

Office of the Sheriff
Somerset County, Maryland

General Order: 01-14-19

Effective Date: September 1, 2014

Revised Date: June 1, 2014

Chapter 18
Section 1
K-9

1. Policy
 - A. It is the policy of the Sheriff's Office that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

2. Canine Coordinator
 - A. The Sheriff shall delegate certain responsibilities to a Canine Coordinator. The Canine Coordinator shall be appointed by and is directly responsible to the Operations Section Commander or the authorized designee.
 - B. The responsibilities of the Canine Coordinator include, but are not limited to:
 - 1) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program,
 - 2) Maintaining liaison with command staff and functional supervisors,
 - 3) Maintaining liaison with other agency Canine Coordinators,
 - 4) Maintaining accurate records to document canine activities,
 - 5) Recommending and overseeing the procurement of equipment and services.
 - 6) Scheduling all canine-related activities, and or
 - 7) Ensuring the canine teams are scheduled for continuous training to maximize their capabilities.

3. Requests for Canine Teams
 - A. Members within the Office are encouraged to freely make use of a canine. Requests for a canine team shall go through the Canine Coordinator.

4. Outside Agency Request

- A. The Canine Coordinator must approve all requests for canine assistance from outside agencies, subject to the following provisions:
 - 1) Canine teams shall not be used for any assignment that is not consistent with this policy;
 - 2) The handler shall have the ultimate authority to decline the use of the canine for any specific assignment;
 - 3) Calling out canine teams that are off-duty is discouraged;
 - 4) It shall be the responsibility of the canine handler to coordinate with outside agency personnel in order to minimize the risk of unintended injury, and or
 - 5) It is the responsibility of the canine handler to complete all necessary reports or as directed.

5. Controlled Dangerous Substance Detection

- A. A canine trained in the detection of controlled dangerous substances (CDS) may be used in accordance with current law and under certain circumstances, including:
 - 1) The search of vehicles, buildings, bags and other articles;
 - 2) Assisting in the search for CDS during a search warrant service, or
 - 3) Obtaining a search warrant by using the CDS-detection trained canine in support of probable cause.
- B. A CDS-detection trained canine will not be used to search a person for CDS unless the canine is trained to passively indicate the presence of CDS.

6. Handler Selection and Responsibility

- A. The handler shall be available for callout under conditions specified by the Canine Coordinator.

B. Handler Selection

The minimum qualifications for the assignment of canine handler include:

- a) A deputy who is currently off entry-level probation.
- b) Lives within Somerset County.
- c) Agree to be assigned to the position for a minimum of three years.

C. Care for the Canine and Equipment

The handler is responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The handler will be responsible for the following:

- 1) Unless required by a particular application, the handler shall not expose the canine to any foreseeable or unreasonable risk of harm.

- 2) The handler shall maintain all Office equipment under his/her control in a clean and serviceable condition.
- 3) Handlers shall permit the Canine Coordinator to conduct spontaneous on-site inspections of affected areas of their residence as well as the canine vehicle, to verify that conditions and equipment conform to this policy.
- 4) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the Canine Coordinator as soon as possible.
- 5) When off-duty, the canine shall be in a kennel provided by the SCSO at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- 6) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- 7) Under no circumstances will the canine be lodged at another location unless approved by the Canine Coordinator.
- 8) When off-duty, the handler shall not involve the canine in any activity or conduct unless approved in advance by the Canine Coordinator.
- 9) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the Canine Coordinator so that appropriate arrangements can be made.

7. Canine in Public Areas

- A. The canine shall be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.
 - 1) A canine shall not be left unattended in any area to which the public may have access.
 - 2) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the dog. The handler shall also ensure that the unattended vehicle remains habitable for the canine.

8. Availability

- A. The canine handler shall be available for callout under conditions specified by the Canine Coordinator.

