasons other than mental instability.
- (b) Before retirement, was certified by the Maryland Police Training and Standards Commission (MPTSC), had statutory powers of arrest in Maryland and completed an applicable probationary period.
- (c) Pays a fee set by the Mount Rainier Police Department (not to exceed \$20).

Upon request, any officer who retired prior to Oct. 1, 2015, shall be issued an identification card if the criteria set forth above are satisfied.

308.7.1 MARYLAND RETIRED LAW ENFORCEMENT OFFICER IDENTIFICATION CARD FORMAT

A Maryland retired law enforcement officer identification card shall be in the form approved by the MPTSC and include the information specified in Md. Code PS § 3-513.

Foot Pursuits

310.1 PURPOSE AND SCOPE

The purpose of this general order is to establish a balance between protecting the safety of the public and police officers during police pursuits on foot and law enforcement's duty to enforce the law and apprehend suspects.

310.2 POLICY

Foot pursuits are inherently dangerous police actions. It is the policy of the Mount Rainier Police Department that the safety of its officers and the safety of the public shall be the overriding consideration in determining whether a foot pursuit will be initiated or continued. Foot pursuits occur in a wide variety of circumstances. Therefore, this policy is intended to provide overall direction and guidance to officers when deciding if such pursuits are warranted and how they should be conducted.

310.3 DEFINITIONS

For purposes of this general order, a foot pursuit is defined as an incident where an officer chases, on foot, a person who flees from the officer with the intent of evading detention or arrest.

310.4 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

A. Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

1. Where necessary, an officer may pursue persons who he or she reasonably believes have committed an act that would warrant a stop, investigate detention, or arrest.

Mount Rainier Police Department

Policy Manual

Foot Pursuits

2. If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- Containment of the area.
- Saturation of the area with law enforcement personnel, including assistance from other agencies.
- Canine search.
- Thermal imaging or other sensing technology.
- Aerial support.
- Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

3. In deciding whether to initiate or continue a foot pursuit, officers shall also consider risk factors whenever officers are acting alone, in an unfamiliar area, in an area that is hostile, such as a notorious drug trafficking location, pursuing suspects who are known to be or suspected of being armed, pursuing more than one person, unable to obtain backup in a timely manner, not in adequate physical condition to conduct a foot pursuit because of injury or exhaustion, unable to establish and maintain contact with Communications personnel, or pursuing in conditions of inclement weather, darkness, or reduced visibility.

B. Initiating Officer's Responsibilities

1. Officers initiating foot pursuits shall be in field command and shall bear operational responsibility for the foot pursuit unless circumstances dictate otherwise or until relieved by a supervisor. Pursuing officers are reminded that voice transmissions while running and in other field tactical situations may be difficult to understand and may have to be repeated.

2. The officer initiating a foot pursuit shall, as soon as practical, provide the following information to Communications:

- Unit identifier
- Reason for the foot pursuit
- Officer location and direction of pursuit
- Number of suspects and description
- Whether or not the suspect(s) is armed or possibly armed

C. Foot Pursuit Coordination

Mount Rainier Police Department

Policy Manual

Foot Pursuits

1. The primary (initiating) officer shall immediately coordinate—directly or indirectly through Communications—with secondary officers to establish a perimeter in the area to contain the suspect(s).
2. Generally, the primary officer shall not try to overtake the fleeing suspect but shall keep him/her in sight until sufficient manpower is available to take him/her into custody.
3. Assisting officers shall immediately attempt to contain the pursued suspect. Such officers shall not respond to the primary officer's location unless the suspect has been stopped and the primary officer requests assistance to take the suspect into custody.
4. When two or more officers are in pursuit, they shall not separate unless they remain in sight of each other and maintain communication, but they shall allow the lead officer to concentrate on the suspect's actions while the second officer provides backup and maintains communications with dispatch and other assisting officers.

310.5 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspects should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of circumstances that unreasonably increase the risk to officers or the public.

Mount Rainier Police Department

Policy Manual

Foot Pursuits

- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the benefits of immediate apprehension.
- (k) The officer loses possession of his/her firearm or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

310.6 RESPONSIBILITIES IN FOOT PURSUITS

310.6.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone, when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel.
- (b) Call sign identifier.
- (c) Reason for the foot pursuit, such as the crime classification.
- (d) Number of suspects and description, to include name if known.
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon.

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

Mount Rainier Police Department

Policy Manual

Foot Pursuits

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

310.6.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

310.6.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor should allow the foot pursuit to continue if:

- there are at least two officers working in tandem and there is a reasonable belief that the suspect has committed an act that would permit the officer to detain the suspect, or
- there is a reasonable belief that the suspect poses an immediate threat to the safety of the public or other police officers, or
- the pursuit does not violate provisions of this or related department policy, procedures, or training.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the benefit of immediate apprehension of the suspect.

The supervisor shall take command, control, and coordinate the foot pursuit as soon as possible.

- As in any tactical incident or situation, the supervisor does not have to be physically present to assert control over the situation.
- Once the foot pursuit has concluded, the supervisor shall proceed to the terminus of the pursuit to assert post-pursuit command and control as needed.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

310.6.4 COMMUNICATIONS RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

Mount Rainier Police Department

Policy Manual

Foot Pursuits

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the foot pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Shift Supervisor as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

310.7 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at a minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved vehicles and officers.
- (f) Whether a suspect was apprehended as well as the means and methods used.
 - 1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- (g) Arrestee information, if applicable.
- (h) Any injuries and/or medical treatment.
- (i) Any property or equipment damage.
- (j) Name of the supervisor at the scene or who handled the incident.
- (k) A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

Domestic Violence

312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of the Mount Rainier Police Department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence (Md. Code FL § 4-514).

312.1.1 DEFINITIONS

Definitions related to this policy include:

Victim - In this General Order, victim of domestic violence means an individual who has obtained a protective order, or who has received deliberate, severe, and demonstrable physical injury, or is in fear of imminent deliberate, severe, and demonstrable physical injury from

- (1) a current or former spouse;
- (2) a cohabitant (a person with whom they have had a sexual relationship and with whom they have resided with for a period of at least 90 days within the preceding year);
- (3) a person related by blood, marriage, or adoption;
- (4) a parent, stepparent, child, or stepchild with whom they reside or resided with for at least 90 days within the preceding 1 year;
- (5) a vulnerable adult (an adult who lacks the physical or mental capacity to provide for the adult's daily needs);
- (6) an individual with whom the victim has a child in common; or
- (7) an individual with whom they have had a sexual relationship within the preceding 1 year.

Abuse - Abuse means any of the following acts: An act that causes serious bodily harm; an act that places a person eligible for relief in fear of imminent serious bodily harm; battery or assault and battery; rape, attempted rape or sexual offense; false imprisonment; if the person for whom relief is sought is a child, abuse may also include abuse of a child. Nothing in this definition shall be construed to prohibit reasonable punishment, including reasonable corporal punishment, in light of the age and condition of the child, from being performed by a parent or stepparent of the child. If the person for whom relief is sought is a vulnerable adult, abuse may also include abuse of a vulnerable adult.

Court order - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

Domestic violence - Abuse occurring between current or former spouses or cohabitants, persons who have a child in common, or persons currently or formerly involved in a romantic or sexual relationship.

Mount Rainier Police Department

Policy Manual

Domestic Violence

312.2 POLICY

The Mount Rainier Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

312.3 OFFICER SAFETY

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

312.4 INVESTIGATIONS

The following guidelines shall be followed by officers when investigating domestic violence cases to protect the victim from harm (Md. Code FL § 4-502(a)(2)):

- (a) Calls of reported, threatened, imminent or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries shall be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Patrol in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize and remove any firearms upon a consent search or if in plain view if appropriate and legally permitted. The officer shall provide information to the owner on the process of

Mount Rainier Police Department

Policy Manual

Domestic Violence

retaking possession of the firearm. The Department shall then provide safe storage during the pendency of any domestic violence proceeding (Md. Code FL § 4-511).

- (i) When completing an incident or arrest report for violation of a court order, officers shall include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers shall take appropriate enforcement action when there is probable cause to believe an offense has occurred.
- (k) Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Marital status of suspect and victim.
 - 2. Whether the suspect lives on the premises with the victim.
 - 3. Claims by the suspect that the victim provoked or perpetuated the violence or abuse.
 - 4. The potential financial or child custody consequences of arrest.
 - 5. The physical or emotional state of either party.
 - 6. Use of drugs or alcohol by either party.
 - 7. Denial that the violence or abuse occurred where evidence indicates otherwise.
 - 8. A request by the victim not to arrest the suspect.
 - 9. Location of the incident (public/private).
 - 10. Speculation that the complainant may not follow through with the prosecution.
 - 11. The racial, cultural, social, professional position, sexual orientation, or gender identity of the victim or suspect.

312.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

312.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

Mount Rainier Police Department

Policy Manual

Domestic Violence

- (a) Advise the parties of any options, including but not limited to:
 - 1. Voluntary separation of the parties.
 - 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness assistance).
- (b) Document the resolution in a report.

312.5 VICTIM ASSISTANCE

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected.

- (a) Victims shall be provided with the department domestic violence information handout, even if the incident may not rise to the level of a crime (Md. Code FL § 4-503).
- (b) Victims should also be alerted to any available victim advocates, shelters and community resources.
- (c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers shall accompany the person to the family home and stand by while personal clothing and effects are removed (Md. Code FL § 4-502(a)(2)(ii)).
- (d) If the victim has sustained injury or complains of pain, officers shall seek medical assistance for the victim as soon as practicable.
- (e) Officers should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (f) Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (g) If appropriate, officers should seek or assist the victim in obtaining an interim protective order.
- (h) Use the substitute address if the victim is registered in the state Address Confidentiality Program (Md. Code FL § 4-526(b)).
- (i) Prepare a Lethality Assessment Form and advise victim accordingly.

312.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

Domestic Violence

312.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state (Md. Code FL § 4-508.1(b)).

312.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

312.8.1 COURT-ORDERED SURRENDERED FIREARMS

If a respondent surrenders a firearm to the Department under a temporary or final court order, the officer shall provide the respondent information on the process for retaking possession of the firearm. The officer shall transport and store the firearm in a protective case, if one is available, and in a manner intended to prevent damage to the firearm during the time the protective order is in effect (Md. Code FL § 4-506.1).

312.9 STANDARDS FOR ARRESTS

Officers investigating a domestic violence report should consider the following:

- (a) May arrest a person without a warrant if the report to law enforcement was made within 48 hours of the alleged incident and the officer has probable cause to believe that:
 1. The person battered the person's spouse or another person with whom the person resides;
 2. There is evidence of physical injury; and
 3. Unless the person is arrested immediately, the person:

Mount Rainier Police Department

Policy Manual

Domestic Violence

- (a) May not be apprehended.
 - (b) May cause physical injury or property damage to another.
 - (c) May tamper with, dispose of, or destroy evidence.
- (b) Shall arrest with or without a warrant and take into custody a person who the officer has probable cause to believe is in violation of an interim, temporary or final protective order in effect at the time of the violation (Md. Code FL § 4-509(b)).
- (c) Shall arrest, with or without a warrant, and take into custody a person the officer has probable cause to believe is in violation of an order for protection that was issued by a court of another state or a Native American tribe, and that is in effect at the time of the violation if the person seeking the assistance (Md. Code FL § 4-508.1(c)):
1. Has filed a copy of the order with the District Court or Circuit Court for the jurisdiction in which the person seeks assistance; or
 2. Displays or presents to the officer a copy of the order that appears valid on its face.

312.9.1 MUTUAL BATTERY

If an officer has probable cause to believe that mutual battery occurred and arrest is necessary, the officer shall consider whether one of the persons acted in self-defense to determine who was the primary aggressor (Md. Code CP § 2-204(b)).

312.10 REPORTS AND RECORDS

The Records Section shall provide a copy of the domestic violence report to the victim upon request (Md. Code FL § 4-503.1).

312.11 SERVICE OF COURT ORDERS

Sheriff's Responsibilities

The Prince George's County Sheriff's Office is the primary agency for the service of ex parte and protective orders and maintains these records.

Police Officer's Responsibilities

Although the Sheriff's Office bears the primary responsibility for the service of said orders, the sometimes-volatile nature of domestic disputes will frequently require police officers to both serve and enforce these orders. The following procedures will be followed in cases where sheriff's department personnel are unavailable or it would otherwise be impractical or unsafe for the petitioner to wait for their arrival.

No arrest power is inherent in the Court Order for Protection from Domestic Violence; however, failure to comply with certain provisions as outlined in the Family Law Article, Section 4-505 and 4-506, are misdemeanors and carry possible fines and prison sentences as outlined in Section 4-509 (penalties).

Mount Rainier Police Department

Policy Manual

Domestic Violence

1. If officers arrive at the scene of a domestic disturbance call and it is learned that a petition has been filed but the order has not yet been served, officers will serve the petitioner's copy by personally delivering the order to the respondent (accused) if the respondent is present. A call to the sheriff's department will be made to confirm whether the order has already been served or not. If an officer serves the order, the sheriff's department will immediately be notified, via telephone, and advised of the date, time and name of the officer serving the order. Officers will explain the provisions of the order to the respondent and will advise the respondent that a violation of any provision in paragraphs 1 through 5 constitutes a criminal violation of an otherwise civil order and may result in the respondent's arrest if there is non-compliance. If child custody is awarded in paragraph 6, a violation of that provision does not constitute a criminal violation. For safety reasons, officers will accompany the respondent while gathering belongings and will ensure that the respondent leaves the premises. Officers will not allow the respondent to remove any community property or any property that is in dispute and will advise both parties that the court may settle those disputes.

While on the scene of domestic violence incidents, police officers will initiate a check via MILES to determine if any warrants, ex parte orders or protective orders are on file. If an ex parte order is on file and not served, the officer will serve the order. If an order is on file and the suspect is in violation, the officer will make the arrest. Failure to check via MILES for an ex parte order may subject the responding officers to civil charges for failure to protect.

While on the scene of domestic violence incidents, officers shall complete a domestic violence lethality assessment screen for each party who reports being the victim of domestic violence.

2. The law provides that an officer will arrest, with or without an arrest warrant, and take into custody, the respondent if the officer has probable cause to believe the respondent is in violation of an ex parte or protective order that is in effect at the time of the violation. These violations include phone contact or going to the victim's place of work. The main criteria here will be the victim's safety. Upon arrest, the respondent will be charged either by issuance of a Maryland Uniform Criminal/Civil Citation or by a Statement of Charges.

3. In order to discourage dual arrests by officers when victims have struck out in self defense, new language has been added: If the police officer has probable cause to believe that mutual battery has occurred and arrest is necessary, the officer shall consider whether one of the parties acted in self defense when making the determination who is the primary aggressor.

4. On the date set forth in paragraph 9 of the ex parte order, the court will conduct a hearing to determine if the provisions of the order will be continued. If the court finds that sufficient evidence exists, the court can issue a protective order that may be in effect for up to 200 days. The protective order may continue the same provisions as contained in paragraphs 1 through 5 of the ex parte order, however, they will be numbered 2 through 6 in the protective order. Paragraph 1 will indicate the date the order expires. As in the ex parte order, a violation of any provision in paragraphs 2 through 6 of the protective order constitutes a criminal violation of the order and the same procedures will apply as in sections III, B, 1-3 above. A violation of any provisions, other than those

Mount Rainier Police Department

Policy Manual

Domestic Violence

in paragraphs 2 through 6, do not constitute a criminal violation, but may subject the respondent to the court's contempt powers.

5. The issuing of mutual ex parte orders will be eliminated unless both parties applied separately, and both are primary aggressors. Ex parte orders will be entered in MILES so that judges and police can verify their existence.

6. The penalty for violating a protective order is 90 days in jail.

7. All parties shall be furnished a Domestic Violence and Referral Card (#3782) available in English and Spanish. The CCN will be written on the back of the card.

8. Should the officer make a traffic stop and the results of a warrant file check reveal that a protective order or ex parte order has not been served to the subject, the following steps must be taken:

a. Seek the subject's voluntary compliance to be escorted to nearest police station where the order can be faxed by the sheriff's department and served.

b. If the subject refuses to comply voluntarily, no arrest can be made. However, the officer should get as much personal information on the subject as possible: home address and telephone number, place of employment and telephone number, and so forth, so that they can serve the order and forward it to the sheriff's department.

c. Civil warrants are not enforceable by arrest except as outlined in Sections III and IV of this General Order.

In cases of alleged domestic violence, where no arrest is made, the parties involved should be advised of the following options.

(a) They may go to the District Court Commissioner who can determine if a warrant or summons may be issued.

(b) They may seek a Petition for Protection from Domestic Violence by contacting the District Court Civil Office between 0830 and 1500 hours, Monday through Friday, excluding holidays. During other times they may go to the District Court Commissioner.

An Incident Report shall be written in all instances where a victim is referred to the District Court Commissioner for charging document application.

312.11.1 INTERIM PROTECTIVE ORDER

An officer shall immediately on receipt of a petition and interim protective order, serve them on the respondent named in the order. Immediately after service, the officer shall submit the documents to the Records Section who will make a return of service to the commissioner's office or, if the Office of the District Court Clerk (Clerk) is open for business, to the Clerk; and within two hours after service of the order, electronically notify the Department of Public Safety and Correctional Services (DPSCS) of the service (Md. Code FL § 4-504.1(g)).

Mount Rainier Police Department

Policy Manual

Domestic Violence

312.11.2 TEMPORARY PROTECTIVE ORDER

An officer shall immediately serve the temporary protective order on the alleged abuser. Immediately after service the officer shall submit the documents to the Records Section who will within two hours after service of the order on the respondent, electronically notify the DPSCS (Md. Code FL § 4-505(b)).

312.12 DOMESTIC PROPERTY DISPUTES

In disputes over property or over access to a residence, the following procedures will be followed:

- (a) Officers will not act as an arbitrator. If a party seeking possession of personal property (furniture, clothing, etc.) is the owner or a tenant and is not subject to a court order to vacate, he/she can be presumed to have the right to enter the premises unless the party in the dwelling can show otherwise. The police will not enforce one party's claim against the other nor will assault behavior or disorderly conduct be tolerated.
- (b) Parties involved should be advised to consider consulting a lawyer and preparing a separation agreement covering the disposition of household property.
- (c) All property disputes regarding vehicles shall be referred to the District Court Commissioner. Officers shall advise the participants to go to the commissioner's office to apply for charging document (Section IV. D above does not apply here) and inform them that the commissioner has no authority to order any party to give up property, even if a charging document is issued.
- (d) Officers should further advise the complainant(s) that the commissioner would determine the proper charging document to be issued or recommend pursuing their claims through civil procedures if appropriate.

E. All officers shall be familiar with Md. Code FL § 4-502, which states:

Any person who alleges to have been a victim of abuse and who believes there is a danger of serious and immediate personal harm may request the assistance of a local law enforcement unit. A local law enforcement officer who responds to the request for help shall:

Protect the complainant from harm when responding to the request; and accompany the complainant to the family home so that the complainant may remove the following items regardless of who paid for the items:

The personal clothing of the person and of any child in the care of the person; and

The personal effects, including medicine or medical devices, of the person and of any child in the care of the person the person or the child needs immediately.

Immunity of law enforcement officers from civil liability -- Any law enforcement officer responding to such a request shall have the immunity from liability described under subsection 5-610 of the Courts Article."

Hate Crimes

320.1

In the past several years, offensive acts motivated by race, religion, ethnicity, gender, national origin, sexual orientation, gender identity, disability, and homeless status have increased throughout the State and across the nation. Such incidents (both criminal and non-criminal) that are racial, religious or ethnic in motivation not only have a devastating effect on the individual victim but also threaten the democratic foundations of our society. Also, tensions and pressures are generated within the neighborhoods affected. This Department recognizes that the unique nature and adverse impact of these incidents requires special handling from our agency. We have an obligation to not only investigate these incidents, but to also recognize and react in a supportive manner to the emotional trauma experienced by the victims, families and residents of the community who have witnessed or suffered such incidents. Police training sessions have focused on sensitizing all officers to incidents that are motivated by hate. Thus, officers investigating these hate/violence incidents are expected to:

- Approach victims in an empathetic and supportive manner.
- Effectively calm the victim and reduce the victim's alienation.
- Reassure the victim that every available investigative and enforcement tool shall be utilized by the Department to find and prosecute the person or persons responsible for the act.

320.2 PURPOSE AND SCOPE

The purpose of this General Order is to define hate crimes and set policy on the reporting and investigation of such incidents. We will take an active role in promoting peace and harmony among the diverse groups living and working within the City and State to protect all citizens against racial, religious and ethnic intimidation and harassment. We will immediately conduct a thorough investigation of all malicious or criminal incidents occurring within the City that are motivated by hate and will support maximum prosecution of those who are apprehended for such acts. State law requires all law enforcement agencies of the State to report to the Maryland State Police "...information about incidents apparently directed against an individual or group because of race, religion, ethnicity, or sexual orientation." Md. Code Ann., Public Safety Art., § 2-307. The Department shall ensure that all such incidents are reported to MSP and that violations are dealt with immediately.

320.2.1 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, disability or homelessness of the victim

Mount Rainier Police Department

Policy Manual

Hate Crimes

320.3 POLICY

The Mount Rainier Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitutions and incorporated in state and federal law. It is the policy of this Department to bring its investigative, operational and support elements into quick action following any and all reported or observed hate crime incidents. There shall be special emphasis placed on victim assistance and community cooperation in order to reduce victim/community trauma and fear.

320.4 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes, and forming networks that address prevention and response.
- (b) Providing victim assistance, community follow-up or identifying available resources.
- (c) Educating community and civic groups about hate crime laws.

320.5 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- (d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.
- (e) Depending on the situation, the assigned officers or supervisor may request assistance from investigators or other resources.
- (f) The assigned officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- (g) The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime."

Mount Rainier Police Department

Policy Manual

Hate Crimes

- (i) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid protective order through the courts or City Attorney.

320.5.1 RESPONSIBILITIES

If a hate crime case is assigned to the Patrol, the assigned investigator will be responsible for:

- (a) Coordinating further investigation with the City Attorney and other appropriate law enforcement agencies.
- (b) Maintaining contact with the victim and other involved individuals, as needed.
- (c) Maintaining statistical data and tracking of suspected hate crimes, as indicated or required by state law.