9. Bite or Other Injury

- A. Any time a Somerset County Sheriff's Office canine is used and a bite or other injury is inflicted, an incident report shall be submitted.
- B. The handler will immediately notify the Chief Deputy of the incident.
- C. Detailed incident reports shall be submitted containing a summary of the incident, including date, time, location, suspect information, and nature of incident.
- D. If a bite is inflicted, a Somerset County Health Department bite report will be completed. A copy of this form will be included in the canines medical records.

10. Canine Injury and Medical Care

- A. In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the Canine Coordinator as soon as practicable and appropriately documented.
- B. All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

11. Training

- A. Before assignment in the field, each canine team shall be trained and certified for the detection of CDS to meet current nationally recognized standards or other recognized and approved certification standards established for this particular skill.
- B. The Canine Coordinator shall be responsible for scheduling periodic training for all office members in order to familiarize them with how to conduct themselves in the presence of office canines.

12. Continued Training

- A. Each canine team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:
 - 1) Canine teams shall receive training as required by state law and the standards set by the Maryland State Police.
 - 2) Canine handlers are encouraged to engage in additional training with approval of the Canine Coordinator.
 - 3) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by the SCSO.
 - 4) All canine training shall be conducted while on-duty unless otherwise approved by the Canine Coordinator or the Chief Deputy.

13. Failure to Successfully Complete Training

- A. Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

14. Training Records

- A. All canine training records shall be maintained in the handler's training file.

15. Training Aids

- A. Training aids are required to effectively train and maintain the skills of canines and can also provide effective training for SCSO members and the public.
- B. All deputies acting in the performance of their official duties and any person working under their immediate direction, supervision or instruction can make use of CDS while providing CDS-detection canine training.
- C. The Sheriff or the authorized designee may authorize a member to seek a court order to allow CDS to be possessed by the member, or a CDS-detection canine trainer who is working under the direction of this office for training purposes, provided:
 - 1) The CDS is no longer needed as criminal evidence.
 - 2) The member or trainer receiving the CDS, if required by the Drug Enforcement Administration (DEA), possesses a current and valid DEA registration that specifically authorizes the recipient to possess CDS while providing CDS-detection canine training.

As an alternative, the Sheriff or the authorized designee may request CDS training aids while providing CDS-detection canine training from the DEA by filling out the DEA-225 form available on the DEA's website.

These procedures are not required if the canine handler uses commercially available synthetic substances that are not CDS.

16. Controlled Dangerous Substance Procedures

Due to the responsibilities and liabilities involved with possessing readily usable amounts of CDS and the ever-present danger of the canine's accidental ingestion of CDS, the following procedures shall be strictly followed:

- A. All CDS training samples shall be acquired from the Property Section or from an outside agency authorized to provide CDS training samples. All CDS training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.

- B. The weight and test results shall be recorded and maintained by this office.
- C. Any person receiving CDS training samples pursuant to court order shall maintain custody and control of the CDS and shall keep records regarding any loss of, or damage to, the CDS.
- D. All CDS training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the Canine Coordinator with a copy forwarded to the dispensing agency.
- E. All CDS training samples will be stored in locked airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle or stored in a locked evidence locker. There are no exceptions to this procedure.
- F. The Canine Coordinator shall periodically inspect every CDS training sample for damage or tampering and take any appropriate action.
- G. Any unusable CDS training samples shall be returned to the Property Section or to the dispensing agency.
- H. All CDS training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

17. Licensing

- A. The SCSO will ensure that all canines are licensed by the Maryland State Police prior to being used for law enforcement operations. The canine ID tag issued by the MSP shall be attached to the canine's collar and kept on the licensed canine at all times, except when the canine is confined in a kennel or is under the personal charge of the handler. Any change in a canine's handler requires notification to the Maryland Department of State Police. (Md. Code Pub. Safety Art. § 2-313).
- B. Missing ID tags shall be replaced as soon as practicable.