320.6 TRAINING

All members of this department should receive training on hate crime recognition and investigation.

Report Preparation

323.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to those members of the Department who complete investigations and reports as a part of their duties.

323.2 POLICY

It is the policy of the Mount Rainier Police Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

323.2.1 REPORT WRITING PROCEDURE

The Prince George's County Police Report Writing Manual is adopted with the exception of the section addressing property reports.

323.3 EXPEDITIOUS REPORTING

An incomplete report, unorganized reports or reports that are delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or to a special priority made necessary under exceptional circumstances.

323.4 REPORT PREPARATION

Reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. It is the responsibility of the member to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor (MD. Code PS § 3-514). Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Members shall not suppress, conceal or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

323.4.1 HANDWRITTEN OR TYPED REPORTS

County, state and federal agency forms may be block printed unless the requirement for typing is apparent. Supervisors may require block printing or typing of reports of any nature for legibility or department consistency.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting member will be required by the reviewing supervisor to promptly rewrite and resubmit the report.

Mount Rainier Police Department

Policy Manual

Report Preparation

In general, the narrative portion of reports where an arrest is made or when there is a long narrative should be typed or dictated. Members who dictate reports shall use appropriate grammar, as the content is not the responsibility of the typist.

Members who generate reports on computers are subject to all requirements of this policy.

323.4.2 ELECTRONIC SIGNATURES

The Mount Rainier Police Department has established an electronic signature procedure for use by all members of the Mount Rainier Police Department. The Patrol Section Commander shall be responsible for maintaining the electronic signature system, ensuring that each member creates a unique, confidential password for his/her electronic signature and that the use of electronic signatures otherwise complies with the law (Md. Code CL § 21-106).

- (a) Members may only use their electronic signatures for official reports or other official communications.
- (b) Each member shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

323.5 REQUIRED REPORTING

In all of the following situations, members shall complete reports using the appropriate department-approved forms and reporting methods, unless otherwise approved by a supervisor.

The reporting requirements are not intended to be all-inclusive. A member may complete a report if he/she deems it necessary or as directed by a supervisor.

323.5.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

- (a) All arrests
- (b) All felony crimes
- (c) Non-felony incidents involving threats or stalking behavior
- (d) Situations covered by separate policy. These include:
 - 1. Use of Force Policy
 - 2. Domestic Violence Policy
 - 3. Child Abuse Policy
 - 4. Adult Abuse Policy
 - 5. Hate Crimes Policy
 - 6. Suspicious Activity Reporting Policy

Mount Rainier Police Department

Policy Manual

Report Preparation

- (e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

323.5.2 SERIOUS CRIMES

- (a) Homicide – Prince George's County Police Homicide and Evidence will be contacted to respond. The initial crime report will be completed by a Mount Rainier police officer. Any copying or faxing of the report will be noted in the narrative.
- (b) Robbery – The appropriate Prince George's County Police Robbery Unit will be contacted to respond. The initial crime report will be completed by a Mount Rainier police officer. The reporting officer will immediately fax a copy of the completed report to District I station for all non T/A robberies; that fax and any copy of the report given to the responding robbery unit will be noted in the narrative of the report.
- (c) Rape – Prince George's County Police Sex Crime Unit will be contacted to respond. The initial crime report will be completed by a Mount Rainier police officer. Any copying or faxing of the report will be noted in the narrative.

323.5.3 NON-CRIMINAL ACTIVITY

Non-criminal activity to be documented includes:

- (a) Any found property or found evidence.
- (b) All protective custody and welfare detentions.
- (c) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy).
- (d) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (e) Suspicious incidents that may place the public or others at risk.
- (f) Any use of force by members of this department against any person (see the Use of Force Policy).
- (g) Any firearm discharge (see the Firearms Policy).
- (h) Any time a member points a firearm at any person.
- (i) Any traffic accidents above the minimum reporting level (see the Traffic Accidents Policy).
- (j) Whenever the member believes the circumstances should be documented or at the direction of a supervisor.

323.5.4 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.

Mount Rainier Police Department

Policy Manual

Report Preparation

- (b) There is an attempted suicide
- (c) The injury is major or serious or potentially fatal.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to document the event.

323.5.5 DEATHS

Death investigations require specific investigation methods, depending on the circumstances. They should be handled in accordance with the Death Investigation Policy. The handling member should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following incidents shall be appropriately investigated and documented:

- (a) Unattended deaths (no physician or qualified hospice care during the period preceding death).
- (b) Sudden, accidental or suspicious deaths.
- (c) Suicides.
- (d) Homicide or suspected homicide.
- (e) Found dead bodies or body parts.

323.5.6 JUVENILES

When juveniles are suspects in a crime, the juvenile(s) name shall be recorded only on a supplement report clearly indicating "Juvenile Information"; this report is separate from the crime report and any other additional information.

323.5.7 CITY PERSONNEL OR PROPERTY

Incidents involving City personnel or property shall require a report when:

- (a) An injury occurs as the result of an act of a City employee or on City property.
- (b) There is injury to a City Employee
- (c) There is damage to City property or equipment.
- (d) A City employee is arrested, issued a criminal summons, and/or issued a traffic or other citation.

323.6 ALTERNATIVE REPORTING FOR VICTIMS

Reports that may be submitted by the public via online or other self-completed reporting processes include:

- (a) Lost property.
- (b) Misdemeanor thefts of property, other than firearms or materials threatening to public safety, when there is no suspect information or serial number or ability to trace the item.
 - 1. Misdemeanor thefts of cellular telephones may be reported even though they have a serial number.

Mount Rainier Police Department

Policy Manual

Report Preparation

- (c) Misdemeanor vandalism with no suspect information and no hate crime implications.
- (d) Vehicle burglaries with no suspect information or evidence.
- (e) Stolen vehicle attempts with no suspect information or evidence.
- (f) Annoying telephone calls with no suspect information.
- (g) Identity theft without an identifiable suspect.
- (h) Online or email fraud solicitations without an identifiable suspect and if the financial loss classifies the crime as a misdemeanor.
- (i) Hit-and-run vehicle accidents with no suspect or suspect vehicle.
- (j) Supplemental property lists.

Members at the scene of one of the above incidents should not refer the reporting party to an alternative means of reporting without authorization from a supervisor. Members may refer victims to online victim assistance programs (e.g., the Federal Trade Commission (FTC) website for identity theft; the Internet Crime Complaint Center (IC3) website for computer crimes).

323.7 REVIEW AND CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete a correction form stating the reasons for rejection.

The original report and the correction form should be returned to the reporting member for correction as soon as practicable. It shall be the responsibility of the originating member to ensure that any report returned for correction is processed in a timely manner.

323.7.1 CHANGES AND ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Section for filing and distribution shall not be modified or altered except by way of a supplemental report.

Reviewed reports that have not yet been submitted to the Records Section may be corrected or modified by the authoring member only with the knowledge and authorization of the reviewing supervisor.

323.8 TEMPORARY DETENTION OR INVESTIGATIVE STOP SEARCHES

Members making a temporary detention or investigative stop that results in a search must file a written report within 24 hours of the incident. The report shall be completed using the form prescribed by the Secretary of Public Safety and Correctional Services and shall include:

- (a) The name of the person searched.
- (b) The circumstances surrounding and reasons for the search or seizure.

The Records Section is required to deliver copies of all forms completed for this purpose to the Secretary of the State Police (Md. Code CR § 4-206(c)).

Service Animals

338.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

338.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

338.2 POLICY

It is the policy of the Mount Rainier Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

338.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.

Mount Rainier Police Department

Policy Manual

Service Animals

- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

338.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Mount Rainier Police Department affords to all members of the public (28 CFR 35.136).

338.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

338.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

338.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. The barking of a dog alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal.

Mount Rainier Police Department

Policy Manual

Service Animals

338.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

Native American Graves Protection and Repatriation

340.1 PURPOSE AND SCOPE

This policy is intended ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

340.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

Funerary objects and associated funerary objects - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

Native American human remains - The physical remains of the body of a person of Native American ancestry.

Objects of cultural patrimony - Objects having ongoing historical, traditional, or cultural importance that is central to the Native American group or culture itself, and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

Sacred objects - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

340.2 POLICY

It is the policy of the Mount Rainier Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

340.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

Mount Rainier Police Department

Policy Manual

Native American Graves Protection and Repatriation

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land - The Maryland Historical Trust and the Maryland Commission on Indian Affairs (COMAR 34.04.06.01 et seq.)
- Tribal land - Responsible Indian tribal official

340.4 EVIDENCE AND PROPERTY

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).

340.5 DISPOSITION OF REMAINS

This department shall cooperate with other government agencies, the Maryland Commission on Indian Affairs, the Advisory Committee on Archeology, the Burial Sites and Objects Review Committee and the Maryland Historical Trust to accomplish the appropriate disposition of Native American human remains (COMAR 34.04.06.01 et seq.).

Department Use of Social Media

342.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of the Department (see the Investigation and Prosecution Policy).

342.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the Department website or social networking services.

Social Networking Websites - Sites which focus on building online communities of people who share interests and activities and/or exploring the interests and activities of others. Examples of social networking websites include but are not limited to: Facebook, MySpace, Friendster, Linked In, Twitter, Instagram, and sites that allow users to post personal blogs. The absence of express reference to a specific site does not limit the extent of the application of this policy.

342.2 POLICY

The Mount Rainier Police Department may use social media to inform the public about Department services, issues, investigations and other relevant events.

Department employees shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

The Mount Rainier Police Department has a duty to protect the integrity and reputation of the organization and its employees, as well as guard against liability and potential legal risk. Therefore, the Department reserves the right to monitor social networking websites, and employees are advised of the following:

A. Employees shall exercise caution and good judgment when using social media. Employees should be aware that the content of social media sites can be subpoenaed and used in criminal and civil trials to impeach the employee's testimony.

B. Any individual who can be identified as an employee of the Mount Rainier Police Department has no reasonable expectation of privacy when social networking online, and is subject to all pertinent City of Mount Rainier policies, Department policies, and local, state, and federal laws regarding public information on arrests, investigations, and personnel data.

Mount Rainier Police Department

Policy Manual

Department Use of Social Media

342.3 PROCEDURES/REGULATIONS

A. Failure to comply with the following may result in discipline, up to and including discharge:

- Where the poster can be identified as an employee of the Mount Rainier Police Department, any postings involving offensive or unethical content are not permitted.
- Without express, written permission of the Chief of Police, employees shall not represent that they are speaking or acting on behalf of the Mount Rainier Police Department, or that they are representing or presenting the interests of the Mount Rainier Police Department.
- Employees are prohibited from using social networking sites to harass or attack others, including those who work for the Mount Rainier Police Department.

B. Authorized exceptions to the above regulation include utilizing social networking websites for Mount Rainier Police Department approved public relations and official investigative and/or work-related purposes as approved by the Chief of Police.

342.4 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

342.5 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the Department mission and conforms to all Department policies regarding the release of information may be posted.

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the Department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Recruitment of personnel.

Mount Rainier Police Department

Policy Manual

Department Use of Social Media

342.5.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

342.6 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Mount Rainier Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

342.6.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact Department members directly.

342.7 MONITORING CONTENT

The Chief of Police will appoint a supervisor to review, at least annually, the use of Department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

342.8 RETENTION OF RECORDS

The Records Manager should establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

Mount Rainier Police Department

Policy Manual

Department Use of Social Media

342.9 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

Equal Employment Opportunity

343.1 PURPOSE

This order establishes policy in providing equal employment opportunity.

343.2 POLICY

It is the policy of the Mount Rainier Police Department to provide and exercise equal employment and promotional opportunities to each of its employees without regard to race, color, religion, sex, or national origin. To ensure the total implementation of this policy, all command personnel and supervisors are directed to be personally involved in establishing, maintaining and carrying out a positive, continuing program designed to promote equal opportunity in every aspect of employment.

343.3 RESPONSIBILITY

Supervisors will insure that all employees are treated equitably and fairly. All supervisors are responsible for recruiting, training, supervising and assigning employees governed by this policy.

Chapter 4 - Patrol Operations

Racial- or Bias-Based Profiling

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members and establishes appropriate controls to ensure that members of the Mount Rainier Police Department do not engage in racial or bias-based profiling or violate any related laws while serving the community (Md. Code TR § 25-113).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Racial or bias-based profiling - An inappropriate reliance on factors such as race, ethnicity, national origin, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group as a factor in deciding whether to take law enforcement action or to provide service.

401.2 POLICY

The Mount Rainier Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

401.3 RACIAL/BIAS-BASED PROFILING PROHIBITED

Racial or bias-based profiling is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

401.3.1 OTHER PROFILING PROHIBITED

The Mount Rainier Police Department prohibits the illegal use of an individual or group's attire, appearance or mode of transportation, including the fact that an individual rides a motorcycle or wears motorcycle-related paraphernalia, as a factor in deciding to stop and question, take enforcement action, arrest or search a person or vehicle (Md. Code PS § 3-207).

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial or bias-based profiling to a supervisor.

Mount Rainier Police Department

Policy Manual

Racial- or Bias-Based Profiling

401.4.1 REASON FOR DETENTION

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify a detention, independent of the individual's membership in a protected class.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention, as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Officers shall not use an individual's race or ethnicity as the sole justification to initiate a traffic stop. However, this does not alter the authority of an officer to make an arrest, conduct a search or seizure, or otherwise fulfill the officer's law enforcement obligations (Md. Code CP § 4-101.1(h) (2)).

Each time an officer makes a traffic stop, the officer shall report any information as required in the Safety Equipment Repair Orders (SERO), Traffic and Parking Citations Policy (Md. Code TR § 25-113).

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
- (b) Supervisors should periodically review Mobile Audio/Video (MAV) recordings, Mobile Digital Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 1. Supervisors should document these periodic reviews.
 2. Recordings or data that capture a potential instance of racial or bias-based profiling should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should ensure that no retaliatory action is taken against any member of this department who discloses information concerning racial or bias-based profiling.

401.6 STATE REPORTING

The Records Section shall compile and submit the required traffic stop data to the Maryland Statistical Analysis Center no later than March 1 of the following calendar year (Md. Code TR § 25-113(e)).

Mount Rainier Police Department

Policy Manual

Racial- or Bias-Based Profiling

401.7 ADMINISTRATION

The Assistant Chief shall review the efforts of the Department to prevent racial or bias-based profiling, including traffic stop data, and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information regarding any specific complaint, member of the public or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service (Md. Code TR § 25-113; Md. Code CP § 4-101.1(h)(3)).

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

The Assistant Chief shall also review the annual report generated by the Maryland Statistical Analysis Center analyzing the information submitted by this and other law enforcement agencies (Md. Code TR § 25-113(f)).

401.8 TRAINING

Training on racial or bias-based profiling and review of this policy should be conducted as directed by the Assistant Chief.

Bicycle Patrol

421.1 PURPOSE AND SCOPE

This policy establishes guidelines for the Mount Rainier Police Department to safely and effectively use bicycle patrol for the purpose of enhancing field patrol efforts in the community.

421.2 POLICY

It is the policy of the Mount Rainier Police Department that patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control or special events. The use of the patrol bicycle will emphasize officer mobility and department visibility in the community.

421.3 OPERATIONS

Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas, and the quiet operation of the patrol bicycle can facilitate a tactical approach to crimes in progress. Patrol bicycles may be deployed to any area, at any hour of the day or night, according to department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the bicycle patrol coordinator and the Shift Supervisor, if the bicycle patrol coordinator is on duty.

421.4 SELECTION

Interested officers who have completed the probationary period shall submit a change of assignment request to their immediate supervisor/Section Commander. A copy will be forwarded to the bicycle patrol coordinator. Qualified applicants will then be invited to an oral interview. The oral interview will be conducted by the coordinator and a second person to be selected by the coordinator.

Interested officers shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance
- (b) Special skills or training as it pertains to the assignment
- (c) Good physical condition
- (d) Willingness to perform duties using the bicycle as a mode of transportation

421.4.1 OFFICER RESPONSIBILITIES

Officers should operate the bicycle in compliance with Maryland traffic laws under normal operation, unless their duties require otherwise (Md. Code TR § 21-1202).

Officers may operate the bicycle without lighting equipment during hours of darkness only when it reasonably appears necessary for officer safety or tactical considerations. Officers must use caution and care when operating bicycles without lighting equipment or when they are operating in violation of the rules of the road. Officers will not operate the bikes during inclement weather unless specifically assigned to do so by supervisory personnel.

Mount Rainier Police Department

Policy Manual

Bicycle Patrol

Officers are responsible for securing the bike when not in use, this includes on and off duty. Bikes may be used off duty with prior permission from the Chief of Police or the Assistant Chief. Officers are responsible for the bike at all times when in their possession.

Officers are exempt from the rules of the road, while using audible and visual signals, under the following conditions (Md. Code TR § 21-106):

- (a) In response to an emergency call
- (b) In the immediate pursuit of an actual or suspected violator of the law

In response to a fire alarm, but not while returning

Officers on patrol are not limited to a specific area unless specifically advised of such a limitation.

Areas of concentration for bicycle patrol are:

- a. Rhode Island Avenue and Varnum Street business district.
- b. 34th Street business district.
- c. Areas of the City where directed patrols have been assigned to address specific crime problems.

In order to allow proper response to an incident and to insure that all equipment is available, officers should stay within 3/4 of a mile of their cruiser while on routine patrol.

Bike patrol officers are responsible for writing citations and reports and making arrests.

421.5 BICYCLE PATROL COORDINATOR

The bicycle patrol coordinator shall be appointed by and directly responsible to the Chief of Police or the authorized designee.

The coordinator may appoint a senior bicycle patrol officer or other designee to assist in the coordination of bicycle patrol officers and their activities.

The responsibilities of the coordinator include, but are not limited to:

- (a) Organizing bicycle patrol training.
- (b) Inspecting and maintaining an inventory of patrol bicycles and program equipment.
- (c) Inspecting and documenting, no less than every three months, that bicycles which are not in active service are in serviceable condition.
- (d) Scheduling maintenance and repairs.
- (e) Evaluating the performance of bicycle patrol officers.
- (f) Coordinating activities with the Patrol Section.
- (g) Other activities as required to maintain the efficient operation of bicycle patrol.

Mount Rainier Police Department

Policy Manual

Bicycle Patrol

421.6 PATROL BICYCLE

Bicycle patrol officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag, two batteries and a charger.

Patrol bicycles shall be primarily black or white in color with a "Police" decal affixed to each side of the crossbar or the bicycle's gear bag. Every patrol bicycle shall be equipped with:

- (a) Front and rear reflectors.
- (b) A siren and horn.
- (c) A steady or flashing blue and red warning light that is visible from the front, sides or rear of the bicycle.
- (d) A rear rack and/or gear bag sufficient to carry all necessary equipment to handle routine patrol calls, including report writing, vehicle storage and citations.
- (e) A gear bag that shall include a first-aid kit, tire pump, repair tool, tire tube, security lock, high-visibility vest and equipment information and use manuals. These items are to remain with/on the patrol bicycle at all times.

Patrol bicycles shall be properly secured when not in the officer's immediate presence.

421.6.1 TRANSPORTING THE PATROL BICYCLE

The patrol bicycle should be transported using a vehicle bicycle rack. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a law enforcement vehicle push-bumper is discouraged and should occur only when emergent circumstances prevent proper transport.

421.6.2 MAINTENANCE

- (a) Bicycle patrol officers shall conduct an inspection of the patrol bicycle and equipment prior to use to ensure proper working order of the equipment. Damage to bicycles will be reported immediately to the supervisor.
- (b) Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).
 - 1. Each patrol bicycle will have scheduled maintenance twice yearly to be performed by a repair shop or technician approved by the Department.
- (c) Officers shall not modify the patrol bicycle or remove, modify or add components to the patrol bicycle except with the express approval of the bicycle patrol coordinator, or in the event of an emergency.
- (d) If a needed repair is beyond the ability of the bicycle patrol officer, a repair work order will be completed and forwarded to the coordinator for repair by a technician approved by the Department.

Mount Rainier Police Department

Policy Manual

Bicycle Patrol

- (e) Patrol bicycle batteries shall be rotated on the assigned charger at the end of each tour of duty.
 - 1. During prolonged periods of non-use, each bicycle patrol officer assigned a patrol bicycle shall periodically rotate the batteries on the respective chargers to increase battery life.
- (f) At the end of a patrol bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

421.7 UNIFORMS AND EQUIPMENT

Officers shall wear uniforms and safety equipment in accordance with the Uniforms and Civilian Attire Policy.

The uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt, with Mount Rainier Police Department badge and patches, and department-approved bicycle patrol pants or shorts. Optional attire may include, but is not limited to, a jacket in colder weather and turtleneck shirts or sweaters when worn under the uniform shirt.

Bicycle patrol officers shall carry the same equipment on their duty belts as they would on regular patrol assignments. Assignment-specific safety equipment should include, but is not limited to, department-approved helmet, a radio headset and microphone, riding gloves, protective eyewear and approved footwear.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

421.8 TRAINING

Officers must complete an initial department-approved bicycle-training course prior to assignment to bicycle patrol. Thereafter, bicycle patrol officers should receive annual in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

- (a) Bicycle patrol strategies
- (b) Bicycle safety and accident prevention
- (c) Operational tactics and techniques using bicycles

Bicycle patrol officers will be required to train and qualify with their duty and secondary firearms while wearing bicycle safety equipment, including the helmet and riding gloves.

First Amendment Assemblies

425.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

425.2 POLICY

The Mount Rainier Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

425.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential.

The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront, or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

Mount Rainier Police Department

Policy Manual

First Amendment Assemblies

425.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

425.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Communications, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

425.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

425.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

Mount Rainier Police Department

Policy Manual

First Amendment Assemblies

- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

425.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for the following:

- (a) Command assignments, chain of command structure, roles and responsibilities
- (b) Staffing and resource allocation
- (c) Management of criminal investigations
- (d) Designation of uniform of the day and related safety equipment (helmets, shields, etc.)
- (e) Deployment of specialized resources
- (f) Event communications and interoperability in a multijurisdictional event
- (g) Liaison with demonstration leaders and external agencies
- (h) Liaison with City government and legal staff
- (i) Media relations
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation
- (k) Traffic management plans
- (l) First aid and emergency medical service provider availability
- (m) Prisoner transport and detention
- (n) Review of policies regarding public assemblies and use of force in crowd control
- (o) Parameters for declaring an unlawful assembly
- (p) Arrest protocol, including management of mass arrests
- (q) Protocol for recording information flow and decisions
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force

First Amendment Assemblies

- (s) Protocol for handling complaints during the event
- (t) Parameters for the use of body-worn cameras and other portable recording devices

425.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (Outside Agency Assistance Policy).

425.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

425.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual persists in refusing to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and Electronic Control Devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage. Any use of Electronic Control Device devices must conform to the Conducted Energy Device Policy.

Mount Rainier Police Department

Policy Manual

First Amendment Assemblies

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Operational circumstances may preclude contemporaneous completion of use of force reports, in which case use of force incidents shall be communicated to Communications for documentation. After-action reports shall include a detailed explanation of all incidents where force was used.

425.8 ARRESTS

The Mount Rainier Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been or reasonably appear likely to be unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation Releases Policy).

425.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

425.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

First Amendment Assemblies

425.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, Communications records/tapes
- (g) Media accounts (print and broadcast media)

425.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, to include the following:

- (a) Date, time and description of the event.
- (b) Actions taken and outcomes (injuries, property damage, arrests, etc.).
- (c) Problems identified.
- (d) Significant events.
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

425.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

Public Recording of Law Enforcement Activity

428.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public, or press, photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

428.2 DEFINITIONS

Recording: Capturing of images, audio, or both, by means of a camera, cell phone, audio recorder, or other device.

Media: The storage for visual or audio recordings, whether by film, analog, or digital means.

428.3 POLICY

Members of the public, including news media representatives, have an unambiguous First Amendment right (and possibly a due process right) to record officers in public places, as long as their actions do not interfere with the officer's duties or the safety of officers or others.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties. *Officers shall assume that they are being recorded at all times when on duty in a public space.*

428.4 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 1. Tampering with a witness or suspect.
 2. Inciting others to violate the law.
 3. Being so close to the activity as to present a clear safety hazard to the officers.
 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officers, him/herself or others.

428.5 OFFICER RESPONSE

Persons who are lawfully in public spaces or locations where they have a legal right to be present—such as their home, place of business, or the common areas of public and private facilities and

Mount Rainier Police Department

Policy Manual

Public Recording of Law Enforcement Activity

buildings—have a First Amendment right to record things in plain sight or hearing,[1] to include police activity. Police may not threaten, intimidate, or otherwise discourage or interfere with the recording of police activities. However, the right to record is not absolute and is subject to legitimate and reasonable legal restrictions, as follows:

- (a) A reasonable distance must be maintained from the officer(s) engaged in enforcement or related police duties.
- (b) Persons engaged in recording activities may not obstruct police actions. For example, individuals may not interfere through direct physical intervention, tampering with a witness, or by persistently engaging an officer with questions or interruptions. The fact that recording and/or overt verbal criticism, insults, or name-calling may be annoying, does not of itself justify an officer taking corrective or enforcement action or ordering that recording be stopped, as this is an infringement on an individual's constitutional right to protected speech.
- (c) Recording must be conducted in a manner that does not unreasonably impede the movement of emergency equipment and personnel or the flow of vehicular or pedestrian traffic.
- (d) The safety of officers, victims, witnesses, and third parties cannot be jeopardized by the recording party.

Arrest

- (a) Persons who violate the foregoing restrictions should be informed that they are engaged in prohibited activity and be provided with an explanation as to why their activity is improper and given information on acceptable alternatives, prior to making an arrest.
- (b) Arrest of a person who is recording officers in public shall be related to an objective, articulable violation of the law unrelated to the act of recording. The act of recording does not, in itself, provide grounds for detention or arrest.
- (c) Arrest of an individual does not provide an exception to the warrant requirement justifying search of the individual's recording equipment or media. While equipment may be seized incident to an arrest, downloading, viewing, or otherwise accessing files requires a search warrant. Files and media shall not be altered or erased under any circumstances.

Arrest of an individual does not provide an exception to the warrant requirement justifying search of the individual's recording equipment or media. While equipment may be seized incident to arrest, downloading, viewing or otherwise accessing files requires a search warrant. Files and media shall not be altered or erased under any circumstances. If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

[1] In nearly all cases, audio recording of police is legally permissible and subject to the same guidelines as video recording. This is so even in states where eavesdropping statutes require two-party consent.

Mount Rainier Police Department

Policy Manual

Public Recording of Law Enforcement Activity

428.6 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

A supervisor should be summoned to any incident in which an individual recording police activity is going to be, or will most likely be, arrested or when recording equipment may be seized without a warrant or lawful consent.

428.7 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible.

Whenever a recording device or media is seized without a warrant or obtained by voluntary consent, the seized item shall be held in police custody no longer than reasonably necessary for the police, acting with due diligence, to obtain a warrant. Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Section Policy. The

Mount Rainier Police Department

Policy Manual

Public Recording of Law Enforcement Activity

device must be returned at the earliest possible time and its owner/operator given instruction on how it can be retrieved. In all cases property receipts shall be provided to the owner.

Segway Patrol Operations

429.1 PURPOSE

The Segway PT is another mode of transportation for officers engaged in patrol duty, and for parking enforcement officers in the normal course of their duties. This General Order defines training requirements, equipment, patrol duty and standards. Segway patrol is part of the Department's Community Policing philosophy designed to increase visibility, and accessibility to our residents. The Segway PT gives patrol officers the opportunity to be more interactive with the community by providing them with a mode of transportation that is more efficient than that of a walking beat. The Segway patrol program is intended to place police officers physically in the Mount Rainier business districts and in identified high crime areas where they can deter criminal activity by increased visibility and enforcement.

429.2 POLICY

The policy of the Division's Segway Patrol program is to provide highly visible community-oriented patrol and crime prevention programs, and to provide parking enforcement officers with increased range and business district coverage.

429.3 PROCEDURES

Officer Responsibilities

1. Only police officers and parking enforcement officers trained in Segway patrol will use the Segway as a patrol method. After initial familiarization training on the Segway, officers are required to be supervised by an experienced Segway operator for a minimum of two (2) hours before being certified to patrol independently. Segway patrol is considered as a collateral duty to cruiser and foot patrols.
2. While on Segway patrol, officers will wear the uniform of the day with all required equipment. Bicycle patrol uniforms may be worn during Segway patrol. The bicycle patrol uniform will not be worn to court.
3. Officers will not engage in Segway patrol during periods of inclement weather unless specifically authorized by the on duty supervisor. Segways will not be utilized during periods of heavy rain, snow, sleet, or any other precipitation during which roadways and sidewalks could become slippery or impassable. When the temperature falls below freezing (32° Fahrenheit) or extreme heat conditions exist (>90° Fahrenheit), riding is discretionary for regular patrol. The use of a Segway during periods when the temperature is below 32° Fahrenheit or the heat index exceeds 95° Fahrenheit will be at the discretion of the on duty supervisor.
4. Officers are responsible for securing the Segway when not in use. Officers will not leave the Segway unattended with the security key attached to the unit. When leaving the Segway, even for short periods of time, officers will remove the security key from the unit and keep it on their person. Officers are responsible for the Segway at all times when in their possession.

Mount Rainier Police Department

Policy Manual

Segway Patrol Operations

5. Segways are to be operated at all times in a safe manner consistent with training.
6. Segways in need of repair, or which may pose a safety problem to the operator, shall not be used. Only an authorized Segway repair facility will make repairs.
7. Damage to Segways will be reported immediately to the on-duty supervisor and documented on a Commander's Report.
8. Officers are required to inspect the Segway for proper operation before use and after their tour of duty. Segways that are damaged, in need of repair, or that have less than 1#4 battery charge will not be used until repaired or fully charged. Officers returning a Segway to the station after use will ensure that the unit is plugged in and charging.

B. Equipment

1. Each officer authorized to work Segway patrol will be issued the following:

- (a)
 1. Helmet
 2. Eye protection
 3. Gloves

C. Segway PT

Each Segway PT unit shall be equipped with the following:

- (a)
 1. Headlight
 2. Red/blue emergency light
 3. Siren
 4. Security lock

D. Officers on Segway patrol are not limited to a specific patrol area unless so instructed. The primary areas of concentration for Segway patrol are:

- (a) Business districts along Rhode Island Avenue and Varnum Street
- (b) 34th Street business district
- (c) Perry Street
- (d) Kaywood Garden Apartments complex
- (e) Queenstown Apartments complex
- (f) Queens Manor Apartments complex
- (g) Town of Brentwood business districts and high crime areas.

E. Segway patrol officers are responsible for writing citations and reports and making arrests.

Wearable Body Cameras

430.1 PURPOSE

The use of a Wearable Body Camera (WBC) is intended to enhance police services to the Mount Rainier community by accurately documenting, by video and audio recording, events, actions, conditions and statements made during citizen contacts, traffic stops, arrests, searches, and other calls for police service. In addition to these general purposes, there are also specific purposes as outlined below:

- (a) To capture crimes in-progress, whether perpetrated against the officer or the community, and to maintain this capture as evidence for court presentation.
- (b) To accurately document crime scenes and the discovery of evidentiary items, and to accurately represent the actions of the police pursuant to investigation.
- (c) To aid in the documentation of statements of victims, witnesses, suspects, or the accused during an on-scene response and/or to document the provision of advice of rights, if applicable.
- (d) To act as a deterrent for purposes of officer safety when a potential suspect or accused should reasonably know his or her actions and statements would be recorded.
- (e) To reduce false complaints made against officers during the course of their police duties.
- (f) To serve as a training mechanism to ensure the courtesy and professionalism of all Mount Rainier police officers.

430.2 DEFINITIONS

Wearable Video Camera: The Taser Axon Wearable Video Camera.

One-Party Consent: At least one party (e.g., police officer wearing the WBC) consents to the interception and recording of an oral communication.

Two-Party Consent: All parties to a communication must consent to the interception and recording of an oral communication.

Review of Recordings: Any authorized viewing of/listening to the video or oral recording produced by an agency body-worn camera or any portion thereof; the circumstances under which such review of recordings are authorized are enumerated in this policy and procedure.

Evidence.com: the storage entity used to manage and store all recordings.

430.3 PROCEDURES

A. Operational Readiness

1. All WBC cameras and equipment are the property of the Mount Rainier Police Department, and only WBC equipment issued or approved by the Department shall be worn. No personally owned WBC shall be used unless approved by the Chief of Police. (PS §3-511(9))

Mount Rainier Police Department

Policy Manual

Wearable Body Cameras

2. The care of the issued WBC is the responsibility of the officer. The camera will be operated and maintained according to the manufacturer's instructions and recommendations.

3. Each officer operating a WBC will ensure that the camera is operational (e.g. the camera turns on, the battery is charged and operational, and the camera is firmly secured to the police uniform).

Officers will immediately bring to the attention of their immediate supervisor any malfunctioning WBC. Arrangements will be made to repair/replace the WBC as soon as possible.(PS §3-511(1); PS §3-511(2))

4. The WBC will be positioned on the outer clothing of the officer and placed within the upper torso/ chest area (e.g. pen pocket, tie or center of shirt/ ballistic vest, shirt/jacket epaulet).

B. Criteria for Use

1. Officers utilizing a WBC will, at the beginning of a police contact or as soon as feasible, regardless of consent, announce their identity as police officers and notify persons that the contact is being both audibly and visually recorded. (PS §3-511(3)(6)(8))

2. The notice provision is satisfied even if another individual becomes a party to the communication after the initial notice has been provided. (PS §3-511(15))

C. One-Party Consent

1. Maryland law recognizes that some specific crimes and circumstances require only one party of an interception and recording of oral communication give consent. In Maryland, there is a statutory authority given to officers in the course of their "regular duty" to intercept an oral communication if:

- The officer initially detained a vehicle during a criminal investigation or for a traffic violation;
- The officer is a party to the oral communication;
- The officer has been identified as a police officer to the other parties to the oral communication;
- The officer informs all other parties to the communication of the interception at the beginning of the communication, and;
- The oral interception is being made as part of a video tape recording.

2. In addition, the interception of oral communications with only the consent of a law enforcement officer is permitted for the purpose of providing evidence of the following crimes set forth in the Annotated Code of Maryland, Courts and Judicial Proceedings Article, §10-401 through §10-414:

- Murder;
- Kidnapping;
- Rape;
- A sexual offense in the first or second degree;
- Child abuse in the first or second degree;

Mount Rainier Police Department

Policy Manual

Wearable Body Cameras

- Child pornography under § 11-207, § 11-208, or §11-208.1 of the Criminal Law Article;
- Gambling;
- Robbery under § 3-402 or § 3-403 of the Criminal Law Article;
- A felony under Title 6, Subtitle 1 of the Criminal Law Article [Arson];
- Bribery;
- Extortion;
- Dealing in a controlled dangerous substance, including a violation of § 5-617 or § 5-619 of the Criminal Law Article;
- A fraudulent insurance act, as defined in Title 27, Subtitle 4 of the Insurance Article;
- An offense relating to destructive devices under § 4-503 of the Criminal Law Article [Possess explosive material, incendiary material, or toxic material with intent to create a destructive device];
- Sexual solicitation of a minor under § 3-324 of the Criminal Law Article;
- An offense relating to obstructing justice under § 9-302, § 9-303, or § 9-305 of the Criminal Law Article [Witness Intimidation or Retaliation];
- Sexual abuse of a minor under § 3-602 of the Criminal Law Article
- A theft scheme or continuing course of conduct under § 7-103(f) of the Criminal Law Article involving an aggregate value of property or services of at least \$10,000;
- Abuse or neglect of a vulnerable adult under § 3-604 or § 3-605 of the Criminal Law Article;
- An offense relating to Medicaid fraud under §§ 8-509 through 8-515 of the Criminal Law Article; or
- A conspiracy or solicitation to commit any of the above offenses.

3. Visual and oral communication may also be lawfully intercepted and recorded by one-party consent if a person has created a barricade situation and probable cause exists for the officer to believe a hostage/s may be involved.

4. In addition, it is also lawful to intercept and record an oral communication by one-party consent pursuant to an order by a court of competent jurisdiction.

D. Two-Party Consent

For all other crimes or circumstances not enumerated in accordance with one-party consent, consent must first be obtained by all parties for the officer to intercept and record any oral communications. The officer shall visually and audibly record this request for consent and the subsequent granting of consent in order to continue the use of the WBC. Absent such consent, the use of the WBC during the time of the incident or circumstances in question shall be terminated.

E. Scope of Use

Mount Rainier Police Department

Policy Manual

Wearable Body Cameras

1. The WBC will be utilized during all enforcement or investigative contacts to include, but not be limited to:(PS §3-511(3))

- All calls for service.
- Traffic stops and citizen contacts.
- Consensual encounters.
- On-view arrests.
- Search warrants.
- Secondary Employment
- Special assignments, when directed to by the highest ranking officer in charge.
- Investigative stops.
- On scene interviews.
- Recording such contacts shall be the rule not the exception

2. Recording

a. Officers will activate their WBC prior to making contact with a citizen in any of the incidents listed in Section III.E.1.(PS §3-511(3))

b. As noted previously, officers will identify themselves as police officers and notify persons that the contact is being both audibly and visually recorded. Officers will seek consent for continued use of the WBC when necessary. Officers will use their non-verbal communication cards for subjects who are unable to understand English, are deaf, or unable to understand verbal communication. Consent granted to one officer utilizing a WBC shall be deemed as consent given to all officers with a WBC.

c. Once activated, the recording will not be intentionally terminated until the conclusion of the incident or until the other parties have left the scene (this includes the recording of statements).(PS §3-511(7)) Failure to comply with this procedure may result in disciplinary action.(PS §3-511(14))

d. When not otherwise prohibited by law or Department policy, officers may begin a WBC recording when they determine that doing so would be beneficial to the public interest. (PS §3-511(5))

e. Additional arriving units to a scene will begin recording as soon as practical, and continue to record until the completion of the incident, or until other parties left the scene (this includes recording of the statement).

f. Officers are responsible for ensuring that all video and audio recordings from a WBC are downloaded to Evidence.com immediately after the WBC recording memory becomes 80% full or at the end of the officer's shift whichever comes first. Failure to follow this procedure may result in disciplinary action.

g. Officers will not attempt to erase, reuse, publish, alter or destroy in any manner any audio and/or video recorded on a WBC.

Mount Rainier Police Department

Policy Manual

Wearable Body Cameras

3. Restricted Use

a. Any use of the WBC for purposes other than official law enforcement business is prohibited. Non-law enforcement business can include, but is not limited to:

- Covertly recording other law enforcement personnel;
- Recording any communications with a supervisor, elected official, or other government employee, including an attorney employed by the government;
- Personal use of the WBC;(PS §3-511(4); §3-511(16))
- Recording a conversation to which the officer is not a party unless the officer is handling a law enforcement incident and is in a lawful position when the recording occurs.

b. The WBC will not ordinarily be activated in places where a reasonable expectation of privacy exists, such as dressing rooms or restrooms.(PS §3-511(16))

c. Officers will not use the WBC to record a particular person based solely on the person's race, color, age, sex, marital status, sexual orientation, gender identity, creed religion, ancestry, national origin or disability.

d. The WBC will not be used to record confidential informants or undercover officers.

4. Review of Recordings

Reasons to view and use recordings may include, but are not limited to:(PS §3-511(4))

- Report writing or preparation of other official documents;
- Court preparation;
- Review of prosecution evidence;
- Victim/witness/suspect statements;
- Crime scenes;
- Preparing statements statement of charges;
- Administrative investigations;
- Training;
- Performance review;
- Incident critique;
- Maryland Public Information Act (MPIA) requests;
- Policy compliance;
- Disclosures required by law.

Additional considerations:

a. A WBC recording of a constitutionally protected activity may not be used to identify persons present at the activity who are not suspected of being engaged in illegal activity or in need of assistance.

Mount Rainier Police Department

Policy Manual

Wearable Body Cameras

b. The stored video and audio data from a WBC may not:

be used to create a database or pool of mug shots;

be used as fillers in photo arrays; or

be searched using facial or voice recognition software.

c. This subsection does not prohibit an agency from using recognition software to analyze the recording of a particular incident when a supervisory law enforcement officer has reason to believe that a specific suspect or person in need of assistance may be the subject of a particular recording.

F. Reporting

1. When the WBC is used in any investigation or during a police contact, this fact will be documented on any citation and/or report prepared regarding the contact. The use of a WBC, or the non-use when consent is not obtained, will be normally recorded on an Incident Report or other initial report form.(PS §3-511(17)

2. When an initial form is not completed, but the officer feels that a recording should be reviewed by a supervisor, a Commanders Report will be submitted. Supervisors will make random inspections of all video/audio files for compliance with Department rules and policy.

G. Data Management

1. WBC recordings will only be downloaded to a computer or remote storage service specifically designed for WBC download and storage.

2. The designated agency system administrator will be contacted by the officer to copy any data that is deemed to be of evidentiary value on a media storage device (e.g. CD-ROM, flash drive, etc.) and entered into evidence.

3. Data will not be released to another criminal justice agency for trial or other reason without ensuring that the original, unedited recording was retained in safe storage. (PS §3-511(10)

4. Data will not be released to any outside non-criminal justice entity, regardless of the content, without explicit authority from the Chief of Police or his/her designee. Requests for data made under the Maryland Public Information Act will be immediately directed to the City Attorney and the Chief of Police.(PS §3-511(13)

5. Digital copies for purposes not associated with the investigation or prosecution of a violation of law will only be made and or created subject to one of the following:

- Permission from the Chief of Police or his/her designee; or
- By court order.

6. The original, unedited stored WBC video shall not be deleted or modified except as provided in the retention schedule established in Section III.I. A log shall be maintained for each individual recording that documents when the footage was viewed, by whom it was viewed, for what length of time it was viewed, and whether the footage was edited or copied. (PS §3-511(10)

Mount Rainier Police Department

Policy Manual

Wearable Body Cameras

7. WBC recordings of a constitutionally protected activity may not: (PS §3-511(11))

- Be used to identify persons present at the activity who are not suspected of being engaged in illegal activity or in need of assistance.
- Be used to create a pool or database of mug shots
- Be used as fillers in photo arrays
- Be searched using facial or voice recognition software
- This section does not prohibit the Department from using recognition software to analyze the recording of an incident when a supervisor has reason to believe that a specific suspect or person in need of assistance may be the subject of a particular recording.

H. Review of Recordings

Members of the Department may view and use WBC recordings for: (PS §3-511(11))

- Report writing or preparation of other official documents
- Court preparation
- Review of prosecution evidence
- Victim/witness/suspect statements
- Crime scene documentation
- Statements of charges
- Administrative investigations
- Training
- Performance review
- Incident critique
- MPIA requests
- Policy compliance
- Disclosures required by law

H. Retention

The Department will archive recordings according to the following schedule:(PS §3-511(12))

- Civil citations - 1 year
- Criminal arrests - 1 year
- Field interviews - 1 year
- Traffic arrests - 1 year
- Traffic stops - 120 days
- Training/demo - 2 years

Mount Rainier Police Department

Policy Manual

Wearable Body Cameras

- Incidents involving use of force - 3 years
- Uncategorized incidents - 120 days
- Recordings capturing evidence in a homicide - 75 years

I. Administrative Sanctions (PS §3-511(14))

1. Failure to activate the WBC as required by this general order may result in disciplinary action.
2. Failure to download the WBC camera recordings as required by this general order may result in disciplinary action.
3. Misuse of a WBC in a manner that is inconsistent with the manufacturer's recommendations or in violation of this general order may result in disciplinary action.

Revised: November 5, 2014: Section III.H – Revised archive/data retention schedule.

Revised: May 5, 2016: Multiple sections to document compliance with MPTC minimum standards as required by the Annotated Code of Maryland, Public Safety Article, Section 3-511.

Chapter 8 - Support Services

Animal Control

806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

806.2 POLICY

It is the policy of the Mount Rainier Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

806.3 ANIMAL CONTROL

Animal control services are generally the primary responsibility of Prince George's County Animal Control and include the following:

- (a) Animal-related matters during periods when Prince George's County Animal Control is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Prince George's County Animal Control is available for investigation and resolution.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.

806.4 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture or pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to public safety.
- (b) An animal has bitten someone; members should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the member should find appropriate placement for the animal.