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Section 2

Racial, Religious and Ethnic Violence

1. Introduction

Racial, religious, ethnic hatred incidents such as cross burnings or painting of swastikas or slogans, and incidents relating to the sexual orientation of an individual or group, warrant thorough police attention. It is important to investigate such acts in order to stop further incidents and threats of violence, and to assuage the citizens' fear of repeated harassment.

2. Policy

The Somerset County Sheriff's Office will promptly respond to, investigate, and file an appropriate report on all complaints where there is an indication that motivation for the incident was based upon the victim's religion, race, ethnic background or sexual orientation regardless of whether or not a crime was actually committed. Further, Somerset County Sheriff's Office personnel will display sensitivity to the concerns of the affected group or individual.

3. Procedures

- A. When it is determined that an incident has occurred where the motivation was based upon an individual's or group's religion, race, ethnic background or sexual orientation, a Deputy will be dispatched promptly to the scene.
- B. Upon verifying the nature of the incident, the Deputy shall request a supervisor respond.
- C. The Sheriff or his designee will visit or telephone the victim the day after the incident occurred.
- D. Every effort should be made to assure the victim the incident will be fully investigated.

- E. Immediately following contact with the victim, arrangements will be made to assign the case to the Criminal Investigation Section for inquiry and follow-up.
- F. The investigation, in addition to normal collection of evidence, should concentrate on determining if this incident is part of a continuing pattern against the victim or neighborhood and/or related to organized group activity.
- G. The Maryland Human Resources Commission by law receives notice of all such incidents reported to police. Further, they are in contact with the minority community and receive information that is not always reported to Police by the victim. The local Human Relations Committee representative will be contacted as an investigative resource before any assessment of solvability or closure is made.
- H. Prior to any case being closed without an arrest, the victim will be contacted to determine if any further incidents of harassment have occurred and to be made aware of the progress of the investigation. If, after supervisory review, it is determined that the case will be administratively closed for lack of evidence, the victim will be so advised.
- I. Patrol checks will be instituted in the area the incident occurred for 60 days unless it is determined that such patrol checks will interfere with the investigation.
- J. If the incident involves fire, such as in a cross burning, it should be referred to the Office of the State Fire Marshall (OSFM), as with any other fire investigation. The scene should be secured until the investigator(s) from the Office of the State Fire Marshall arrive.

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Section 3

Handling Emergency Calls

1. Policy

- A. The initial contact with the complainant is critical in determining the response of the Deputy in an emergency situation. In a suspected emergency, the Deputy should be altered as soon as possible.
- B. It is the policy of the Somerset County Sheriff's Office to be prepared to respond to any emergency where a citizen will potentially incur injury or is in a life threatening situation.

2. Procedure

- A. When Somerset County Sheriff's Office personnel receive a call requesting a Deputy's service, the personnel will ascertain the nature of the complaint. Furthermore, personnel will ascertain whether a Deputy is needed immediately. To assist in determining the response, the following information will be obtained:
 - 1) Is the incident in progress?
 - 2) Is a weapon involved?
 - 3) Are there any injuries?
 - 4) Location of the incident?

3. Emergency Call

- A. After Sheriff's Office personnel determines an emergency exists, the following should occur:
 - 1) Advise the complainant/victim to remain on the telephone and that a Deputy will be responding.

- 2) Immediately notify Sheriff's Office Deputies and shift supervisor of the complaint.
- 3) Provide responding Deputies of any additional information received.

4. Life and Death Emergencies

- A. Those instances in which the presence of a Deputy may actually save a life.
 - 1) A Deputy has called for assistance.
 - 2) Felony in progress.
 - 3) Aggravated assaults in progress.
 - 4) Suicide
 - 5) Personal injury motor vehicle accident.
 - 6) Hostage situation.
 - 7) Domestic Violence.
 - 8) Explosive device located.

5. Supervisors

All emergency calls will be brought to the attention of the Sheriff and shift supervisors.