Mount Rainier Police Department

Policy Manual

Animal Control

1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.
2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
3. If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

806.5 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to:

- (a) Abuse or neglect of an animal (Md. Code CR § 10-604).
- (b) Aggravated cruelty to animals (Md. Code CR § 10-606).
- (c) Dogfights (Md. Code CR § 10-607).
- (d) Cockfights (Md. Code CR § 10-608).
- (e) Poisoning a dog (Md. Code CR § 10-618).
- (f) Endangering the health or safety of a dog or cat by leaving the animal unattended in a motor vehicle (Md. Code TR § 21-1004.1).
- (g) An investigation should be conducted on all reports of animal cruelty.
- (h) Officers may seize an animal if necessary to protect an animal that is in need of immediate care or protection from acts of cruelty (Md. Code CR § 10-615(b)(1)).
 1. If an animal is impounded, yarded or confined without necessary food, water or proper attention, or is subject to cruelty or is neglected, an officer may enter the place where the animal is located, except if the animal is in a private dwelling, and supply the animal with necessary food, water and attention, or remove the animal if removal is necessary for the animal's health (Md. Code CR § 10-615(c)).
 2. The officer shall notify the animal's owner or custodian of the removal and any administrative remedies that may be available (Md. Code CR § 10-615(d)).
 3. Removal of a farm animal requires the prior recommendation of a veterinarian licensed in the state (Md. Code CR § 10-615(f)).

806.6 ANIMAL BITE REPORTS

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Members shall complete the Maryland Animal-Bite Report and Rabies Quarantine Agreement Form and make the report available within 24 hours to the local health officers and, on request, to the Public Health Veterinarian (COMAR 10.06.02.05; Md. Code HG § 18-316).

Mount Rainier Police Department

Policy Manual

Animal Control

Efforts should be made to capture or otherwise have the animal placed under quarantine in accordance with Md. Code HG § 18-320. Members should attempt to identify and notify the owner of the final disposition of the animal.

806.7 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate shelter/holding pen.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

806.8 DANGEROUS ANIMALS

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the Shift Supervisor will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

806.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (i.e., barking dogs), as such calls may involve significant quality of life issues.

806.10 DECEASED ANIMALS

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on public property should be removed by Prince Georges County Animal Control

Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

806.11 INJURED ANIMALS

When a member becomes aware of an injured domesticated animal, all reasonable attempts should be made to contact an owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

When an animal is injured in a traffic accident, the member shall notify the appropriate local organization to give such injured animal medical care (Md. Code TR § 20-106(b)).

806.12 DESTRUCTION OF ANIMALS

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized by Prince George's County Animal Control

Jeanne Clery Campus Security Act

807.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

807.2 POLICY

The Mount Rainier Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092(f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at any Mount Rainier Police Department facility. Reports will be accepted anonymously, by phone or via email or on the institution's website.

It is the policy of the Mount Rainier Police Department to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the Mount Rainier Police Department and the administration of the institution.

Supervisors who are assigned areas of responsibility in the following policy sections are expected to be familiar with the subsections of 20 USC § 1092(f) and 34 CFR 668.46 that are relevant to their responsibilities.

807.3 POLICY, PROCEDURE AND PROGRAM DEVELOPMENT

The Chief of Police will:

- (a) Ensure that the Mount Rainier Police Department establishes procedures for immediate emergency response and evacuation, including the use of electronic and cellular communication, and testing of these procedures (20 USC § 1092(f)(1)(J)(i); 20 USC § 1092(f)(1)(J)(iii)).
- (b) Enter into agreements as appropriate with local law enforcement agencies to:
 1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092(f)(1)(C)(ii)).
 2. Assist in the monitoring and reporting of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, including student organizations with off-campus housing facilities (20 USC § 1092(f)(1)(G)).
 3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092(f)(1)(J)).
 4. Notify the Mount Rainier Police Department of criminal offenses reported to local law enforcement agencies to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)).

Mount Rainier Police Department

Policy Manual

Jeanne Clery Campus Security Act

5. Notify the Mount Rainier Police Department of criminal offenses reported to local law enforcement agencies to assist in making information available to the campus community in a timely manner and to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Appoint a designee to develop programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others (20 USC § 1092(f)(1)(D)).
- (d) Appoint a designee to develop programs to inform students and employees about the prevention of crime (20 USC § 1092(f)(1)(E)).
- (e) Appoint a designee to develop educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking, and what to do if an offense occurs, including, but not limited to, who should be contacted, the importance of preserving evidence and to whom the alleged offense should be reported (20 USC § 1092(f)(8)(B)). The designee shall also develop written materials to be distributed to reporting persons that explains the rights and options provided for under 20 USC § 1092 (20 USC § 1092(f)(8)(C)).
- (f) Appoint a designee to make the appropriate notifications to institution staff regarding missing person investigations in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).

807.4 RECORDS COLLECTION AND RETENTION

The Records Manager is responsible for maintaining Mount Rainier Police Department statistics and making reasonable good-faith efforts to obtain statistics from other law enforcement agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)). The statistics shall be compiled as follows:

- (a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092(f)(1)(F)(i); 34 CFR 668.46(c)):
 1. Murder
 2. Sex offenses, forcible or non-forcible
 3. Robbery
 4. Aggravated assault
 5. Burglary

Mount Rainier Police Department

Policy Manual

Jeanne Clery Campus Security Act

6. Motor vehicle theft
 7. Manslaughter
 8. Arson
 9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession
 10. Dating violence, domestic violence and stalking
- (b) Statistics concerning the crimes described in the section above, theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of his/her actual or perceived race, sex, religion, gender, gender identity, sexual orientation, ethnicity or disability. These statistics should be collected and reported according to the category of prejudice (20 USC § 1092(f)(1)(F)(ii); 34 CFR 668.46(c)).
- (c) The statistics shall be compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092(f)(7); 34 CFR 668.46(c)(9)). For the offenses of domestic violence, dating violence and stalking, such statistics shall be compiled in accordance with the definitions used in the Violence Against Women Act (20 USC § 1092(f)(7); 42 USC § 13925(a); 34 CFR 668.46(a)). The statistics will be categorized separately as offenses that occur (20 USC § 1092(f)(12); 34 CFR 668.46(c)5):
1. On campus.
 2. In or on a non-campus building or property.
 3. On public property.
 4. In dormitories or other on-campus, residential or student facilities.
- (d) Statistics will be included by the calendar year in which the crime was reported to the Mount Rainier Police Department (34 CFR 668.46(c)(3)).
- (e) Stalking offenses will include a statistic for each year in which the stalking conduct is reported and will be recorded as occurring either at the first location where the stalking occurred or the location where the victim became aware of the conduct (34 CFR 668.46(c)(6)).
- (f) Statistics will include the three most recent calendar years (20 USC § 1092(f)(1)(F); 34 CFR 668.46(c)).
- (g) The statistics shall not identify victims of crimes or persons accused of crimes (20 USC § 1092(f)(7)).

807.4.1 CRIME LOG

The Records Manager is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092(f)(4); 34 CFR 668.46(f)):

Mount Rainier Police Department

Policy Manual

Jeanne Clery Campus Security Act

- (a) The daily crime log will record all crimes reported to the Mount Rainier Police Department, including the nature, date, time and general location of each crime, and the disposition, if known.
- (b) All log entries shall be made within two business days of the initial report being made to the Department.
- (c) If new information about an entry becomes available, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police department or security department.
- (d) The daily crime log for the most recent 60-day period shall be open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Information in the log is not required to be disclosed when:
 - 1. Disclosure of the information is prohibited by law.
 - 2. Disclosure would jeopardize the confidentiality of the victim.
 - 3. There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, may cause a suspect to flee or evade detection, or could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of such information.

807.5 INFORMATION DISSEMINATION

It is the responsibility of the Administration Section Commander to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with institution procedures. This includes:

- (a) Procedures for providing emergency notification of crimes or other incidents and evacuations that might represent an imminent threat to the safety of students or employees (20 USC § 1092(f)(3); 34 CFR 668.46(e); 34 CFR 668.46(g)).
- (b) Procedures for notifying the campus community about crimes considered to be a threat to other students and employees in order to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Information necessary for the institution to prepare its annual security report (20 USC § 1092(f)(1); 34 CFR 668.46(b)). This report will include, but is not limited to:
 - 1. Crime statistics and the policies for preparing the crime statistics.
 - 2. Crime and emergency reporting procedures, including the responses to such reports.
 - 3. Policies concerning security of and access to campus facilities.

Mount Rainier Police Department

Policy Manual

Jeanne Clery Campus Security Act

4. Crime, dating violence, domestic violence, sexual assault and stalking awareness and prevention programs, including:
 - (a) Procedures victims should follow.
 - (b) Procedures for protecting the confidentiality of victims and other necessary parties.
5. Enforcement policies related to alcohol and illegal drugs.
6. Locations where the campus community can obtain information about registered sex offenders.
7. Emergency response and evacuation procedures.
8. Missing student notification procedures.
9. Information addressing the jurisdiction and authority of campus security including any working relationships and agreements between campus security personnel and both state and local law enforcement agencies.

Chapter 9 - Custody

Prison Rape Elimination

903.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse and sexual harassment (28 CFR 115.111).

903.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the individual in custody does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation

Sexual abuse also includes abuse by a member of the Department or a contractor, with or without consent of the individual in custody, as follows:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the department member or contractor has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the department member or contractor has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the member or contractor has the intent to abuse, arouse or gratify sexual desire

Mount Rainier Police Department

Policy Manual

Prison Rape Elimination

- Any attempt, threat or request by the department member or contractor to engage in the activities described above
- Any display by the department member or contractor of his/her uncovered genitalia, buttocks or breast in the presence of an individual in custody
- Voyeurism by the department member or contractor (28 CFR 115.6)

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one individual in custody that are directed toward another; repeated verbal comments or gestures of a sexual nature to an individual in custody by a member of the Department or contractor, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

903.2 POLICY

The Mount Rainier Police Department has zero tolerance with regard to all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment, or who cooperates with a sexual abuse or sexual harassment investigation.

The Mount Rainier Police Department will take immediate action to protect those in its custody who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162).

903.3 PREA COORDINATOR

The Chief of Police shall delegate certain responsibilities to a PREA coordinator. The coordinator shall be an upper-level manager appointed by and directly responsible to the Patrol Section Commander or the authorized designee. The coordinator must have sufficient time and authority to develop, implement and oversee department efforts to comply with PREA standards (28 CFR 115.111).

The responsibilities of the coordinator shall include, but are not limited to:

- (a) Developing and maintaining procedures to comply with the PREA Rule.
- (b) Ensuring that any contract for the confinement of individuals in custody includes the requirement to adopt and comply with applicable provisions in PREA and the implementing regulations, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect those in custody from sexual abuse (28 CFR 115.113).

Mount Rainier Police Department

Policy Manual

Prison Rape Elimination

1. This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- (d) Developing methods for department members to privately report sexual abuse and sexual harassment of individuals in custody (28 CFR 115.151).
- (e) Developing a written plan to coordinate response among department members, medical and mental health practitioners, investigators, command staff and other first responders to an incident of sexual abuse (28 CFR 115.165).
- (f) Ensuring a protocol is developed for investigating allegations of sexual abuse. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
 2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
 3. A process to document all referrals to other law enforcement agencies.
 4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
 5. In accordance with security needs, provisions to give, to the extent available, individuals in custody access to victim advocacy services if the individual is transported for a forensic examination to an outside hospital that offers such services.
- (g) Ensuring that individuals with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect and respond to sexual abuse and sexual harassment. This includes access to appropriate interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing, speech or vision disabilities) (see the Limited English Proficiency Services and Communications with Persons with Disabilities policies) (28 CFR 115.116).
1. The Department shall not rely on other individuals in custody for assistance except in limited circumstances where an extended delay in obtaining an appropriate interpreter could compromise the individual's safety, the performance of first-

Mount Rainier Police Department

Policy Manual

Prison Rape Elimination

response duties under this policy, or the investigation of an individual's allegations of sexual abuse, harassment or retaliation.

- (h) Publishing on the department website:
 - 1. Information on how to report sexual abuse and sexual harassment on behalf of an individual in custody (28 CFR 115.154).
 - 2. A protocol describing the responsibilities of the Department and any other investigating agency responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
- (i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under the direct control of this department (28 CFR 115.187).
 - 1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.
 - 2. The data shall be aggregated at least annually.
- (j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all department facilities used to house individuals in custody overnight (28 CFR 115.193).
- (k) Ensuring those who work in department facilities where individuals are held in custody are informed of the department zero-tolerance policy regarding sexual abuse and sexual harassment of individuals in custody (28 CFR 115.132).

903.4 REPORTING SEXUAL ABUSE AND HARASSMENT

Individuals in custody may make reports verbally, in writing, privately or anonymously of any of the following (28 CFR 115.151):

- Sexual abuse
- Sexual harassment
- Retaliation by other individuals in custody or department members for reporting sexual abuse or sexual harassment
- Department member neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

Individuals in custody shall be notified of the department zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward a report of sexual abuse or sexual harassment to department supervisors and command staff. This allows the individual to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

Mount Rainier Police Department

Policy Manual

Prison Rape Elimination

903.4.1 MEMBER RESPONSIBILITIES

Department members shall accept reports from individuals in custody and third parties, and shall promptly document all reports (28 CFR 115.151).

All members shall report immediately to the Shift Supervisor any knowledge, suspicion or information regarding:

- (a) An incident of sexual abuse or sexual harassment.
- (b) Retaliation against the individual or the member who reports any such incident.
- (c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

903.4.2 SHIFT SUPERVISOR RESPONSIBILITIES

The Shift Supervisor shall report to Mount Rainier Police Department designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a dependent adult, the Shift Supervisor shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that an individual in custody was sexually abused while confined at another facility, the Shift Supervisor shall notify the head of that facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Shift Supervisor shall document such notification (28 CFR 115.163).

If an alleged victim is transferred from the Department to a jail, prison or medical facility, the Shift Supervisor shall, as permitted by law, inform the receiving facility of the incident and the individual's potential need for medical or social services, unless the individual requests otherwise (28 CFR 115.165).

903.5 INVESTIGATIONS

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

903.5.1 FIRST RESPONDER RESPONSIBILITIES

The responsibilities of the first officer to respond to a report of sexual abuse or sexual assault shall include, but not be limited to (28 CFR 115.164):

- (a) Separating the parties.
- (b) Establishing a crime scene to preserve and protect any evidence.

Mount Rainier Police Department

Policy Manual

Prison Rape Elimination

- (c) Identifying and securing witnesses until steps can be taken to collect any evidence.
- (d) Requesting that the alleged victim and suspect not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating if the abuse occurred within a time period that still allows for the collection of physical evidence.

If the first responder is not an officer, he/she shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify an officer (28 CFR 115.164).

903.5.2 INVESTIGATOR RESPONSIBILITIES

The responsibilities of investigators shall include, but not be limited to (28 CFR 115.171):

- (a) Gathering and preserving direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.
- (b) Interviewing alleged victims, suspects and witnesses.
- (c) Reviewing any prior complaints and reports of sexual abuse involving the suspect.
- (d) Conducting compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (e) Assessing the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as an individual in custody or a member of the Mount Rainier Police Department.
- (f) Documenting in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
- (g) Referring allegations of conduct that may be criminal to the State's Attorney for possible prosecution, including any time there is probable cause to believe an individual in custody sexually abused another individual in custody at the department facility (28 CFR 115.178).
- (h) Cooperating with outside investigators and remaining informed about the progress of any outside investigation.

903.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether department member actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

903.6 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No individual in custody who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

Mount Rainier Police Department

Policy Manual

Prison Rape Elimination

Victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

903.6.1 CONCLUSIONS AND FINDINGS

All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Manager. The Chief of Police or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All department members shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor who engages in sexual abuse shall be prohibited from contact with individuals in custody and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with individuals in custody by a contractor.

903.7 RETALIATION PROHIBITED

All individuals in custody and department members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other person who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that person.

The Shift Supervisor or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for individuals in custody or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

A member of the Department shall be identified by the Shift Supervisor or the authorized designee to monitor the conduct and treatment of individuals in custody or members who have reported sexual abuse, and of those who were reported to have suffered sexual abuse. The member shall act promptly to remedy any such retaliation. In the case of individuals in custody, such monitoring shall also include periodic safety checks.

903.8 REVIEWS AND AUDITS

Mount Rainier Police Department

Policy Manual

Prison Rape Elimination

903.8.1 INCIDENT REVIEWS

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include command staff and seek input from supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the department facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in that area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by department members.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

903.8.2 DATA REVIEWS

The PREA coordinator shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

- (a) Identification of any potential problem areas.
- (b) Identification of any corrective actions taken.
- (c) Recommendations for any additional corrective actions.
- (d) A comparison of the current year's data and corrective actions with those from prior years.
- (e) An assessment of the progress in addressing sexual abuse.

Mount Rainier Police Department

Policy Manual

Prison Rape Elimination

The report shall be approved by the Chief of Police and made readily available to the public through the department website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from department facilities and private facilities with which it contracts shall be made readily available to the public at least annually. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

903.9 RECORDS

The Mount Rainier Police Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is in custody or is a member of the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

903.10 TRAINING

All department members and contractors who may have contact with individuals in custody shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within the department facility.

- (a) The Assistant Chief shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):
1. The department zero-tolerance policy and the right of individuals in custody to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
 2. The dynamics of sexual abuse and harassment in confinement settings, including which individuals in custody are most vulnerable.
 3. The right of individuals in custody and department members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
 4. Detecting and responding to signs of threatened and actual abuse.
 5. Communicating effectively and professionally with all individuals in custody.
 6. Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.
- (b) Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

Mount Rainier Police Department

Policy Manual

Prison Rape Elimination

1. Techniques for interviewing sexual abuse victims.
2. Proper use of *Miranda* and *Garrity* warnings.
3. Sexual abuse evidence collection in confinement settings.
4. Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Assistant Chief shall maintain documentation that department members, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current department members who may have contact with individuals in custody shall be trained within one year of the effective date of the PREA standards. The Department shall provide annual refresher information to all such members to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.

Chapter 10 - Personnel

Seat Belts

1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all employees operating or riding in department vehicles.

1011.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213 (Md. Code TR § 22-412.2).

1011.2 POLICY

It is the policy of the Mount Rainier Police Department that employees use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

1011.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

1011.4 TRANSPORTING CHILDREN

Child passengers under 8 years old and under 4 feet 9 inches tall shall be transported using an approved child restraint system in compliance with Md. Code TR § 22-412.2(d).

Child passengers under 16 years old shall be transported in an approved child restraint system or with a seat belt in compliance with Md. Code TR § 22-412.2(e).

A child safety seat or seat belt may not be used to restrain, seat or position more than one individual at a time (Md. Code TR § 22-412.2(g)).

Rear seat passenger areas in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and

Mount Rainier Police Department

Policy Manual

Seat Belts

the passenger-side airbag should be deactivated. If this is not possible, employees should arrange alternate transportation when feasible.

1011.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1011.6 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1011.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1011.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Fitness for Duty

1016.1 PURPOSE AND SCOPE

Monitoring members' fitness for duty is essential for the safety and welfare of the members of the Department and the community. The purpose of this policy is to ensure that all members of this department remain fit for duty and able to perform their job functions.

1016.2 POLICY

The Mount Rainier Police Department strives to provide a safe and productive work environment and ensure that all members of this department can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Department may require a professional evaluation of a member's physical and/or mental capabilities to determine his/her ability to perform essential functions.

1016.3 EMPLOYEE RESPONSIBILITIES

It is the responsibility of each employee of this department to maintain physical stamina and psychological stability sufficient to safely and effectively perform the essential duties of his/her position.

During working hours, all members are required to be alert, attentive and capable of performing their assigned responsibilities.

Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another department employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor. Failure to make such reports jeopardizes the safety of members of the Department and the public and is grounds for disciplinary action.

1016.4 SUPERVISOR RESPONSIBILITIES

All supervisors should be alert to any indication that a member may be unable to safely perform his/her duties due to an underlying physical or psychological impairment or condition.

Such indications may include:

- (a) An abrupt and negative change in the member's normal behavior.
- (b) A pattern of irrational conduct, hostility or oppositional behavior.
- (c) Personal expressions of instability.
- (d) Inappropriate use of alcohol or other substances, including prescribed medication.
- (e) A pattern of questionable judgment, impulsive behavior or the inability to manage emotions.
- (f) Any other factor or combination of factors causing a supervisor to believe the member may be suffering from an impairment or condition requiring intervention.

Mount Rainier Police Department

Policy Manual

Fitness for Duty

Supervisors shall maintain the confidentiality of any information consistent with this policy.

1016.4.1 REPORTING

A supervisor observing an employee, or receiving a report of an employee who is perceived to be unable to safely or effectively perform his/her duties shall promptly document all objective information and/or observations.

The supervisor should attempt to meet with the employee to inquire about the conduct or behavior giving rise to the concerns.

If a meeting does not resolve the supervisor's concerns or does not take place, the supervisor shall promptly document his/her observations and actions in a written report and inform the Shift Supervisor or the employee's Section Commander.

1016.4.2 DUTY STATUS

In conjunction with the Shift Supervisor or the member's Section Commander, the supervisor should make a preliminary determination regarding the member's duty status.

If a determination is made that the member can safely and effectively perform the essential functions of his/her job, the member should be returned to duty and arrangements for appropriate follow-up made.

If a preliminary determination is made that the member's conduct or behavior represents an inability to safely and effectively perform the essential functions of his/her job, the Shift Supervisor or the member's Section Commander should immediately relieve the member of duty pending further evaluation.

Employees relieved of duty shall comply with the administrative leave provisions of the Personnel Complaints Policy.

The Chief of Police shall be promptly notified in the event that any member is relieved of duty.

1016.5 FITNESS-FOR-DUTY EVALUATIONS

A fitness-for-duty evaluation may be ordered whenever circumstances reasonably indicate that a member is unfit for duty or following an officer-involved shooting or death in-custody incident.

1016.5.1 PROCESS

The Chief of Police may order the member to undergo a fitness-for-duty evaluation.

The examining practitioner will provide the Department with a report indicating whether the member is fit for duty. If the member is not fit for duty, the practitioner will include the existing restrictions or conditions in the report.

In order to facilitate the evaluation of any member, the Department will provide all appropriate documents and available information.

Mount Rainier Police Department

Policy Manual

Fitness for Duty

All reports and evaluations submitted by the examining practitioner shall be part of the member's confidential medical file.

Any member ordered to undergo a fitness-for-duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the member to discipline, up to and including termination.

Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the Office of the Chief of Police.

1016.5.2 EVALUATION REQUIRED

An officer involved in any incident where a person was seriously injured or killed as a result of a shooting or accident and any officer returning from combat deployment shall undergo a psychological evaluation consistent with the standards developed by the MPTSC (Md. Code 3-207).

1016.6 LIMITATION ON HOURS WORKED

Absent emergency operations, members should not work more than:

- 16 hours in a one-day (24 hour) period, or
- 30 hours in any two-day (48 hours) period, or
- 84 hours in any seven-day (168 hours) period.

Except in unusual circumstances, members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve any member who has exceeded the above guidelines to off-duty status.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.

1016.7 PHYSICAL EXAMINATIONS

Upon an offer of employment an employee will receive a formal notice of the scheduled date for their physical. Officers will follow all instructions contained in the notice and will submit to the examination.

Officers may be excused from a scheduled exam only under emergency circumstances or for supervisor approved work assignments. Examples of emergencies include, but are not limited to, physical illness or injury resulting in absence from work (supported by medical documentation), scheduled court appearance, death or serious illness of a family member. In the event of such an incident the officer will notify their supervisor of their inability to participate in the examination. The supervisor will then promptly notify the health care facility by telephone. The supervisor will reschedule the appointment for the officer providing a written notice including the date and time of the rescheduled examination to the officer with a copy being given to the Office of the Chief.

Fitness for Duty

Failure to report for a scheduled examination or to provide medical documentation of a personal examination may be treated as insubordination. Any officer failing to keep a scheduled examination appointment may be responsible for any default fees assessed by the medical facility.

1016.8 RETURN TO WORK EXAMINATION

Pending available funding, whenever an officer has been absent from work for fifteen consecutive calendar days because of illness or injury, a City physical examination will be completed before they are allowed to return to duty. Officers wishing to return to duty (full duty or light duty) from such illness or injury will notify their supervisor in writing. The officer's supervisor will notify the Office of the Chief of the need to schedule a return to duty examination.

Officers scheduled for a return to duty examination will bring with them any x-rays, test results or doctors reports for review by the City physician. The City physician will issue a written statement of the officer's ability or limitations to return to duty.

1016.9 PSYCHOLOGICAL EXAMS

Officers may be directed by a supervisor to submit to a psychological examination or counseling from a mental health service provider. Officers will submit to scheduled examinations and attend counseling appointments. Officers are encouraged to seek assistance through their health plans.

1016.10 APPEALS

Employees disputing the application or interpretation of this policy may submit a grievance as provided in the Grievances Policy.

Lactation Breaks

1018.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to members desiring to express breast milk for the member's infant child.

1018.2 POLICY

It is the policy of the Mount Rainier Police Department to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for her infant nursing child up to one year after the child's birth (29 USC § 207).

1018.3 LACTATION BREAK TIME

A rest period should be permitted each time the member has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Members desiring to take a lactation break shall notify the dispatcher or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1018.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

Mount Rainier Police Department

Policy Manual

Lactation Breaks

1018.5 STORAGE OF EXPRESSED MILK

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the member's shift ends.

Personal Appearance and Grooming Standards

1023.1 POLICY

1023.2 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of members of the Mount Rainier Police Department.

Requirements for department uniforms and civilian attire are addressed in the Uniforms and Civilian Attire Policy.

1023.3 DEFINITIONS

A. Eccentric: A fashion or appearance that departs or deviates from the conventional or established norm for the profession.

B. Safety hazard: Something that interferes with the safe operation or function of duty equipment or may cause injury or harm.

1023.4 GROOMING

Unless otherwise stated and because deviations from these standards may present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignments would render them inapplicable, and where the Chief of Police has granted an exception.

1023.4.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include, but are not limited to, dirty fingernails, bad breath, body odor and dirty or unkempt hair. Any member who has a condition due to a protected category (e.g., race, religion, physical disability) that affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to the Chief of Police.

1023.4.2 HAIR

Hair shall be clean and neatly groomed; the bulk of the hair shall not be excessive or present an unkempt or extreme appearance. Hair coloring must appear natural. Hairstyles must not interfere with the wearing of issued headgear or gas mask. Extreme styles, such as ponytails, rat-tails, mohawks or carved cuts, are prohibited. While on duty, the following hair lengths shall be observed:

Males: While on duty and in uniform, hair shall not extend below the top edge of the shirt collar. Hair shall not fall over the ears or eyebrows.

Females: While on duty and in uniform, hair shall not extend below the bottom edge of the shirt collar. Hair shall not fall over the eyebrows. Barrettes and hairpins shall match officer hair color

Mount Rainier Police Department

Policy Manual

Personal Appearance and Grooming Standards

as closely as possible. Bows and ribbons shall not be worn. The style shall not interfere with the wearing of Departmental headgear.

Wigs or hairpieces may be worn if they conform to all other applicable sections of this General Order.

1023.4.3 MUSTACHES

Mustaches: A neatly trimmed mustache is permissible as long as the officer's upper lip shows when viewed from the front and the sides do not extend below the corner of the mouth. Eccentric styles, such as handlebar, or Charlie Chaplin, are not permissible.

1023.4.4 SIDEBURNS

Sideburns shall be neatly trimmed and may not extend below the bottom of the ear lobe. They shall be of even width (not flared) and end with a clean-shaven horizontal line.

1023.4.5 FACIAL HAIR

Beards are prohibited for all officers, except those having a medical exemption. Exempted officers may only wear a full profile beard with the hair length not to exceed one-quarter inch in length.

All facial hair, other than mustaches, sideburns or beards is prohibited.

1023.4.6 FINGERNAILS

Fingernails may not extend more than one-quarter inch past the tip of the finger. Only clear nail polish may be worn while in uniform.

1023.5 APPEARANCE

General Appearance: Officers shall at all times exhibit a neat, clean, and professional look projecting pride in themselves, their Department, and their uniform.

1023.5.1 JEWELRY

For the purpose of this policy, jewelry refers to earrings, necklaces, bracelets, wristwatches and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related or obscene language is not allowed. See the Uniforms and Civilian Attire Policy for jewelry specifications that apply while wearing the department uniform.

- a. Necklaces shall not be visible above the shirt collar.
- b. Earrings shall be small, worn only in or on the earlobe and only by female department members. Earrings shall be limited to no more than two earrings per ear.
- c. One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.

Mount Rainier Police Department

Policy Manual

Personal Appearance and Grooming Standards

- d. One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
- e. Wristwatches shall be conservative and present a professional image.
- f. Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.
- g. No other facial jewelry of any type may be worn.
- h. No visible tongue piercings shall be worn.

1023.5.2 BODY ART

Body art, including tattoos, will not depict discriminatory, vulgar, obscene or profane words or images. Body art will not be visible if considered bizarre or offensive or when wearing short sleeve shirts or shorts; effective August 1, 2000.

Examples of offensive tattoos include, but are not limited to, those that exhibit or advocate discrimination against sex, race, religion, ethnicity, national origin, sexual orientation, age, physical or mental disability or medical condition, marital status, gang, supremacist or extremist group affiliation, drug use, sexually explicit acts or other obscene material.

1023.5.3 BODY PIERCING OR ALTERATION

Body piercing (other than earlobes) or alteration to any area of the body that is visible while on-duty or while representing the Mount Rainier Police Department in any official capacity, that is a deviation from normal anatomical features, and that is not medically required, is prohibited. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).
- (c) Abnormal shaping of the ears, eyes, nose or teeth (i.e., enlarged or stretched out holes in the earlobes).
- (d) Branding, scarification or burning to create a design or pattern.

1023.5.4 DENTAL ORIENTATION

Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while on-duty or while representing the Mount Rainier Police Department in any official capacity. Such ornamentation includes, but is not limited to:

- (a) Objects that are bonded to front teeth.
- (b) Gold, platinum or other veneers or caps used for decorative purposes.
- (c) Orthodontic appliances that are colored for decorative purposes.

Mount Rainier Police Department

Policy Manual

Personal Appearance and Grooming Standards

1023.5.5 GLASSES AND CONTACT LENSES

Eyeglasses and sunglasses shall be conservative and present a professional image. Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited while on-duty or while representing the Mount Rainier Police Department in any official capacity.

1023.5.6 COSMETICS AND FRAGRANCES

Cosmetics shall be conservative and present a professional image. Use of cologne, perfume, aftershave lotion and other items used for body fragrance shall be kept to a minimum.

1023.5.7 UNDERGARMENTS

Proper undergarments shall be worn as necessary for reasons of hygiene and general appearance standards.

1023.6 RELIGIOUS ACCOMMODATION

The religious beliefs and needs of department members should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The Chief of Police should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings, or certain hairstyles or facial hair for religious reasons should generally be accommodated absent unusual circumstances.

1023.7 EXCEPTIONS AND EXEMPTIONS

A. Specific officers may be granted an exception to all or part of these standards by the Chief of Police when such exception promotes official duties.

B. Officers may be exempted from compliance with one or more of these standards subject to approved medical documentation as to the need for exemption. A copy of such documentation shall be placed in the officer's personnel file. The Department may require an examination by the City's medical provider regarding any exemption.

Uniforms and Civilian Attire

1024.1 PURPOSE AND SCOPE

This policy provides guidelines for Mount Rainier Police Department-authorized uniforms and civilian attire regulations. It is established to ensure that uniformed members will be readily identifiable to the public through the proper use and wearing of department uniforms, and that the appearance of members who wear civilian attire reflects favorably on the Department.

This policy addresses the wearing and maintenance of department uniforms, accessories, insignia, patches and badge; the requirements for members who wear civilian attire; and the authorized use of optional equipment and accessories by members of the Department.

1024.2 POLICY

The Mount Rainier Police Department will provide uniforms for all employees who are required to wear them in the manner, quantity and frequency agreed upon in the respective employee group's collective bargaining agreement or memorandum of understanding. The Department may provide other department members with uniforms at the direction of the Chief of Police. Only those specific uniform and equipment items issued or authorized and approved by the Chief of Police will be worn, used or carried by officers.

All uniforms and equipment issued to department members shall be returned to the Department upon termination or resignation.

1024.3 DEFINITIONS

A. Uniforms and Equipment - within the context of this General Order, uniforms and equipment consist of those items of clothing and accessories, optional approved accessories, related equipment and hardware, issued by the Department or approved by the Chief of Police, and intended for wear/use by specific employees.

B. Class "A" Uniform - Will consist of dress blouse with rank insignia as appropriate, long sleeve white shirt with rank insignia as appropriate, necktie, state seals, tie bar/tack, name tag and optional length of service plate, optional marksmanship bar, and hat.

C. Class "B" Uniform – The Class "B" uniform is the standard duty uniform for everyday use consisting of long or short sleeve navy blue shirt (white shirts for LT and above) with rank insignia as appropriate, necktie (optional with the long sleeve shirt except when attending court), tie bar/tack, name tag and optional length of service plate, optional marksmanship bar.

D. Class "C" Uniform – The Class "C" uniform is an alternative duty uniform consisting of a navy blue short sleeve tactical polo shirt and non-bloused straight leg navy blue cargo pocket pants. The polo shirt shall have the officer's name embroidered on the right front chest and the Mount Rainier Police badge embroidered on the left front chest. Rank insignia is not worn on the polo shirt. The Class "C" uniform shall not be worn to court or to other official functions. Officers are

Mount Rainier Police Department

Policy Manual

Uniforms and Civilian Attire

required to purchase these items at their own expense. All such items must meet the specifications as to color, style, and so on, established by the Department.

1024.4 GENERAL REGULATIONS

A. Standard items to be worn at all times while on duty:

- (a) Footwear - Issued shoes or boots. Socks must be black or dark blue if visible when the employee is standing or sitting.
- (b) Belt - black, Garrison type.
- (c) Trousers - Issued or approved uniform trousers.
- (d) Issued uniform shirt (with white or blue t-shirt if the t-shirt is visible).
- (e) Rank/collar insignia.
- (f) Breast badge.
- (g) Shoulder patch.
- (h) Name plate.
- (i) Gun belt, holster and weapon, magazine(s) and pouch, handcuffs and case, OC spray holder, ASP with holder and radio with case.

B. All officers and employees, while on duty, will present a neat, clean and well-groomed appearance. All uniforms and equipment will be neat, clean and pressed, and in a serviceable condition.

C. The wearing of the Department uniform is authorized only while on duty, during approved secondary employment, traveling to and from duty assignment locations, at City or Department functions, or when directed or granted permission by the Chief of Police. A non-uniform outer garment of the employee's choice may be worn over the uniform while traveling to and from work.

D. Maintenance of Uniforms and Equipment

1. All officers and affected employees will maintain in a clean, neat and serviceable condition, the same number of uniforms, accessories and equipment they were originally issued.

2. Care of equipment:

a. Leather items should be cleaned and polished regularly. Uniform breast badges, cap badges, collar insignia, rank insignia, marksmanship emblems, name plates and other accouterments having a plating will not be polished with any abrasive type cleaner, but should be regularly washed with soap and water.

b. Until either cleaned, repaired or replaced, unserviceable items will be not be worn.

c. Issued weapons, ammunition, handcuffs, breast badges or communication equipment in need of repair or replacement as a result of normal wear or malfunction, to which no negligence is

Mount Rainier Police Department

Policy Manual

Uniforms and Civilian Attire

attributed, will be the responsibility of the Department. Until repaired or replaced, such item will be deemed unserviceable and will not be worn or used.

3. Any uniform or equipment item issued by the Department and subsequently damaged in the line of duty will be replaced at the Department's expense.

4. Additional/replacement uniforms purchased by officers must meet Department specifications as to color, style, etc. The Property Officer shall establish and maintain a list of issued and approved uniform specifications. Officers are advised to consult the Property Officer for current uniform specifications before purchasing uniforms on their own.

5. The Department is not responsible for replacement of uniforms and equipment that become unserviceable or ill fitting as the result of an employee's weight gain or loss; or as the result of other factors or circumstances not related to the employee's employment or job function.

E. The wearing of headgear is optional except during special details, assignments where the Class "A" uniform is required, traffic control details or assignments, or at the direction of a supervisor. The Department encourages officers to wear their issued headgear to increase their visibility and ready recognition, especially when engaging the public. Unless an assignment dictates otherwise, wear of headgear indoors is inappropriate.

F. Personnel in plainclothes assignments will wear suitable "before 5" business attire, e.g. suit, sport coat, etc., while on duty, attending court or other Department functions. Exceptions to this include surveillance details.

G. Officers are authorized to wear a black or dark blue turtleneck, sweater and/or lightweight jacket in addition to the items listed in section V.A. above.

H. All employees may be required to produce any uniform or issued equipment item for inspection by an officer of supervisory rank.

I. Supervisors will conduct periodic inspections of officers under their supervision to ensure compliance with the provisions of this General Order. Violations will be documented and appropriate actions taken to ensure compliance.

1024.5 UNIFORMS

The Chief of Police or the authorized designee shall maintain and update uniform and equipment specifications, which should be consulted by all members as needed. Uniforms shall be worn as described therein and as specified in this policy.

Unless otherwise authorized, all officers will wear the prescribed uniform at all times while on duty.

Supervisors will not allow any officer or employee to begin or continue a tour of duty if the appearance of the officer/employee fails to comply with the provisions of this General Order.

The following shall apply to those assigned to wear department-issued uniforms:

a. Uniforms and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean and appear professionally pressed.

Mount Rainier Police Department

Policy Manual

Uniforms and Civilian Attire

- b. Officers in a non-uniformed assignment shall possess and maintain at all times a serviceable uniform and the necessary equipment to perform uniformed field duty.
- c. Uniforms shall be worn in compliance with any applicable department specifications.
- d. Members shall wear only the uniforms specified for their ranks and assignments.
- e. Civilian attire shall not be worn in combination with any distinguishable part of a uniform.
- f. Uniforms are only to be worn while on-duty, for court, at official department functions or events, while in transit to or from work, or when authorized by the Chief of Police or the authorized designee.
 - 1. When the uniform is worn while in transit, a non-uniform outer garment shall be worn over the uniform shirt to avoid bringing attention to the member while he/she is off-duty.
- g. Members are not to purchase or drink alcoholic beverages while wearing any part of department-issued uniforms, including the uniform pants.
- h. All supervisors will perform periodic inspections of members under their commands to ensure conformance to this policy.

1024.5.1 ACCESSORIES

Members shall adhere to the following when wearing department uniforms:

- (a) Mirrored sunglasses will not be worn.
- (b) Jewelry shall be in accordance with the specifications in the Personal Appearance Standards Policy. Unless specifically authorized by the Chief of Police or the authorized designee, only the following jewelry may be worn with the uniform:
 - 1. Earrings shall be stud-style and only one earring may be worn in each ear.
 - 2. Necklaces must be worn inside the uniform shirt and must not be able to fall out.
 - 3. Rings
 - 4. Wristwatch
 - 5. Medical alert bracelet

1024.5.2 INSIGNIA, PATCHES AND BADGE

A. All officers shall wear the appropriate insignia of rank.

- 1. Officers wearing the Class "A" or Class "B" uniform shall wear their issued metal collar rank insignia.
- 2. Officers who wear the issued uniform sweater as an outer garment shall wear collar rank insignia.
- 3. Cloth chevrons are authorized for use on the Class "A" uniform jacket. Officers are also authorized to wear cloth chevrons on their Class "B" uniform shirts, however, beginning January

Mount Rainier Police Department

Policy Manual

Uniforms and Civilian Attire

1, 2008 the Department will no longer issue these cloth chevrons, and officers will be required to purchase them at their own expense. Uniform items, except the Class "A" blouse, that subsequently become unserviceable as the result of these cloth chevrons shall be replaced at the officer's expense.

4. Officers are authorized to wear shoulder epaulet rank insignia on their Class "B" uniform shirts in place of issued metal insignia. Epaulet rank insignia shall be purchased and replaced as necessary at the officer's expense.

5. The rank insignia for the Department is defined as follows:

- a. The Chief of Police will wear the single silver star insignia.
- b. The Assistant Chief will wear the insignia of his/her designated rank.
- c. A Captain will wear the gold dual bars insignia.
- d. A Lieutenant will wear the gold single bar insignia.
- e. A Sergeant First Class will wear the gold triple stripe with two gold rockers insignia.
- f. A Sergeant will wear the gold triple stripe insignia.
- g. A Corporal will wear the gold double stripe insignia.
- h. A Police Officer First Class will wear the gold single stripe insignia.

Other Insignia - Description and Placement

A. Breast Badge - The police breast badge will be worn above the left breast pocket area on the outer garment of all uniforms.

B. Department Shoulder Patch - The Department shoulder patch will be worn on both upper sleeves of all uniform shirts, jackets, sweaters, coats and blouses. It will be centered on the sleeve 1#4" below the top of shoulder.

C. Cap Badge - The police cap badge will be worn centered on the front of issued headgear.

D. Maryland State Seals - The Maryland State Seal (curtain or draped style) will be worn by all officers on the lower collar of the Class 'A' uniform blouse.

E. Medals/Ribbons - Officers so authorized shall wear their issued/approved medals and ribbons in accordance with the procedures detailed in General Order 604.00.

F. Nameplate and Length of Service Plate - The nameplate and the optional length of service plate will be worn on the uniform shirt or dress blouse when it is the outermost garment worn.

G. Marksmanship Emblem (optional) - A marksmanship bar may be worn on the uniform shirt or on the Class "A" dress blouse. The marksmanship bar shall be worn centered on the left chest pocket flap, 1#2" below the top seam of the pocket.

H. Length of Service Stripes and Stars – Cloth, gold on navy blue, length of service stripes and stars are optional on the Class "A" uniform blouse. When worn, they shall be centered between

Mount Rainier Police Department

Policy Manual

Uniforms and Civilian Attire

the outer seams on the left sleeve with the lowermost stripe or star 1#2" above the sleeve braid. Service stripes shall be worn at a 45o angle to the sleeve braid, and service stars shall be worn single point down and 1#4" above service stripes or 1#2" above the sleeve braid when no service stripe(s) are worn. Each service stripe represents three (3) years of service. Each service star represents ten (10) years of service.

1024.5.3 MOURNING BAND

Uniformed members shall wear a black mourning band across the department badge whenever a law enforcement officer is killed in the line of duty or as directed by the Chief of Police. The following mourning periods will be observed:

- (a) Mount Rainier Police Department officer - From the time of death until midnight on the 14th day after the death.
- (b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of an out-of-region fallen officer.
- (d) National Peace Officers' Memorial Day (May 15) - From 0001 hours until 2359 hours.
- (e) As directed by the Chief of Police.

1024.6 UNIFORM CLASSES

The Chief of Police or the authorized designee shall determine the uniform to be worn by each department member or any deviations that may be authorized.

Uniforms are classified as follows:

- (a) Class A - Full dress uniform to be worn by designated department members on special occasions, such as funerals, graduations, ceremonies, or as directed by the Chief of Police or the authorized designee.
- (b) Class B - Standard issue uniform to be worn daily by designated department members.
- (c) Class C - General utility uniform to be worn by designated Department members.
- (d) Specialized assignment - Specific uniforms to be worn by members in special assignments or sections.

1024.6.1 CLASS A UNIFORM

The Class A uniform consists of the following:

- (a) Dress hat
- (b) Long-sleeve shirt
- (c) Tie tack or tie bar
- (d) Trousers or skirt

Mount Rainier Police Department

Policy Manual

Uniforms and Civilian Attire

- (e) Black belt
 - 1. Belts shall be equipped as needed for the member's assignment.
- (f) Dark blue or black socks
 - 1. Natural colored hose must be worn with the skirt.
- (g) Black polished dress shoes
 - 1. Boots with pointed toes are not permitted.
- (h) White gloves

1024.6.2 CLASS B UNIFORM

The Class B uniform consists of the following:

- (a) Long- or short-sleeve shirt with the collar open and no tie
 - 1. A crew neck t-shirt must be worn under the uniform shirt.
 - 2. All shirt buttons must remain buttoned except for the top button at the neck.
 - 3. Long sleeves must be buttoned at the cuff.
- (b) Trouser or skirt
- (c) Black belt
 - 1. Belts shall be equipped as needed for the member's assignment.
- (d) Dark blue or black socks
 - 1. Natural colored hose must be worn with the skirt.
- (e) Black polished dress shoes
 - 1. Approved black unpolished shoes may be worn.
 - 2. Boots with pointed toes are not permitted.
 - 3. Decorative stitching or adornment is not permitted.
- (f) Weather appropriate items
 - 1. Hat
 - 2. Dark blue or black mock turtleneck may be worn under the long-sleeve uniform shirt.
 - 3. Jacket
 - 4. Rain gear

1024.6.3 CLASS C UNIFORM

The Chief of Police or the authorized designee will establish the specifications, regulations and conditions for wearing the Class C uniform at individual and specific periods of time.