6. Telephone Demeanor

- A. Somerset County Sheriff's Office personnel will answer telephone call in a calm and courteous voice.
- B. Each call will be answered promptly.
- C. When talking to an individual, Sheriff's Office personnel will be reassure the caller of prompt action.

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Section 4

Patrol Duties

1. Responsibility

- A. The Somerset County Sheriff's Office is charged with safeguarding the lives within Somerset County, protecting property, and assisting in securing to all persons equal protection of the law. The policies, procedures and regulations described within this manual are for Somerset County Sheriff's Office use only and do not apply in any criminal or civil proceeding.
- B. Somerset County Sheriff's Office policy, procedures and regulations should not be construed as creation of higher legal standards of safety and care in evidentiary sense with respect to third party claims.
- C. Violations of these policies, procedures and regulations will only form the basis for administrative proceedings, higher level of training, and/or new policy guidelines. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.
- D. To meet these responsibilities, the Somerset County Sheriff's Office is committed to:
 - 1) Preserving the public peace.
 - 2) Deterring and preventing the commission of crimes.
 - 3) Enforcing the laws and ordinances of the State and Somerset County.
 - 4) Arresting law breakers.
 - 5) Preserving order at public places.
 - 6) Maintaining the safe and orderly flow of traffic on public roads.
 - 7) Assisting other law enforcement agencies in carrying out their duties.
 - 8) Serving all civil and court related papers.
- E. To enable them to perform their sworn duties, Deputies have been given and will exercise full police authority on land and water within the limits of Somerset County.

- F. The Somerset County Sheriff's Office will enforce the vehicle laws throughout Somerset County except:
 - 1) On private community owned roadways with access restricted exclusively to community members, unless specifically requested to enforce the provisions of the Transportation Article pertaining to accidents, the duty give information and render aid, and the furnishing of required accident reports.
 - 2) Upon request, proper enforcement will be taken for violations dealing with reckless and negligent driving endangering the safety of persons or property, driving while intoxicated or while driving ability is impaired by consumption of alcohol or under the influence of drugs.
 - 3) Fleeing of attempting to elude a police officer.
- G. The duties and powers of the Somerset County Sheriff's Office, with respect to the enforcement of law, are concurrent with similar duties and powers conferred by law upon other law enforcement agencies in their respective jurisdictions.

2. Supervisors

- A. Supervisors will actively oversee the performance of their subordinates to ensure compliance with Somerset County Sheriff's Office procedures and policies. When assigned a shift, the supervisor will actively manage its operation.
- B. A supervisor's function is to direct the works of others. His/her effectiveness is based on the performance of the persons he/she supervises.
- C. A supervisor will:
 - 1) Be a leader.
 - 2) Be aware of the morale of those supervised.
 - 3) Influence and motivate those supervised relative to the quantity and quality of their work.

3. Investigators

Personnel assigned to plainclothes duties will be responsible for the prompt and proper conduct of investigations assigned to them and the implementation of proper police action relative to all matters within the jurisdiction of the Somerset County Sheriff's Office.

4. Deputies

Deputies will be responsible for prompt and proper action in all police matters and the rendering of prompt and courteous service in the manner prescribed by the rules, polices and procedures of the Somerset County Sheriff's Office. In the absence of written directives covering specific situations, a Deputy is expected to exercise proper and reasonable judgment in the performance of his/her duties.

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Chapter 18
Section 5
Traffic Collision investigations

1. Purposes

- A. The proper investigation of traffic collisions provides the basis on which effective traffic control and collision prevention programs are instituted. The purposes of collision investigation are as follows:
- 1) To determine the causes, times and places of collision-causing violations so that appropriate selective enforcement action may be implemented.
 - 2) To protect the rights of the individuals involved.
 - 3) To obtain data that will aid in improving driver education programs.
 - 4) To obtain data for traffic control and highway engineering improvements.