Mount Rainier Police Department

Policy Manual

Uniforms and Civilian Attire

1024.6.4 SPECIALIZED ASSIGNMENT UNIFORM

The Chief of Police or the authorized designee may authorize certain uniforms to be worn by members in specialized assignments, such as canine handlers, the Prince Georges County SO SWAT (SWAT), bicycle patrol, motor officers and other specific assignments.

1024.7 CIVILIAN ATTIRE

There are assignments within the Department that do not require a uniform because recognition and authority are not essential to their functions. There are also assignments for which civilian attire is necessary.

- (a) Civilian attire shall fit properly, be clean and free of stains, and not damaged or excessively worn.
- (b) Members assigned to administrative, investigative and support positions shall wear business-appropriate clothing that is conservative in style.
- (c) Variations from this policy are allowed at the discretion of the Chief of Police or the authorized designee when the member's assignment or current task is not conducive to wearing such clothing.
- (d) No item of civilian attire may be worn while on-duty that would adversely affect the reputation of the Mount Rainier Police Department or the morale of the members.
- (e) The following items shall not be worn while on-duty or when representing the Department in any official capacity:
 - 1. Clothing that reveals cleavage, the back, chest, stomach or buttocks
 - 2. T-shirt alone or exposed undergarments
 - 3. Swimsuits, tank tops, tube tops or halter tops
 - 4. Sweatshirts, sweatpants or similar exercise clothing
 - 5. Spandex-type pants or transparent clothing
 - 6. Denim pants of any color
 - 7. Shorts
 - 8. Open-toed shoes
 - 9. Clothing, buttons or pins displaying racial, sexual, discriminatory, gang-related or obscene language

1024.8 OPTIONAL EQUIPMENT

Any items that are allowed by the Mount Rainier Police Department but that have been identified as optional shall be purchased entirely at the expense of the member. No part of the purchase cost shall be offset by the Department

Mount Rainier Police Department

Policy Manual

Uniforms and Civilian Attire

Maintenance of optional items shall be the financial responsibility of the purchasing member (e.g., repairs due to normal wear and tear).

Replacement of items listed in this policy as optional shall be managed as follows:

- (a) When the item is no longer functional because of normal wear and tear, the member bears the full cost of replacement.
- (b) When the item is no longer functional because of damage in the course of the member's duties, it shall be replaced in accordance with the Department-Owned and Personal Property Policy.

1024.9 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Mount Rainier Police Department members may not wear any uniform item, accessory or attachment unless specifically authorized by the Chief of Police or the authorized designee.

Department members may not use or carry any safety item, tool or other piece of equipment unless specifically authorized by the Chief of Police or the authorized designee.

1024.10 LOST, STOLEN OR DAMAGED UNIFORMS AND EQUIPMENT

A. Officers and employees will immediately notify their supervisor of all lost, stolen or damaged uniforms and equipment. Lost/stolen uniforms or equipment shall be documented using a police incident report form (MIR). Uniforms or equipment damaged in the line of duty shall be documented using a Commander's Report.

B. The employee's supervisor will investigate all reports of lost, damaged or stolen uniforms and equipment and prepare a report to the Chief of Police of their findings. Should the lost, damaged or stolen uniforms and/or equipment be as a result of negligence on the part of the officer, the officer shall be responsible for the cost of replacement.

1024.11 RETURN OF UNIFORMS AND EQUIPMENT

A. When an officer terminates employment with the Department he/she will return all issued uniforms and equipment to the property officer no later than the last day of employment. If all issued items are not returned, the officer is required to pay the prevailing price for the item(s) as listed by the manufacturer or supplier.

B. The Chief of Police or his/her designee shall notify the City Treasurer of the need to withhold funds to pay for the items from the officers' last paycheck.

Temporary Modified-Duty Assignments

1027.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules or current collective bargaining agreements or memorandums of understanding. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

1027.2 POLICY

Subject to operational considerations, the Mount Rainier Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1027.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Maryland Accessibility Code shall be treated equally, without regard to any preference for a work-related injury.

No position in the Mount Rainier Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1027.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Mount Rainier Police Department

Policy Manual

Temporary Modified-Duty Assignments

Employees seeking a temporary modified-duty assignment should submit a written request to their Section Commanders or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Section Commander will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Office of the Chief of Police or the City Attorney as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Shift Supervisor or Section Commander, with notice to the Chief of Police.

1027.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Section Commander.

1027.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Section Commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

Mount Rainier Police Department

Policy Manual

Temporary Modified-Duty Assignments

1027.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified-duty.

The responsibilities of supervisors shall include, but not be limited to:

- (a) Periodically apprising the Section Commander of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Section Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

1027.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1027.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

1027.7.1 REASONABLE ACCOMMODATION

An employee who is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition may request a reasonable accommodation including (Md. Code SG § 20-609):

- Changing job duties
- Changing work hours
- Being provided leave
- Being provided with mechanical or electrical aids Being transferred to less strenuous or less hazardous positions Relocation

The Department will explore all possible means of providing the reasonable accommodation and may require certification from the employee's health care provider regarding the medical advisability of a reasonable accommodation. This certification will be to the same extent certification that is required for other temporary disabilities. The certification shall include:

- The date a reasonable accommodation is medically advisable

Mount Rainier Police Department

Policy Manual

Temporary Modified-Duty Assignments

- Probable duration of the reasonable accommodation
- An explanation as to the medical advisability of the reasonable accommodation

1027.7.2 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1027.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified-duty.

1027.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified-duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified-duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

Courtesy and Hand Salute

1031.1 PURPOSE

The purpose of this General Order is to provide guidelines for rendering the hand salute by officers of this Department.

1031.2 HAND SALUTE

All uniformed personnel shall use the hand salute when appropriate. The salute will be rendered in the following manner:

Raise the right hand smartly until the tip of the forefinger touches the outer brim of the headdress above the right eye. Thumb and fingers extended and joined, palm down, forearm inclined at a forty-five degree angle, the hand and wrist straight, the upper arm at a ninety degree angle from the body and in line with the shoulders.

When the salute is completed, the arm will be dropped smartly to the side.

1031.3 CORRECT POSITION OF ATTENTION

The position of attention is assumed by placing the heels together, feet forming an angle of about forty-five degrees, knees straight without stiffness, body erect and resting equally on the hips, stomach in, chest out, shoulders squared, arms and hands hanging naturally, thumbs along the seams of the trousers, head erect to the front with the eyes looking straight ahead.

1031.4 UTILIZATION OF THE HAND SALUTE

Officers in uniform will salute in the following situations:

A. Whenever the National Anthem is played and officers are present in uniform, they shall come to attention and render the hand salute at the first note of the Anthem, retaining the salute until the last note. If the flag is present, the salute shall be rendered while facing the flag; if the flag is not present, the salute shall be rendered while facing in the direction of the music. If not in uniform, officers shall, at the first note of the Anthem, place the right hand over the left breast and so remain until the last note of the Anthem.

B. When uncased colors pass, officers in uniform and not in formation will come to the position of attention and render the hand salute; if in civilian dress, they will place the right hand over the left breast. If in formation, the formation shall be brought to attention and the salute rendered by the officer in command. The salute shall be given when the flag is six paces from the official and held until the flag is six paces beyond him.

C. When officers are in formation at a funeral, they shall take their commands from the appropriate official in command. Normally the hand salute will be rendered on the command "Present Arms" and maintained until the command "Order Arms" is given.

D. Officers assigned to crowd control are exempt from rendering the salute during the National Anthem or when the "colors" are presented.

Mount Rainier Police Department

Policy Manual

Courtesy and Hand Salute

E. Whenever approaching a uniformed officer of command rank regardless of agency.

Diabetic Officer

1032.1 PURPOSE

This order establishes procedures for officers who develop diabetes.

1032.2 POLICY

The Department requires officers who develop diabetes to report such illness to the Chief of Police. The reporting will allow a medical review to be conducted to determine the officers' fitness for duty. Officers with diabetes will follow this policy to insure safety of the of the public as well as their own safety and well-being. Failure to do so may result in disciplinary action.

1032.3 PROCEDURE

A. Officers Responsibilities

1. Officers who develop diabetes, whether Type I or II, and who do not have evidence of cardiovascular, ophthalmological, renal, or neurological complications, may continue on duty provided they meet the following criteria:

a. Provide copies of reports on any hospital admission related to the diabetic condition or any condition that may alter the officers' diabetic status. Provide copies of treating physicians' consultation notes for diagnostic examinations, special studies, follow-up, etc.

b. Report and explain any on duty automobile or other incidents or accidents, whether resulting in injury or vehicular or equipment damage.

c. Provide three letters from work associates, employers, physician or other health care and diabetes support care personnel to document absence of subtle or significant incapacitation or mental confusion due to insulin reaction and/or diabetic acidosis, etc. In particular occurrences of lack of diabetic hypoglycemia related events should be documented. Full names, addresses, work and all respondents should provide home phone numbers.

d. Have a complete medical examination by the officers' personal physician. If the physician is not a diabetologist, a consultation by a specialist in endocrinology, concerning the officers' current status and prognosis both short (3-5 years) and long (5-15 years) term. The report will include a general physical examination including height, weight, build and physical defects or signs, and the following:

e. If Under Age 40

1. Fasting blood/serum studies (glucose, cholesterol, HDL/LDL, triglycerides) complete with blood count, urinalysis and a reading of glycosolated hemoglobin (A1c) concentration and lab concentration. Resting electrocardiogram (EKG). Blood pressure reading at rest, am and pm, on at least two occasions, taken one week apart. Any evidence of elevated blood pressure, medication for hypertension or cardiovascular abnormality will require a maximum concentration stress test EKG study.

Mount Rainier Police Department

Policy Manual

Diabetic Officer

2. Ophthalmologic confirmation of absence of retinal disease, preferably with dilated eye examination by a retinal specialist.
3. Examination and tests to detect peripheral neuropathy or circulatory deficiencies of the extremities, when symptomatic.
4. A detailed report of insulin dosages and types, diet utilized for control and any significant lifestyle factors such as smoking, alcohol use and other medications or drugs taken.
5. Officers must obtain and use a digital whole blood monitoring device, which is portable and can be easily used for testing of blood glucose concentrations during work hours. Monitors with memory capabilities are recommended. Officers will keep a log of whole blood glucose concentrations recorded twice daily and submit monthly reports to their specialist. The log will be authenticated by the physician and forwarded to the Chief of Police. Any three readings fasting (first reading after sleep) of below 60 or higher than 180 per month must be reported to the supervisor and will be cause for removal from full duty pending a physical reexamination.

f. If Over Age 40

1. In addition to the above, employees will have a maximal stress test conducted. Copies of the EKG and the interpretation report will be provided to the Chief of Police. An abnormal stress test will result in the officer being removed from full duty status until further tests on arteriosclerotic disease, can be conducted and evaluated.

B. Additional Requirements

1. Reevaluation by a specialist every six months with readings of glycosolated hemoglobin (A1c) concentrations.
2. The monthly logs will be submitted to the specialist for evaluation.
3. The specialist will annually certify that the officer can demonstrate accuracy of measurements within 25 percent of actual concentration.
4. Annual ophthalmologic confirmation of the absence of retinal disease.

C. Protocol While on Duty

1. Officers will carry with them at all times: blood sampling lancet, personal monitors and strips, insulin, syringes or pump as appropriate. All materials will be current/unexpired.
2. Blood glucose concentration must be tested every four hours and measurements recorded.

D. Supervisors Responsibilities

1. Supervisors will insure that once a month each diabetic officer completes a certification of compliance with these standards. The compliance form will be forwarded to the Chief of Police for inclusion in the officers medical file.

E. Compliance Form (attached)

Rules of Conduct

1034.1 PURPOSE

The purpose of this general order is to control, direct and coordinate the activities of the employees of the Mount Rainier Police Department in the successful and professional fulfillment of Department responsibilities. In addition to these rules, employees will also be governed by the regulations and procedures established by the City of Mount Rainier, City Ordinance Manual for employees.

1034.2 DEFINITION

Employee or member is any fulltime, part-time or contract officer or civilian employed by the Mount Rainier Police Department.

1034.3 RULES

Rule 1 - Employees shall thoroughly familiarize themselves with these rules within 10 days of receipt and thereafter comply with them. Employees shall also become thoroughly familiar with the Mount Rainier City Ordinances within 30 days of receipt and thereafter comply with it.

Rule 2 - Employees shall comply with all general orders, special orders, memorandums, or directives that may be issued by the Chief or his/her designee.

Rule 3 - Employees shall act in a professional manner in carrying out the functions of the Mount Rainier Police Department. These functions are the preservation of peace, the protection of life and property, the repression and detection of crime and the apprehension of violators of the laws and regulations.

Rule 4 - Employees of the Department are always on duty. The fact that employees may be technically "off duty" shall not relieve them of the responsibility for taking reasonable and proper police action in any matter coming to their attention requiring such action that lies within the scope of their legal authority. Employees are expected to provide emergency assistance to other law enforcement agencies upon their requests.

Rule 5 - Notwithstanding, the assignment of specific duties and responsibilities under provisions of the applicable rules and regulations; Employees shall perform other duties as required by proper authority or other person in charge of the assignment to include training, task force or other assignments.

Rule 6 - Employees shall display patience and firmness when these attributes are necessary and shall act in concert to protect each other from danger. Any shrinking from this responsibility will be deemed neglect of duty.

Rule 7 - Each member shall be held responsible for the proper performance of assigned duties and for strict adherence to the rules and regulations of the Mount Rainier Police Department or any order given by an officer of superior rank.

Mount Rainier Police Department

Policy Manual

Rules of Conduct

Rule 8 - Each member shall be familiar with the statutes, laws and regulations applicable in his jurisdiction.

Rule 9 - While on duty, employees shall devote their full time and attention to official duties. They shall not leave their jurisdiction except in an emergency or by proper authority.

Rule 10 - Employees shall diligently patrol, inspect and otherwise direct their attention to police business within their jurisdiction throughout their tour of duty.

Rule 11 - Employees shall not use their office for the purpose of influencing the lawful business, profession or occupation of any person or persons.

Rule 12 - No employee shall knowingly communicate, by any means to any person, any information which might assist any person to escape arrest, to prepare for raids, to destroy or conceal evidence, money, goods or other property or information sought by the police; nor shall any member perform any act which might be construed as aiding and abetting the performance of any of the foregoing acts.

Rule 13 - Employees shall not wear their badges exposed when off active duty and out of uniform. While in civilian attire officers shall carry their badges and Department I.D. cards in such a manner as to permit ready display.

Rule 14 - Members shall at all times maintain decorum, command of temper and exercise patience and discretion. They shall not use harsh, ardent, profane or insolent language, and shall conduct themselves in a professional manner.

Rule 15 - Employees shall give their names; badge or ID numbers to persons who request them.

Rule 16 - Employees shall submit requests for off-duty employment to their supervisor then to the Chief for final approval.

Rule 17 - Employees shall not make any compromise or other unofficial arrangements between suspected violators of the law and persons who are alleged to have suffered by their acts.

Rule 18 - Employees shall not solicit any citizen, subordinate or public official to communicate any praise, thanks or commendation for services rendered.

Rule 19 - Employees shall perform their duty fairly, impartially and judiciously, and are prohibited from inviting or accepting tips, gratuities, rewards, fees, favors, discounts or anything of value. The Chief, prior to being accepted, must approve any donations or rewards intended for the Department.

Rule 20 - Employees shall not receive presents from subordinates, associates, or superiors, nor shall subscriptions be solicited or made for presents by employees of the Department to other employees without the approval of the Chief.

Rule 21 - Employees shall promptly obey all lawful orders issued by a superior officer. Should any order conflict with a previous order from any other superior, officer, or with any memorandum, General or Special order, or provisions with the City Ordinance Manual; the member to whom

Mount Rainier Police Department

Policy Manual

Rules of Conduct

such order is given shall respectfully call attention to the conflictive order. If the officer giving the order does not change the order so as to eliminate the conflict the last order shall stand and responsibility shall rest with the superior officer. The member obeying the order will not be held responsible for disobedience of any orders previously issued.

Rule 22 - Employees shall formally report in writing the reception of all information of offenses against the criminal statutes in which any member is personally involved. Failure to report any such information shall be considered neglect of duty.

Rule 23 - Every member shall render respect to supervisors and associates. Employees addressing supervisory officers shall maintain a respectful attitude and use proper titles. Such courtesy shall be accorded to superiors of other similarly constituted law enforcement agencies.

Rule 24 - All employees are required to respond truthfully to questions asked by supervisors in connection with matters relating to the official business to include, but not limited to any inquiry or investigation. If a subordinate officer or employee does not comply with this Rule, the superior officer or employee shall submit a written report of the circumstances and upon verification, the subordinate shall be considered to have made a false statement and therefore insubordinate.

Rule 25 - Any member may report another member for violations of any of the provisions of the Rules. The superior officer receiving the report will then investigate the complaint. Written reports of the violation and the investigation will then be forwarded to the Chief.

Rule 26 - Neglect of duty is any action or omission, which may be injurious to the member, fellow officers, or the general public. A member may be immediately relieved of police responsibility for gross dereliction of duty and found to have committed conduct unbecoming as an employee of the City.

Rule 27 - While in full uniform, employees shall not purchase or consume alcoholic beverages. Except when required by assignment, employees are prohibited from purchasing or consuming alcoholic beverages while on duty.

Rule 28 - Any member found to be intoxicated while on duty, or while in uniform, on or off duty, will be reported to the Chief of Police. Upon finding there is reasonable cause to believe that such member is intoxicated while on duty, the official in charge shall place the member in a leave without pay status for the remainder of his duty assignment. The intoxicated officer will be issued a PBT or breathalyzer examination. The employee may be transported to the residence by Department transportation if necessary. In all violations of this Rule, the officer in charge shall take possession of the badge and service weapon of the intoxicated officer. A full report of the incident shall be submitted in writing to the Chief.

Rule 29 - Employees are prohibited from placing any alcoholic beverage or controlled substance into any Department vehicle or City building, unless prescribed by a physician for illness. This Rule does not apply to intoxicants or controlled substances, which are being transported or stored as evidence or found property.

Mount Rainier Police Department

Policy Manual

Rules of Conduct

Rule 30 - No member shall knowingly use any controlled substance except when prescribed by a physician.

Rule 31 - No member shall be employed by, own any interest in, or participate in the profits of any establishment devoted in whole or in part to illegal activities. No member shall knowingly enter such establishment unless such entry is related to official duty.

Rule 32 - Employees shall not feign, simulate or intentionally cause illness or disability to evade the performance of duty. Employees shall not cause themselves to be ill by carelessness, improper conduct or excessive indulgence in drink.

Rule 33 - Employees shall not smoke inside the police station. Employees are prohibited from using tobacco products (smoking or chewing) when such use interferes with the performance of their duties or is offensive to a member of the non-smoking public.

Rule 34 - Gambling in any form by any member of the Department while on duty or in uniform is prohibited.

Rule 35 - Employees shall not sleep while on active duty.

Rule 36 - Employees shall not serve civil processes without approval of the Chief, nor shall they render assistance in civil cases, except to prevent breaches of the peace and to quell disturbances growing out of such matters. Employees will testify in civil cases only when legally summoned and it is administratively feasible.

Rule 37 - No member shall institute any action for damages as the result of an incident occurring in the line of duty without first notifying the Chief in writing of such intention.

Rule 38 - A copy of subpoena or summons for civil court as the result of an incident occurring in the line of duty shall be forwarded to the employees supervisor and the Chief of such fact.

Rule 39 - Employees shall not testify before any Alcoholic Beverage Control Board against or in behalf of any person or enterprise applying for a license to sell or dispense intoxicating beverages, without the prior approval of the Chief.

Rule 40 - Employees are prohibited from engaging in the political process or elections of the City.

Rule 41 - Employees shall report punctually for duty and assignments at the time and place designated by their superior officers. Employees shall be responsible for personally checking their work schedules.

Rule 42 - When not performing active duty, employees shall not absent themselves from their homes for more than 72 consecutive hours without first notifying the Department in writing as to the forwarding address, telephone number, and date of probable return.

Rule 43 - When a member changes his/her residence or telephone number, the member shall report such changes to the Department within 24 hours after making such changes. Every member shall be requested to have a telephone at his/her residence address.

Mount Rainier Police Department

Policy Manual

Rules of Conduct

Rule 44 - Employees are prohibited from making, causing to be made, or allowing to be made, any duplicates or copies of keys pertaining to the Department operation without the authorization of the Chief.

Rule 45 - Employees shall promptly pay or otherwise settle all just debts and legal financial obligations.

Rule 46 - Employees are prohibited from making or causing to be made duplications of official Department records or reports for other than official use.

Rule 47 - Employees shall not use any private vehicle in the performance of duty, except when authorized or in circumstances of police emergency.

Rule 48 - No member shall use any force greater than necessary to accomplish his or her mission.

Rule 49 - Employees shall be responsible for the proper care and use of all department vehicles, property and equipment assigned to or used by them and will promptly report to their supervisor any loss, damage, destruction or defect therein.

Rule 50 - All employees are required to obey, comply with and follow any federal, state, local law or ordinance.

Rule 51 - No employee will commit any act which constitutes conduct unbecoming an employee of the department. Conduct unbecoming includes, but is not limited to, any criminal, dishonest or improper conduct to include defaming, derogatory or insolent comments.