2. Policy

- A. The SCSO will investigate the following types of traffic collisions:
- 1) Fatal collisions.
 - 2) Personal injury collisions.
 - 3) Collisions resulting in placement of charges specifically relating to the cause of that particular collision.
 - 4) Hit and run collisions when a witness exists, when a description or partial description of the striking vehicle is available, or when physical evidence exists as a basis for possibly identifying the striking vehicle.
 - 5) Collisions involving government-owned property, regardless of the level of government.
 - 6) Collisions involving any school bus, when the bus is being used to transport children, students, or teachers for educational purposes or in connection with any school activity.

- 7) Collisions involving any vehicle transporting hazardous material. Hazardous material is defined as any substance or material classified as "hazardous" in the Emergency Handling of Hazardous Materials in Surface Transportation Handbook.
 - 8) Property damage collisions when a vehicle becomes so disabled as to prevent its normal and safe operation, except property damage collisions occurring on a public or private parking lot or other private property regardless of the extent of damage.
 - 9) Notwithstanding the restrictions imposed elsewhere in this subsection on the investigation of traffic collisions, police employees will investigate any motor vehicle collision if requested to do so by the owner or operator of any vehicle involved, provided the collision is reported in a timely fashion and if the circumstances of the collision are such that a reasonable investigation can be conducted.
- B. When responding to the scene of a collision where an investigation is not necessary:
- 1) Deputies will check to ensure that all operators of vehicles involved possess a valid drivers' license and valid vehicle registration.
 - 2) Deputies may place appropriate charges as a result of observing or witnessing violations not related to the cause of that particular collision.
 - 3) Deputies will notify owners/custodians of any property damaged as a result of a collision and will provide the owner with information regarding the severity of the damage and any pertinent information regarding the striking vehicle and its operator.
 - 4) Deputies will expeditiously ensure that the free flow of traffic is restored before leaving the scene.
 - 5) Deputies will not determine fault in non-investigated (i.e. Code 89) collisions.

3. Procedures

- A. For many people involved in a traffic collision, it is his/her first contact with the police. Deputies are in a position to provide assistance and other necessary services. The manner in which the Deputy conducts the investigation will determine the person's attitude toward the Deputy and the SCSO.
- B. Upon being informed of a collision, the Supervisor or Deputy is in a position to secure and properly record information which will serve as the basis for appropriate action. Examples of information that should be obtained from the caller are:
 - 1) Name, address, and phone number of the caller
 - 2) Exact location of the collision
 - 3) Severity of the collision
 - 4) Number of vehicles involved and whether drivers are at the scene
 - 5) Traffic conditions

- 6) Need for Fire and Rescue services
 - 7) Need for other emergency services.
- C. Based on the information available, the urgency and severity of the collision will dictate the operational procedures to be followed to secure the needed services for the Deputy investigating the collision such as:
- 1) Dispatching additional patrol units to assist in traffic control, care of the injured, etc.
 - 2) Fire and Rescue services
 - 3) Clergy
 - 4) Medical Examiner
 - 5) Tow truck and other recovery equipment
 - 6) Public utility companies
 - 7) State Highway Administration
- D. Information regarding the location and phone numbers of all agencies which might provide emergency service should be kept current and be available to the Shift Supervisor.
- E. Upon assignment to investigate a collision, Deputies should follow a procedure flexible enough to allow for variations which may be dictated by the nature and urgency of the emergency.
- 1) **Assignment** - Consistent with safety, the unit(s) responding to the collision scene should proceed to the scene as quickly as possible while exercising sound judgment.
 - 2) **Arrival** - The patrol vehicle should be parked where it will be safe and will not endanger the public. While parking the vehicle, the Deputy should observe and evaluate obvious conditions which may make exiting from the vehicle hazardous. He should be aware of fallen wires, fire hazards, hazardous locations, hazardous material and highway pavement conditions. Tire marks at the scene or on the shoulders may be evidence and should not be driven over or obliterated and thereby destroyed.
 - 3) **Care of Injured** - In order to make an intelligent effort to save a life or ease suffering, the Deputy should have a thorough knowledge of emergency care. The Deputy should not attempt to make a diagnosis, administer emergency care beyond their capabilities, or permit unskilled persons to move or treat injured persons.
 - 4) **Safeguard Property** - Prompt and positive action must be taken by the Deputy to safeguard property at the collision scene from theft or further damage, such as personal property of the injured or deceased and merchandise or equipment from vehicles, especially freight or cargo carriers.

5) **Safeguard the Collision Scene** - The Deputy must make a quick evaluation of the situation and take such preventive action as may be indicated.

Immediate needs that require prompt action are:

- a) Flares or traffic cones, when appropriate, to warn approaching traffic
- b) The rerouting of traffic
- c) The prevention of congestion to permit emergency vehicles to move freely and safely
- d) Emergency crews from utility companies
- e) State Highway Administration crews to spread sand or other materials over roadway surfaces made hazardous by spillage of oil, tar, fuel, etc., or by icy conditions.

F. The Deputy should be alert for potential dangers created by spilled gasoline or other flammable substances. They should recognize any factors which could further endanger the collision scene. Remedial action, dictated by the nature of the existing danger, should be taken and traffic should be controlled and directed until the hazardous condition is corrected.

4. Fundamentals of Collision Investigation

A. Having arrived at and safeguarded the scene and provided for the care and/or removal of the injured, the Deputy should make every effort to determine:

- 1) What happened,
- 2) How it happened,
- 3) Why it happened, and
- 4) Who is at fault?

B. This basic approach will establish cause, reconcile conflicting statements and provide evidence for prosecution.

C. It is important that the Deputy secure information to provide a complete, unbiased and accurate accounting of the collision. This can best be accomplished by carefully studying and employing the techniques and methods of interrogating and interviewing drivers and witnesses.

D. In a collision involving a commercial motor vehicle whenever a request for a post collision inspection is anticipated, Deputies will do the following:

- 1) Protect the vehicle to preserve the condition of its equipment and to prevent tampering.
- 2) Seize and retain all relative documents such as the driver's log book, medical card, driver's license, shipping papers, registration documents, etc. until personnel with the required commercial motor vehicle expertise arrive.

E. Drivers

- 1) Drivers are affected by various physical and emotional factors caused by the collision and the manner in which the Deputy conducts his questioning may create tension and anxiety.
- 2) The questioning should be courteous, objective and adaptable to the occasion.
- 3) Verify the driver's identity, ownership of the vehicle and the identity of any witnesses.
- 4) Drivers and witnesses should be interviewed as soon as possible. The answers will be more spontaneous and truthful and not colored by rationalization or counsel of others. Be alert for false reporting of information by persons involved.
- 5) Information based on observation of physical evidence or statements made by other drivers or witnesses will verify or disprove some opinions.

F. Witnesses

- 1) The Deputy must be alert to the reliability of the witness's information. Did the person actually observe something or is the information biased and influenced by prejudice or relationship?
- 2) The ideal witness is one who actually observed the accident.
- 3) Information secured from a witness should be in writing to support the Deputy's information when enforcement action is contemplated and for the completion of a thorough investigation.

G. Recording data, evidence and testimony about a collision shall be accomplished by the following basic method:

- 1) Completing the MAARS report form in its entirety,
- 2) Taking written statements of those involved and any witnesses
- 3) Taking photographs whenever it is deemed necessary and
- 4) Making diagrams and taking measurements at the scene.
- 5) Complete and accurate reports become a permanent record for parties and agencies. They provide the Deputy with complete factual data for purposes of testimony.
- 6) A proper collision investigation requires follow-up action and procedures. Fatal and hit-and-run collisions require subsequent activities and considerations not usually associated with minor property damage or personal injury collisions.