As City employees, we are constantly being observed and judged by the community we serve. Improper behavior on the part of any employee, on or off duty, tends to reflect unfavorably on all employees and the Department. "Conduct unbecoming" is a highly controversial regulation and often viewed as a "catch-all" offense. Although non-specific, "conduct unbecoming" has been upheld in court for certain acts committed by police officers both on and off duty. The following examples of "conduct unbecoming" have been upheld by various state and federal courts throughout the country: speeding, placing an unauthorized poster in a squad room, lying in a Departmental investigation, excessive absenteeism, profane language in public, barroom fighting off duty, ticket fixing, assault on a fellow officer, annoying and/or molesting bar patrons off duty, males dressing in women's clothing, illegal possession of marijuana, horseplay with firearms, misuse of a police radio to criticize a superior, and the failure to cooperate with an internal investigation. The following examples of conduct which the courts have found not to be unbecoming include: embarrassing the Department by neglecting "discretion" and vigorously enforcing municipal ordinances; disrespectful, but private, language to the Chief of Police while under emotional stress; and filing a libel suit. These lists, although not inclusive, further indicate how courts nationally have viewed police conduct both on and off duty. Although these court cases have involved police officers, no employee will commit any act, which would reflect unfavorably on the Department or City government.

Rule 52 - Any employee that absences him or herself in part or in whole from any scheduled workday or assignment without first receiving prior permission and approval for leave through

Mount Rainier Police Department

Policy Manual

Rules of Conduct

their supervisor to the Chief of Police/designee to do so shall be considered abandonment of employment and constitutes cause for immediate dismissal from City employment.

Rule 53 - All employees are to keep confidential any information they receive or come to have, know of, or have access to not normally available to the public or outside the Department. This includes but is not limited to information from such sources as informants, intelligence reports, police reports, records or citations, personnel records, investigative reports, medical records, National Crime and Information (NCIC) and Maryland Information Law Enforcement Systems (MILES), Maryland Coordination and Analysis Center (MCAC) reports and facsimiles addressed to employees of the Department or received by the Department.

1034.4 CONCLUSION

In those instances where no rules or General Orders exist to cover a specific situation, the matter will be handled as conditions and circumstances warrant.

Ethics and Integrity

1035.1 PURPOSE

This general order establishes the foundation of an ethics and integrity statement for all employees of the Mount Rainier Police Department.

1035.2 POLICY

The Department's policy on ethics and integrity is derived from its conviction that honesty is the foundation of personal integrity. Additional information is included in the Department introductory statement on the "Six Pillars of Character" and throughout our general orders.

1035.3 PROCEDURES

- A. Employees of the Department will conduct themselves in both their personal and professional life with highest degree of honesty and integrity. Towards this end, employees of the Department will not lie (to include evasiveness), cheat or steal (whether permanent or temporary) or violate the trust and confidentiality of the City or Department. Neither shall we, as a Department or individually, tolerate, ignore, encourage, assist, or conceal anyone lying, cheating or stealing.
- B. Anyone that violates this general order the introductory statement to the general order manual, and/or other official documents of the Department or City, including but not limited to the collective bargaining agreement, personnel manual, city code, state and federal law is subject to disciplinary action up to and including termination.

1035.4 RESPONSIBILITY

- A. All employees are responsible for reporting corruption, or anyone that lies, cheats or steals.
- B. All employees are to provide support any employee that reports corruption or anyone to include another employee that lies, cheats or steals or violates the trust and confidentiality of the City or Department.

Attachments

Vehicle Preventative Maintenance 2016.pdf

CITY OF MOUNT RAINIER POLICE DEPARTMENT
VEHICLE PREVENTATIVE MAINTENANCE FORM

MECHANIC MUST INITIAL TO VERIFY ALL STEPS ARE PERFORMED

VEHICLE #: _____

MILEAGE: _____

1. _____ Road Test
Includes check brake operation, engine performance, transmission shifting, cornering, steering alignment, squeaks and rattles.
2. _____ Engine emissions
3. _____ Check lights
Includes headlight operation: high and low beams, turn signals, stop, tail, parking, spot, corner and dash.
4. _____ Check wipers
Includes operation and condition.
5. _____ Check motor mounts
6. _____ Inspect brakes
7. _____ Inspect Ball Joints, Idler Arm, Drag Link, etc.
8. _____ Check U Joints
(Lube as necessary)
9. _____ Inspect exhaust system
10. _____ Lube, Oil and Filter
11. _____ Check engine and compartment for leaks
12. _____ Inspect all belts and hoses
13. _____ Inspect fuel lines
14. _____ Clean and service PVC
15. _____ Check and fill all fluids as necessary
16. _____ Inspect and check heating and air conditioning operation
17. _____ Lubricate body
(hood lock and hinges, door hinges, rollers, strikers, spring shakes, etc)
18. _____ Flush and fill cooling system
(every 12,000 miles or each year)
19. _____ Drain transmission, clean or replace filter.
(every 15,000 or each year)
20. _____ Final Road Test

Repair Facility: _____

Mechanic: _____ Date: _____

**Emergency Operation Plan
- REVISED MARCH 2011.pdf**

City of Mount Rainier



Emergency Operations Plan

Revised March, 2011

Table of Contents

- I. Declaration of City Emergency
- II. Emergency Operations Center
- III. General Obligations of Responding Departments and Personnel
- IV. Notification of the Public and Media
- V. Evacuation or Relocation
- VI. Continuity of Government
- VII. Coordination of Resources and Jurisdictional Responsibilities
- VIII. Restoration of City and Public Services
- IX. Damage Assessments
- X. Recovery and Support Functions
- XI. Minor Emergency Check List
- XII. Employee Designation
- XIII. Suggested Measures

Appendices

- A. Telephone Numbers
- B. City Personnel Contact List (CONFIDENTIAL)
- C. City Equipment Available for Emergencies
- D. Police Department General Order Emergency Call-up/Alert Procedures
- E. City Evacuation Plan

I. Declaration of a City Emergency

1. City Manager is notified immediately by on duty supervisor.
2. Potential Emergency
 - # Fire
 - # Hazardous material incident (mobile or stationary)
 - # Serious transportation accident
 - # Civil unrest
 - # Thunderstorm (electrical)
 - # Snow and Ice
 - # Hurricane
 - # Tornadoes
 - # Terrorism
3. The City Manager or designee can declare a City Emergency.
4. The City Manager or designee shall notify Prince George's County (Police, Fire, and Emergency Preparedness Officer) of the emergency.
5. A City State of Emergency will be declared automatically if the State or Federal government declares a state of emergency within the boundaries of the City.
6. In the event of emergency, City personnel are required to follow directives of this manual.
7. The City Manager will notify the Mayor and City Council of the State of Emergency after the Emergency Operation Center (EOC) is activated.
8. If Prince George's County action is warranted, the City Manager is authorized to communicate directly with the County Executive to request that a local state of emergency be declared this will put the County Emergency Operation Procedure into effect.

II. Emergency Operations Center

1. The City Manager will manage the emergency from the Emergency Operation Center (EOC). The primary location for the EOC will be the Mount Rainier Police Headquarters located at 3249 Rhode Island Avenue. The MRPD HQ conference room shall be utilized by the City Manager and designated department heads. If the police headquarters building is inaccessible, the secondary EOC will be the Bunker Hill Fire Station. Other locations may be designated as necessary.

EOC primary phone numbers: Voice 301-985-6580

Fax 301-985-6570

EOC secondary phone numbers: Voice 301-985-6590

Fax 301-985-4074

2. Upon declaration of a City State of Emergency, the following personnel (or their designees) will report immediately to the EOC.

City Manager

Chief of Police

Assistant Chief of Police

Assistant City Manager

Director of Public Works

Public Works Supervisor

Public Information Officer (as designated by the City Manager)

City Treasurer

Designated on call Code Enforcement Officer

3. Upon activation of the EOC, the City Manager will immediately notify the Mayor and the City Council of the emergency.
4. The City Manager will be directly responsible for informing the City Council of the details of the emergency, and the response measures which the City is taking.
5. The City Manager will make arrangements to keep Council Members updated on a regular basis, also gather information necessary for contacting Council Members on a 24-hour basis.
6. When possible all personnel must consult with the City Manager before reaching policy decision or directing major action.
7. The City Manager may appoint any designee to direct field operations following the activation of the EOC.
8. The Public Works director shall ensure that a suitable vehicle, equipped with a radio, is available for use by the EOC. The City Manager may appoint any designee to a reconnaissance team to collect information on the emergency for the EOC. This team will also be equipped with a cellular phone and a radio to communicate on police frequencies. Any reconnaissance team shall also be equipped with a map showing the location of all City roads and facilities, churches, schools and utility lines, provided by public works.

III. General Obligations of Responding Departments and Personnel

1. In a catastrophic situation, City forces (police, public works, code enforcement) will concentrate efforts on protecting lives and where

appropriate and feasible property. City forces will concentrate on actions that will protect the greatest number of lives.

2. Departments which are directly involved in the emergency response are expected to maintain 24-hour operations throughout the course of the emergency. Key personnel or their designees must be available at all times.
3. Depending on the severity of the emergency, daily operations of the City are expected to carry on as usual. Any deviation from normal services provision must be approved by the City Manager.
4. At the direction of the City Manager, Department Heads may be required to take the following steps:
 - a. Cancel scheduled employee leave and days off.
 - b. Require all personnel to work beyond normal shift hours for an extended period.
 - c. Call back department personnel with no refusal allowed.
 - d. Alter normal organizational structure to complete required tasks.

IV. Notification of the Public and Media

1. If it is necessary to notify the public in an emergency, local and national news channels shall be notified to broadcast important information to the City. Cable Channel also will be utilized to broadcast important information to the City. The audio portion of the channel will either be broadcasting live bulletins from the EOC or will be tuned to a station which participates in the Emergency Broadcast System.
2. The designated PIO will be responsible for keeping a current list of all major local television as well as major newsprint organizations. The PIO, operating from the EOC, will communicate all vital information to the local media for dissemination to the public.
3. In the event that door-to door communication is warranted, the public works department will be primarily responsible for the effort. Police department employees may also be mobilized to participate in a door-to-door communications campaign. If the need arises, other City employees may be ordered to participate in such an effort. Door-to door communications will be managed from the EOC.
4. In the event of a media presence during or after the emergency, the PIO will be responsible for organizing and publicizing any press release or news conference. The PIO will be responsible for all media relations, including safeguarding restricted information and the privacy of those who may have been traumatized by the emergency.

V. Evacuation or Relocation

1. Any mass evacuation of residents from within the City will be coordinated with Prince George's County Police and/or Fire Department, or the State of Maryland emergency team. City Employees will help coordinate any evacuation process.
2. The City Manager will coordinate with the Prince George's County School System and Fire Department to make available any facilities that may be necessary.
3. The City Manager or designee will coordinate with the appropriate government or public aid organizations to staff and manage any emergency shelter operations housed within the City. Appropriate personnel from the City may be utilized to staff these facilities.
4. The general residential evacuation plan is attached as Appendix "E".

VI. Continuity of Government

1. In the event of the absence or disability of the Mayor, the Vice-Mayor will chair all Council Meetings. If both the Mayor and the Vice-Mayor are absent, meetings of Council will be called to order by the City Manager. Immediately following the calling of the role, the three council members will elect a temporary chair for the meeting.
2. As governed by City Charter, the City Council shall appoint a person to fill any vacancy on Council pursuant to section 513. However, if more than two vacancies result from an emergency, a special election must be called to fill the position.
3. In the absence of the City Manager or his/her designee, the Chief of Police will coordinate all aspects of the City Emergency Operation Plan, and will assume all duties of the City Manager as prescribed in the plan. In the absence of the Chief of Police, the normal chain of command within the Police department will be followed for the duration of the emergency only. When the emergency situation has passed, the Director of Public Works will assume the duties of the City Manager in the absence of the City Manager and the Chief of Police.
4. In the event of the extended absence of the City Manager, the City Council may, in a regular or special meeting, appoint an Interim City Manager. This person shall immediately assume all duties assigned to the City Manager in the Emergency Operation Plan.
5. If the Municipal Building is rendered unusable by the emergency, the City Council will meet in the most appropriate and accessible public facility within

the city limits. If necessary, the Council may meet outside the city limits to conduct business.

6. A special meeting may be called by the City Manager by written request of the Mayor, or any three members of Council upon one day's notice.
7. In the event that a special meeting of the City Council is called, the City Manager will be responsible for coordinating the notification of each Council Member. The City Manager, with his/her designee, will be responsible for all efforts to publicize the time and location of all meetings.
8. It shall be the responsibility of the City Manager and all department heads to ensure that essential records and documents are safeguarded from the potential severe hazards that are present in emergency situation.

VII. Coordination of Resources and Jurisdictional Responsibilities

1. When the City Emergency Operations Plan is put into effect, all operations will be directed by the City Manager in consultation with the Mayor & City Council.
2. Where appropriate, a reasonable commitment of City resources will be utilized before requesting assistance from a higher level of government.
3. The County Emergency Operation Plan may be put into effect with or without the request/consent of the City. When the County plan is in effect, the County will have direction over all emergency operations.
4. If a higher level of government declares a state of emergency in or including the City, that jurisdiction will coordinate all emergency response activities. The City will provide consultation and direction to these agencies to aid in the emergency response.
5. If the emergency is local but county, state or federal assistance is utilized; the City will maintain control of the response operation.#

IX. Restoration of City and Public Services

Efforts to restore City/Public services to a basic functioning level shall be generally prioritized as follows:

- Tier I Restore vehicle access along the following major roads Rhode Island Avenue and Varnum Street to nearby emergency medical facilities (Providence Hospital and Prince George's Hospital Center). Ensure access to police and fire services.

Tier II Facilitate and aid restoration of water distribution and wastewater collection. Facilitate and aid restoration of electrical, gas and telephone services Ensure vehicle access on arterial, collector and residential roadways.

Tier III Restore all other City services as soon as possible, at the direction of the City Manager.

IX. Damage Assessment

1. A City Code Enforcement Officer(s) or a Prince George's County Building Inspector will be responsible for inspecting any structures that may have been damaged during an emergency. He/She will be charged with determining the structural soundness of buildings and may be forced to condemn structures for the safety of the general public. In the event that another governmental agency takes jurisdiction, the Public Works Director will assist as needed.
2. When action has been taken to insure the immediate safety of the public, the Public Works Director is responsible for compiling a report for the City EOC summarizing and describing damage to structures and facilities within the City.
3. The Public Works Director will be primarily responsible for assessing damage to City facilities. This report shall differentiate between major and minor damage and shall make recommendations regarding the prioritization of needed repairs. Major repairs to facilities that play a primary support role in the provision of public safety (police station, facilities being used as shelters, EOC etc.) will take precedent over other major repairs. The Public Works Director will also assess any damage and necessary repairs to City-maintained property such as streets, sidewalks, storm drains, open space, and any other property maintained by the City. The survey will also be used to advise local utility companies of damage and necessary repairs.
4. By command of the Director of the EOC, other City personnel may be mobilized as needed to perform any of the above damage assessment functions.

X. Recovery and Support Functions

1. The EOC will cease operations at the direction of the City Manager when sufficient action has been taken to insure the safety of residents and basic City services become functional. The recovery will continue to be directed by the City Manager's Office, with meetings called as necessary to assess the recovery operation and coordinate departmental activities.

2. The Victims Assistance Coordinator will use all resources and support as may be necessary to cope with the specific emergency as needed. The Victims Assistance Coordinator shall coordinate with area social support units that arrive to assist with the emergency.

XI. Minor Emergency Check List

The City Manager's Office is responsible for completion of all steps on this checklist and coordinating all activities in response to the minor emergency.

1. When the City Manager receives notification of emergency he/she will:
 - # Contact all department heads to inform them of the situation and notify the Mayor and City Council of the situation.
 - # Contact the appropriate County authorities when necessary.
 - # Contact the necessary utility companies.
 - # Direct the PIO to coordinate the notification of residents via local media.
2. Assuming the minor emergency is site-specific, one supervisor is designated by the City Manager as having command authority over the response. This person becomes responsible for coordination of all responding City personnel, regardless of department. The City manager has the option of reporting directly to the EOC and taking direct control over the City's response.
3. City resources and personnel are used to control the emergency and ensure the safety of lives and property of all affected citizens.
4. Public Works Director inspects for damage to structures or City infrastructure and prepares a damage report for the City Manager immediately following the resolution of the emergency.
5. All City departments are utilized as necessary to help clean up and restore property, and to settle and comfort residents who may have been affected by the minor emergency.
6. The City Council, the public, and the media are presented with a summary of events and the City's response, where appropriate.

XII. Employee Designation

1. Employees are considered "essential" if their job duties and responsibilities are considered necessary in maintaining the health and safety of the citizens of the City. All other employees are considered "non-essential." This determination is made by the department head. An employee must be advised of their classification at the time of hire or when a change is made and an updated notice list must be displayed in each department.

XIII. Suggested Measures

1. In order to insure that personal needs are met, all personnel are to prepare and maintain a personal hygiene kit that will sustain your personal needs for a three (3) day stay at work. Additionally, all officers are to have at least one clean uniform of the day available at the station at all times.

Kit Requirements:

Towel

Shaving items

Soap/Shampoo

Change of under garment

Socks

Toothbrush/Toothpaste

Comb/brush

Medications

Blanket

Optional

Change of civilian clothes

Pillow

Sleeping bag

Cot

2. Employees should insure that family members' needs are attended to in case of emergency. While these measures are not intended to be inclusive of all needs, it is thought that while the employees is working or called in it will ease needs in case of emergency.

- # Have extra batteries on hand to power flashlights, TV, radio, etc.
- # Have at least a five-day supply of food, water, and other necessities on hand.
- # Make sure you have enough prescription drugs on hand to last through the target period.
- # Top off all gas or oil tanks.
- # Avoid unnecessary travel to conserve fuel.
- # Employ a buddy system with a relative, friend or neighbor to check on your family through cellular telephone if the telephone system is out of service.
- # Stay in touch with work and family.
- # Possibly a generator with extra fuel to power home.
- # Cellular phone or two-way radio, charged.
- # Establish an evacuation plan and know where family members will go in case the family home must be abandoned.

3. Tactical Emergency

A tactical emergency exists when a situation occurs that regular patrol response cannot resolve, or would warrant a City State of Emergency. A tactical emergency is a situation that requires the use of a Police Emergency Response Team to resolve the situation. Examples of a tactical emergency are:

- # Bomb threats
 - # Hostage or barricade situation
 - # Fire
 - # Biological
 - # Terrorist incident
- A. The first officer on the scene of the incident will assess the situation and notify the on duty supervisor.
 - B. The on duty supervisor shall request assistance from the appropriate agency via communications (PGPD, Fire/Rescue, MOU agencies, etc).
 - C. The initial officer and the on duty supervisor will establish the perimeter of the containment area and direct responding units to their perimeter location.

NOTE: Safety is the utmost and reasonable judgment based on the crisis situation for the distance of the perimeter.

4. Hostage Situation

- A. Attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of trained tactical and/or hostage negotiation personnel.
- B. Notification of tactical and hostage negotiation personnel.
- C. Interaction between tactical and hostage negotiation personnel and responsibilities of each.
- D. Notification of appropriate persons within and outside the agency.
- E. Communications with other agencies.
- F. Establishment of inner and outer perimeters (distance may vary on location of the incident).
- G. Evacuation of bystanders.
- H. Establishment of central command post and appropriate chain of command.
- I. Authorization for use of force and chemical agents.

5. Bomb Threat

- A. Ascertain details from the bomb threat through communications.
- B. Notification of appropriate command personnel.
- C. Establish a secure inner and outer perimeter (distance will vary depending on location of the threat).
- D. Establishment of central command post and appropriate chain of command.
- E. Evacuation of bystanders.
- F. Notification of appropriate persons within and outside the agency.
- G. Communications with other agencies.
- H. Organization of search teams and procedures.
- I. Notify bomb disposal unit (Prince George's County Fire Department Bomb Unit).
- J. Notify Prince George's County Fire Department.
- K. Notify CID or Evidence Unit (Fire Department Bomb Unit).

6. Fire

- A. Establish an inner and outer perimeter.
- B. Notification of appropriate command personnel.
- C. Establish central command post and appropriate chain of command.
- D. Notification of Fire Investigator/Fire Marshal.
- E. Communication with other agencies.

7. Biological and Terrorist Threats

- A. Don your protective chem-bio gear to include boots and mask!
- B. Establish a secure inner and outer perimeter based on the specific type of biological incident. The perimeter should be no less than five square blocks for a minor incident. The officers involved in the incident should also be aware of their surroundings, not to be downwind from an airborne incident or in the direct path. Safety is the first priority.

- C. Notification of appropriate persons within and outside the agency.
- D. Establish a central command post and appropriate chain of command.
- E. Communications with other agencies.
- F. Notification of fire/rescue and hazmat.
- G. Evacuation of bystanders and residents and the method of notification, i.e. door to door, public address (PA) announcement, etc.
- H. Authorization for use of force.

Appendix “A”
Telephone Numbers

Animal Control (police only)	301-499-8303
Arson Hot Line	800-525-3124
Bunker Hill Fire Station	301-985-5400
Center for Disease Control and Prevention	888-246-2675
CERT Coordinator	202-441-0392
FBI Washington Field Office	202-278-2000
FEMA	800-480-2520
FEMA	800-480-2520
Fire Dispatch Supervisor	301-324-2672
Fire Rescue Bomb Unit	301-883-7753
Fire Rescue Emergency Operations	301-583-2200
Fire Rescue	301-324-2672
Fire Rescue	301-499-8400
Greenbelt Police Department	301-474-7200
Hazmat	301-583-1818
Hyattsville City Police Department	301-985-5050
Laurel Police Department	301-498-0092
MD Dept of Health and Mental Hygiene	410-767-6700/877-463-3464
MD Emergency Management Agency (MEMA)	410-517-3600
MD Emergency Management	410-517-3600
MD Highway Administration	410-582-5650
Metro Transit Communications Supervisor	202-962-2109
Metro Transit Communications	202-962-2121
MNCPPC Police	301-459-9088
Montgomery County Dept. of Health	240-777-4200
MPDC 5 th District	202-727-1010
MPDC Communications Supervisor	202-671-2872
MPDC Communications	202-727-4326
Park Police (after hour’s requests)	301-459-3232
PG County Health Department	301-883-7837
PG Department of Environmental Resources	301-883-5810
PG Department of Public Works & Transportation	301-883-5600
PG Fire/Rescue Bomb Squad	301-583-1895
PG Sheriff’s Communications	301-499-8160
PG Sheriff’s Department	301-883-7000
PGPD Police Communications Director	301-499-8090
PGPD Police Communications Supervisor	301-499-8192
PGPD Police Communications	301-336-8800
Poison Control	800-492-2414
Prince George’s County Fire/Rescue Office of Emergency Preparedness	301-583-2200
Prince George’s County Office of Emergency Management	301-583-1899
Purple Heart	301-277-0063
Red Cross	202-728-6400
Salvation Army	202-234-7291
Salvation Army Thrift Store	301-403-1705
State Fire Marshall’s Office	410-339-4200
US Marshals Washington District Office	202-353-0600
US Secret Service Washington Field Office	202-406-8000
Washington, D.C. Department of Health	202-442-5842

For all emergencies the designated PIO is responsible for media relations. The PIO will confer with the City Manager during all emergencies concerning inquiries from the media.