H. Fatal collisions

- 1) The possibility that a suicide, homicide or criminal negligence may be masked to look like a collision should not be overlooked. The assistance of an Advanced Collision Investigator, Collision Reconstruction Specialist and/or a criminal investigator may be useful in examining these issues.

- 2) Whenever possible, the body of a deceased should be left undisturbed at final rest position until the arrival of the Medical Examiner.
- 3) After notification is made to the Medical Examiner, there is no need to obstruct traffic or delay a railroad train for any longer period of time than is reasonable in order to await his arrival. (A reasonable length of time would be determined by the time, place and other circumstances of the collision.)
- 4) The investigating Deputy is responsible for the initiation of immediate and necessary action to insure prompt notification of the victim's next of kin. The notification of next of kin for a person injured and transported to a hospital will remain the responsibility of that hospital. However, the SCSO will provide family notification assistance to the extent possible, if so requested by the hospital.
- 5) Notification of death, whenever practicable, shall be made in person.
- 6) In all investigations involving the death of a member of the armed forces, notification will be made to the closest military facility of the branch of service to which the deceased was attached and the following information furnished:
 - a) Full name of deceased,
 - b) Rank of deceased,
 - c) Assigned unit and serial number,
 - d) Manner of death, and
 - e) Place where remains are being held.
- 7) The military authority so notified is responsible, dependent upon circumstances, for:
 - 8) Identification of the deceased,
 - 9) Notification of next of kin,
 - 10) Notification of the proper military authorities, and
 - 11) Arrangements for disposition of remains pursuant to such request from next of kin.
 - 12) Where the death of a member of the armed forces occurs from a collision investigated by the SCSO and the serviceman is on official leave and lives in Somerset County, notification procedures outlined under sub-section H paragraphs (5), should be followed.

I. Hit and Run Collisions

- 1) Upon arrival at the collision scene, determine if it is a hit and run collision.
- 2) A successful hit and run investigation may depend on the Deputy's initial effort to establish the identity of the vehicle and/or driver. The search must be done quickly and systematically if any degree of success is to be achieved.

- 3) Relay available information as soon as possible so that other patrol units may be alerted.
- 4) Search for physical evidence, question victim or witnesses and coordinate the activity of assisting patrols.
- 5) Determine if a criminal investigation is to be conducted in conjunction with the collision investigation.

5. Enforcement Action

- A. One of the duties of a Deputy is to protect life and property. Traffic collisions pose a very real threat to both and since collisions are frequently the result of a violation of the law, the Deputy must determine the cause and take appropriate enforcement action. Although it may be argued that the issuance of a traffic citation as a result of a collision is an "after the fact" action, enforcement of traffic laws is still the most effective way presently known to reduce the collision rate.
- B. Unless the Deputy witnessed the collision, evidence of a violation must be established by investigation. Mere opinion, belief or suspicion alone is not sufficient to warrant enforcement action.
- C. If the knowledge is based on information and belief, the Deputy must indicate the sources of information and the grounds for belief, such as statements and admissions made by the defendant to the Deputy.

6. Reporting Motor Vehicle Traffic Collisions

- A. Form 1, MAARS Report will be used to report all traffic collision investigations.
- B. In all collisions where there exists a fatality or a high probability of a fatality (life threatening injury) a Detailed Crash Investigation Report (DCIR) will be completed and submitted within 30 days after a collision or within 30 days after a death resulting from a collision.
- C. In all collisions where a commercial vehicle and/or hazardous material spill is involved, the Maryland State Police Commercial Vehicle Enforcement Division (CVED) will be notified in addition to other required notifications

7. Release of Motor Vehicle Accident Reports

- A. All original accident reports, Post-Crash Investigation reports, witness statements, supplements and detailed diagrams will be kept on file at the Somerset County Sheriff's Office. The Chief Deputy or his designee will process all requests for copies of accident reports in accordance with SCSO policy for photographs, detailed crash investigations reports (reconstruction reports), Post-Crash Investigation reports, multiple reports and other unique or special requests.

- B. Each copy of a Motor Vehicle Accident Report provided to the requester will be stamped "OFFICIAL" in red ink. The stamp must appear on the front of the collision report.
 - C. **A non-refundable document search fee of \$5.00 per copy will be charged for each Motor Vehicle Accident Report requested.**
 - D. The requestor shall submit a check or money order (NO CASH), payable to the SCSO. If additional copies are requested, the document search fee of \$4.00 per copy will be paid.
 - E. A maximum of two MAARS reports per person, per day, will be allowed.
8. Release of Juvenile Information on Motor Vehicle Accident Reports
- A. Under Maryland law a motor vehicle accident report is a police record. The identity of a juvenile driver or juvenile passenger (16 years of age or older) of a motor vehicle, will be kept confidential when, as the result of a motor vehicle crash, such persons are charged with an offense that provides for a penalty of incarceration. Their identity will also be kept confidential if they have charges pending or may be subsequently charged as the result of a continuing investigation, with an offense that provides for a penalty of incarceration.
 - B. The identity of juvenile drivers under the age of 16 will be kept confidential under all circumstances, regardless if charges of any type are placed or not placed against the driver.
 - C. The age, sex and city or county of residence of juveniles, whose identity must be kept confidential, is the only information which may be released and made available for review by the news media for:
 - 1) A juvenile driver under the age of 16 years; and
 - 2) A juvenile driver or passenger 16 years of age or older who has been, or may be, charged with an offense that has a penalty of incarceration.
 - D. Prior to making a copy of an accident report available to the news media, personnel will delete (blacken out) the following information on the copy of the accident report, to ensure that the identity of a juvenile, for whom the criteria in J. 1. and 2. above applies, is kept confidential:
 - 1) Name
 - 2) street address
 - 3) vehicle registration number (tag)
 - 4) driver's license number
 - 5) associated summons numbers
 - E. The identity of a juvenile for whom the criteria in J. 1. and 2. above does not apply, need not be kept confidential.

9. Investigation of a Life Threatening Injury and Fatal Motor Vehicle Collision

- A. Life threatening injury is defined as an injury which could result in the death of an individual. The determination of life threatening injury will be based on medical advice from those who have received advanced life saving training, (i.e. EMS personnel).
- B. In such cases:
 - 1) In addition to the Deputy assigned to the collision investigation, a supervisor, when available, should be assigned as the on-scene supervisor. In the absence of a supervisor, the senior on-duty Deputy with the highest level of crash investigation experience will respond to ensure compliance with SCSO policy and procedures.
 - 2) The Deputy assigned to the collision will conduct a comprehensive investigation. A DCIR will be completed within 30 calendar days of the incident in addition to any other required reports.
 - 3) The on-scene supervisor will ensure that proper investigative techniques are utilized in addition to the overall protection of life, property and evidence.
 - 4) At the Deputy's request, an Advanced Collision Investigator (ACI), when available, should respond to the scene to lend their expertise to the investigation. The ACI should assist the assigned investigator and/or act as the on-scene supervisor.
 - 5) A Collision Reconstruction Specialist (CRS) will respond to the scene of the collision involving death as well as when there are alcohol/drug-related crashes with a propensity for criminal prosecutions, commercial vehicle crashes and unusual crashes as the on-scene supervisor considers necessary.
 - 6) The Maryland State Police Commercial Vehicle Enforcement Division will be notified of all serious and fatal collisions involving a commercial motor vehicle.

10. Detailed Crash Investigation Reports (DCIRs)

- A. **REVIEW:** DCIRs will be forwarded through the chain of command for review and approval.
- B. **FILING:** DCIRs will be filed with the MAARS Reports and retained according to the retention schedule.

11. Chapter Revisions

- A. Effective September 1, 2014, General Order 01-14-19 supersedes General Order 01-10-19.

Robert N. Jones

Sheriff

Somerset County, Maryland