WWRC NBC4	202-885-4111
WTTG FOX 5	202-244-5151
WJLA ABC 7	202-364-7700
WUSA CBS 9.....	202-895-5700
News Channel 8	703-912-5308
Associated Press.....	202-776-9400
United Press International	202-898-8000
Washington Post.....	202-309-5015
WTOP.....	877-222-1035
PEPCO General	202-833-7500
PEPCO Emergency	202-872-3432
WSSC General	301-206-8000
WSSC Emergency	301-206-4002
Washington Gas General.....	703-750-1000
Washington Gas Emergency.....	703-750-1400

Appendix "B"
City Personnel Contact List (CONFIDENTIAL)

	HOME	CELL/OTHER
Police Department		
Chief Michael Scott	301-805-0757	240-508-7687
Captain James Stoots	301-809-5736	240-417-7516
SFC Steve Malley	410-721-3137	240-508-7589
SGT Chris Backhaus		504-415-9048
SGT Andre Williams	301-559-4132	202-528-1549
CPL A.J. Ortiz	410-586-8795	443-454-0842
CPL Eddie Murphy	301-736-0777	301-440-6476
CPL Vic Kenworthy	301-519-1533	301-910-4274
PFC Jefferson Herriott	410-637-3248	
PFC Curtis Yearwood	443-925-4192	
A/CPL Robb Caplan	301-987-0826	301-518-2172
A/CPL Tuk Carpenter	301-401-0206	
A/CPL Lela Singleton	301-273-3249	202-409-9533
PFC Shane Mast		484-788-5388
PFC Paul Corridean		301-991-1663
OFC Michael Ferebee		240-355-9204
Julia Broadnax	301-736-5835	240-765-5271
Connie Vivar	301-345-1540	301-318-1266
Tom Baker	301-262-9060	301-704-8450
City Hall Staff	HOME	CELL/OTHER
Jeannelle Wallace, City Manager	202-726-0125	240-508-3595
Michael Jackson, Asst. City Manager	301-4991491	240-508-2208
Vijay Manjani, Finance Director		443-655-6886
Janis Lomax, City Clerk	301-559-4132	240-508-4479
Kim Simpson, Finance Asst.		202-491-8410
Public Works	HOME	CELL/OTHER
Luther Smith	301-977-7426	240-508-0302
Michael Barnes		240-508-0679
City Council	HOME	CELL/OTHER
Mayor Malinda Miles	301-699-1378	301-237-3889
Brent Bolin	301-774-9465	
Bill Updike		301-367-5649
Jimmy Tarlau		301-335-6099
Ivy Thompson		301-908-8067

Appendix "D"
City Equipment Available for Emergencies

Police Department

- # Parking Enforcement vehicle with flares and caution tape
- # Police property officer's Chevy Trailblazer with flares and caution tape
- # COPS Van
- # Ammunition: 400 rounds
- # Flares: 200
- # Gas Mask - 1 per officer
- # Personal protective/chemical suit – 1 per officer
- # Fire Extinguishers: 9
- # First Aid Kits: 8
- # Flashlights: 1 per officer
- # OC Spray: 12
- # Radios:
 - o 15 (12 Sabers, 8 HT 1000, 3 Ericsson, 4 ICOM for CERT/NW)
- # Latex Gloves: 2 boxes of 50
- # Flex Cuffs: 100

Public Works

- # Chevy Pick Up
- # Dump Truck
- # F350 Pick Up

Mount Rainier Police Department

GENERAL ORDER

	TITLE: Emergency Call-Up/Alert Procedures	NUMBER: 948.0
	EFFECTIVE DATE: February 1, 2009	REVIEW DATE: January 1, 2011
	Authority: Chief Michael E. Scott	Accreditation Standards: N/A

This General Order consists of the following numbered sections:

- I. Purpose
- II. Policy
- III. MRPD Alert Levels
- IV. Homeland Security Alert Levels
- V. Employee Health and Welfare

I. Purpose

The purpose of this General Order is to establish procedures for the emergency call-up/alert of the officers and employees of the Mount Rainier Police Department.

II. Policy

It shall be the policy of the Mount Rainier Police Department to respond to changes in the National Threat Level as established by the Department of Homeland Security. Department personnel will be notified in times of emergencies that may affect the City in the manner set forth below, based on the decision of the Chief of Police or the Chief's designee. The corresponding alert level for Homeland Security is also indicated.

III. MRPD Alert Levels

A. State of Readiness; Homeland Security level = **Yellow**

The potential for a mobilization of the Department exists. All personnel that will not be able to be contacted through normal channels for three (3) hours or more must provide communications a telephone number where they can be reached.

B. Yellow Alert; Homeland Security level = **Orange**

The situation indicates mobilization of the Department may be necessary. The location of all affected officers and employees must be known by his/her family or communications, and he/she must be able to report for duty within one hour after notification.

C. Tactical Alert; Homeland Security level = **Orange**

An emergency is imminent and off-duty personnel will be needed. All affected officers and employees will be notified via telephone, or by whatever means necessary, that their services are required and they will report for duty immediately.

D. Red Alert; Homeland Security level = **Red**

An emergency exists and is one of major proportion. All affected personnel are required to report for duty. If tactical alert procedures have not been instituted, they must be at this time.

Emergency Call-Up/Alert Procedures 948.00

IV. Homeland Security Alert Levels

Homeland Security Advisory System (HSAS) -- Guidance for Federal Departments and Agencies

Low Condition# Green

Low risk of terrorist attacks. The following protective measures may be applied:

- # Refining and exercising preplanned protective measures
- # Ensuring personnel receive training on HSAS, departmental, or agency-specific protective measures; and
- # Regularly assessing facilities for vulnerabilities and taking measures to reduce them.

Guarded Condition # Blue

General risk of terrorist attack. In addition to the previously outlined protective measures, the following may be applied:

- # Ensuring integrity of communications with designated emergency response or command locations;
- # Reviewing and updating emergency response procedures; and
- # Providing the public with necessary information.

Elevated Condition# Yellow

Significant risk of terrorist attacks. In addition to the previously outlined protective measures, the following may be applied:

- # Increasing surveillance of critical locations;
- # Coordinating emergency plans with nearby jurisdictions;
- # Assessing further refinement of protective measures within the context of the current threat information; and
- # Implementing, as appropriate, contingency and emergency response plans.

High Condition# Orange

High risk of terrorist attacks. In addition to the previously outlined protective measures, the following may be applied:

- # Coordinating necessary security efforts with armed forces or other law enforcement agencies;
- # Taking additional precautions at public events;
- # Preparing to work at an alternate site or with a dispersed workforce; and, restricting access to essential personnel only.

Severe Condition# Red

Severe risk of terrorist attacks. In addition to the previously outlined protective measures, the following may be applied:

- # Assigning emergency response personnel and pre-positioning specially trained teams;
- # Monitoring, redirecting or constraining transportation systems;
- # Closing public and government facilities; and
- # Increasing or redirecting personnel to address critical emergency needs.

V. Employee Health and Welfare

1. In order to insure that personal needs are met, all personnel are to prepare and maintain a personal hygiene kit that will sustain your personal needs for a three (3) day stay at work. Additionally, all officers are to have at least one clean uniform of the day available at the station at all times.

Kit Requirements:

Towel
 Shaving items
 Soap/Shampoo
 Change of under garment
 Socks
 Toothbrush/Toothpaste
 Comb/brush
 Blanket
 Medications

Optional

Change of civilian clothes
 Pillow
 Sleeping bag
 Cot/Air Mattress

2. Employees should insure that family members' needs are attended to in case of emergency. While these measures are not intended to be inclusive of all needs, it is thought that while the employees is working or called in it will ease needs in case of emergency.
 - # Have extra batteries on hand to power flashlights, TV, radio, etc.
 - # Have at least a five-day supply of food, water, and other necessities on hand.
 - # Make sure you have enough prescription drugs on hand to last through the target period.
 - # Top off all gas or oil tanks.
 - # Avoid unnecessary travel to conserve fuel.
 - # Employ a buddy system with a relative, friend or neighbor to check on your family through cellular telephone if the telephone system is out of service.
 - # Stay in touch with work and family.
 - # Possibly a generator with extra fuel to power home.
 - # Cellular phone or two-way radio, charged.

Establish an evacuation plan and know where family members will go in case the family home must be abandoned.

Revised and Re-issued: 2/1/09

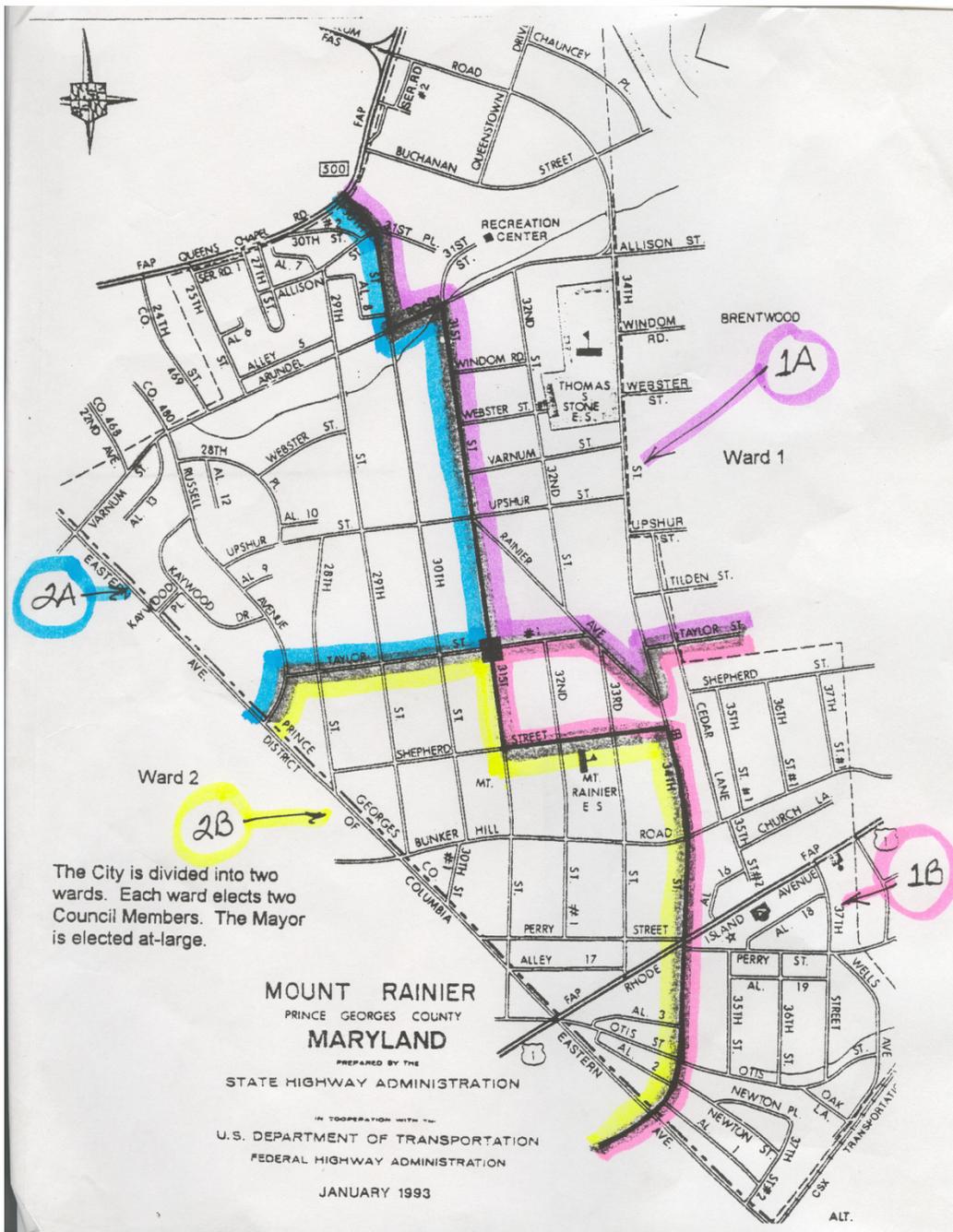
End of Document

Appendix "E" City Evacuation Plan

In case of an emergency incident requiring the evacuation of all or part of the City of Mount Rainier:

Residents living in Team Policing Areas 1A and 2A should evacuate the City via Northwest routes to Queens Chapel Road; then North on Queens Chapel Road to East West Highway (MD 410); then East to RT 1; then North on RT 1 to the Capital Beltway (RT 495) to points north.

Residents living in Team Policing Areas 1B and 2B should evacuate the City via Northwest routes to Rhode Island Avenue (RT 1); then North on Rhode Island Avenue to the Capital Beltway (RT 495) to points north.



Field Inspection Form 2016.pdf

CITY OF MOUNT RAINIER POLICE DEPARTMENT FIELD INSPECTION FORM

Date: _____ Time: _____

Name: _____ ID#: _____ Tour: _____

Supervisor: _____ Inspected By: _____ #

	PASS	FAIL		PASS	FAIL
Of cer:			Vehicle:		
Personal Appearance	_____	_____	Vehicle Type	_____	_____
Handcuffs	_____	_____	Vehicle Number	_____	_____
Uniform Appearance	_____	_____	Exterior Cleanliness	_____	_____
Pepper Spray	_____	_____	Interior Cleanliness	_____	_____
Preparedness	_____	_____	Serviced	_____	_____
Weapon	_____	_____	Emergency Equipment	_____	_____
Job Attitude	_____	_____	First Aid Kit	_____	_____
Ammunition	_____	_____	Spare Tire	_____	_____
			Tire Jack	_____	_____
			Tires	_____	_____ #

Comments: _____

Distribution:

Of cer: _____

Supervisor: _____

Chief: _____

Diabetic Officer Compliance Certification.pdf

Mount Rainier Police Department

Diabetic Officer Certification of Compliance

I, _____, do certify that during the month of _____, 20____, I was in compliance with General Order 306.00, including protocol while on duty which requires monitoring of blood glucose concentrations.

I further certify that my blood glucose concentrations are within the established limits.

Officer Date

Witness/Supervisor Date

TASER Use Report.pdf



?

SUPERVISORY TASER USE REPORT

Date/Time: _____ TASER Officer's Name: _____

E-mail: _____ Department: _____

Dept Address: _____ Phone: _____

On Scene Supervisor: _____ Officer(s) Involved: _____

TASER® Model (check one): ___ TASER X26 ___ ADVANCED TASER M26

If an ADVANCED TASER M26 Was Used, What Battery Type: ___ Alkaline ___ NiMH Rechargeable

TASER Cartridge Type(s): ___ 21-ft Standard ___ 21-ft XP ___ 25-ft Standard ___ 25-ft XP
___ 35-ft XP ___ 15-ft

TASER Serial #: _____ Medical Facility: _____ Doctor: _____

Nature of the Call or Incident: _____ Charges: _____ Booked: Y/N

Type of Subject: ___ Human ___ Animal

Location of Incident: () Indoor () Outdoor () Jail () Hospital

Type of Force Used (Check all that apply): () Physical () Baton () Impact Munition
() Chemical () Fire arm

Nature of the Injuries and Medical Treatment Required: _____

Admitted to Hospital for Injuries: Y/N Admitted to Hospital for Psychiatric: Y/N

Medical Exam: Y/N Suspect Under the influence: Alcohol/Drugs (specify): _____

Was an officer/law enforcement employee injured other than by TASER? Y/N

Incident Type (circle appropriate response(s) below):

Civil Disturbance Suicidal Suicide by Cop Violent Suspect Barricaded Warrant Other

Age: _____ Sex: _____ Height: _____ Race: _____ Weight: _____

Was a TASER CAM in use? Y/N

TASER use (circle one): Success / Failure Suspect wearing heaving or loose clothes: Y/N

Number of cartridges fired: _____ Number of cycles applied: _____

Usage (check one): () Arc Display Only () Laser Display Only () TASER Application

TASER: Is this a dart probe contact: Y/N Is this a drive stun contact: Y/N

Approximate target distance at the time of the dart launch: _____ feet

Distance between the two probes: _____ inches Need for an additional shot? Y/N

Did dart contacts penetrate the subject's skin? Y/N Probes removed on scene: Y/N

Did TASER application cause injury: Y/N If yes, was the subject treated for the injury: Y/N

DESCRIPTION OF INJURY:

APPLICATION AREAS

(Place "X's" where probes hit suspect AND "O's" where stunned)

SYNOPSIS:

Need for additional applications? Y/N Did the device respond satisfactorily? Y/N

If the TASER deployment was unsuccessful was a DRIVE STUN followup used? Y/N

Describe the subject's demeanor after the device was used or displayed?

Chemical Spray: Y/N

Baton or Blunt Instrument: Y/N

Authorized control holds: Y/N

If yes, what types: _____

Describe other means attempted to control the subject: _____

Photographs Taken: Y/N

Report Completed by:

ADDITIONAL INFORMATION

#

1. Save this file to your hard drive and for your department archives.

Mount Rainier Police Department Policy Manual

Policy Manual

INDEX

A

ACKNOWLEDGEMENTS

- Policy manual. 12
- Policy revisions. 12

ADMINISTRATIVE COMMUNICATIONS 31

ADMINISTRATIVE INVESTIGATIONS

- Racial or bias-based profiling. 76

ADMINISTRATIVE LEAVE

- Fitness for duty. 126

ANIMAL CONTROL 103

- Cruelty complaints. 104

- Nuisance calls. 105

- Strays. 105

APPOINTMENTS

- Training committee. 26

ARRESTS

- First amendment assemblies. 86

- Mass. 84

AUDIO/VIDEO RECORDING

- First amendment assemblies. 83

- Racial Profiling. 76

AUTHORITY

- Policy Manual. 9

B

BICYCLE PATROL 78

BODY PIERCIING 133

C

CHILDREN

- Report preparation. 61

CIVILIAN ATTIRE 142

COMMAND STAFF

- Policy review. 12

COMMUNICATIONS

- Foot pursuits. 45

COMMUNICATIONS CENTER, DOMESTIC

VIOLENCE DISPATCH ASSISTANCE 50

CONDUCT

- Fitness for duty. 125

CONFIDENTIALITY

- Fitness for duty. 125

CONTROL DEVICES

- First amendment assemblies. 85

COURT ORDERS

- Foreign verification of. 51

CUSTODIAN OF RECORDS

- Email. 29

D

DAILY TRAINING BULLETINS (DTBS) 27

DEATH

- Report preparation. 62

DEFINITIONS

- Terms used in policy manual. 9

DISASTER PLAN 23

DISCLAIMER 9

DISCRIMINATION

- Racial or bias-based profiling. 75

DOMESTIC VIOLENCE 47

E

ELECTRONIC MAIL 29

EMERGENCY OPERATIONS PLAN 23

EVIDENCE

- Seized recordings. 90

F

FIREARMS

- Retiree carry. 38

FIREARMS DISCHARGE

- Report preparation. 61

FIRST AMENDMENT ASSEMBLIES 82

FITNESS FOR DUTY 125

FOOT PURSUITS 41

G

GENERAL ORDER 22

GRIEVANCES

- Fitness for duty. 128

- Supervisor authority. 9

H

HATE CRIME 56

I

INJURED ANIMALS 105

L

LARGE SCALE EMERGENCY 23

Mount Rainier Police Department

Policy Manual

M

MEDIA

First amendment assemblies. 86

MEMORANDUM 31

MISSING PERSONS

Report preparation. 61

MOBILE AUDIO/VIDEO (MAV)

Racial or bias-based profiling. 76

MODIFIED-DUTY ASSIGNMENTS 144

MODIFIED-DUTY ASSIGNMENTS 146

MOURNING BAND 140

MUTUAL AID

First amendment assemblies. 85

N

NATIVE AMERICAN GRAVES 67

O

OATH OF OFFICE 8

OFFICER SAFETY

LEOSA. 38

OFFICER-INVOLVED SHOOTING (OIS)

Fitness for duty. 126

OVERTIME

Limitation on hours worked. 127

P

PAYROLL RECORDS

Limitation on hours worked. 127

PERSONAL APPEARANCE STANDARDS 131

PHOTOGRAPHS

First amendment assemblies. 83

POLICY MANUAL 9

PREA 112

PRISON RAPE ELIMINATION ACT (PREA) 112

PRIVACY EXPECTATIONS

Email. 29

PUBLIC RECORDING OF LAW ENFORCEMENT

ACTIVITY 88

R

RACIAL OR BIAS-BASED PROFILING 75

RECORDS RETENTION

Email. 29

REPORT PREPARATION 59

RETIREE CONCEALED FIREARMS 38

REVIEWS

Incident review - training. 26

MAV recordings. 76

Policy manual. 12

Public records on social media. 71

Racial or bias-based profiling - annual. 77

Report preparation. 63

Training plan. 25

S

SAFETY

Fitness for duty. 125

SAFETY EQUIPMENT

First amendment assemblies. 84

SEAT BELTS 123

SECONDARY TO USE OF FORCE

Use of Force Review Boards. 36

SERVICE ANIMALS 64

SOCIAL MEDIA 69

First amendment assemblies. 86

T

TRAINING 25

First amendment assemblies. 87

Racial or bias-based profiling. 77

Social media. 72

TRAINING

PREA. 120

TRAINING, BICYCLE PATROL 81

TRANSPORTING PRISONERS 124

U

UNIFORMS

Specialized assignment uniform. 142

UNIFORMS 137

Civilian attire. 142

Class B uniform. 141

Class C uniform. 141

UNLAWFUL ASSEMBLY 85

USE OF FORCE

First amendment assemblies. 85

USE OF SOCIAL MEDIA 69

V

VICTIM AND WITNESS ASSISTANCE,

DOMESTIC VIOLENCE VICTIM ASSISTANCE

. 50