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"INTEGRITY...FAIRNESS...SERVICE"

SPECIAL ORDER #2016-05

DATE: October 12, 2016

TO: All Police Department Personnel. To be announced at Roll Call and a Copy Posted on the Department's intranet site.

RE: Line of Duty Death and Officer Involved Death Reporting.

EFFECTIVE: Immediately.

BACKGROUND: House Bill 954 (Deaths Involving a Law Enforcement Officer) was adopted into law during the 2015 Legislative Session of the Maryland General Assembly, and went into effect on July 1, 2015. The bill requires local law enforcement agencies to provide the Governor's Office of Crime Control and Prevention (GOCCP) with information regarding officer involved deaths and deaths of officers in the line of duty.

The bill tasked the GOCCP with adopting procedures for the collection and analysis of this data statewide, and requires that the GOCCP prepare a report containing these statistics on an annual basis. During 2016, the GOCCP released the Law Enforcement Reporting Guide for House Bill 954 (2015) Deaths Involving a Law Enforcement Officer. The reporting procedures established by the Department are based upon the definitions of officer involved death and line of duty death established in the GOCCP reporting guide and a definition contained in House Bill 954.

The GOCCP procedures require the preliminary reporting of individual incidents to the GOCCP within 48 hours of the incident, with more in-depth reporting required prior to March 1 of the year following the incident, so that it may be reported to the state. Per GOCCP's guidelines, all officer involved deaths involving a member of the Department, and deaths of Department officers in the line of duty, will be reported to the GOCCP by the Department, regardless of whether the incident occurred in another jurisdiction or required a multijurisdictional response.

PURPOSE: To establish procedures for the Department to report line of duty deaths and officer involved deaths to the GOCCP.

RELATIONSHIP TO DEPARTMENTAL VALUES: This project supports the Department's value of **SERVICE** by ensuring that our Department is compliant with legislation mandating the collection of data regarding line of duty deaths and officer involved deaths.

POLICY: It is the policy of the Baltimore County Police Department to collect information regarding officer involved deaths involving a member of the Department and deaths of Department officers in the line of duty and report it to the GOCCP.

PROCEDURES:

DEFINITIONS

- Law Enforcement Personnel - for the purpose of this policy, includes sworn members of a law enforcement agency, and private security officers performing duties as part of a contract with a law enforcement agency (e.g., prisoner transport officer, etc.)

SPECIAL ORDER #2016-05 (Continuation)

- Line of Duty Death - death of law enforcement personnel killed in the:
 1. Line of duty, or
 2. Course of law enforcement activities.
- Officer Involved Death - citizen death:
 1. Resulting from any use of force by state or local law enforcement personnel acting either on duty, or off duty in the capacity of a law enforcement officer.
 2. Caused by injuries sustained while attempting to elude state or local law enforcement personnel or injuries incurred after custody has been established.
 3. In cases of suicide, only when the suicide occurs while law enforcement is present at the scene.
 4. In cases of deaths as a result of drug overdose or medical condition, only when the fatal alcohol or other drug intoxications, or medical conditions (e.g., cardiac arrest, etc.) occurred while law enforcement was attempting to detain or arrest the subject.
 5. Occurring during the process of arrest by or in the custody of state or local law enforcement personnel.
 6. Occurring in the custody of state or local law enforcement personnel responding to a medical or mental health assistance or welfare call.
 7. That occur while confined in lockups or booking centers run by a Maryland law enforcement agency.
 8. Of bystanders when law enforcement is present and/or as the result of a law enforcement action.

REPORTING

- Is required for:
 1. Officer involved deaths.
 2. Line of duty deaths.
 3. Incidents meeting the definition of officer involved death or line of duty death, where the subject or the officer has not died, but is suffering from life threatening injuries.
- Is not required for:
 1. Deaths attributed to federal law enforcement personnel.
 2. Any inmate death that occurred in the custody of local jails (not run by a Maryland law enforcement agency), state prisons, state juvenile correctional facilities, or private correctional facilities.
 3. Any death of a criminal suspect that occurred before the decedent came into contact with law enforcement.
 4. Deaths of federal law enforcement personnel.

SHIFT/UNIT COMMANDER

- Notifies the Operations Captain and the Patrol Division Commander via e-mail within 24 hours of any incident for which his/her shift/unit has investigative responsibility that is reasonably believed to fit the definitions of a line of duty death or officer involved death and requires reporting.
- Forwards a PDF copy of the Incident Report or the Automated Crash Reporting System (ACRS) report to the Operations Captain and their division commander.
- Provides additional information not included in the Incident Report or ACRS report to the Operations Captain and/or the Patrol Division Commander, as needed.

OPERATIONS CAPTAIN

- Serves as the Department's coordinator for the GOCCP Line of Duty Death and Officer Involved Death reporting program.
- Notifies the GOCCP via phone or e-mail within 48 hours of a reportable incident.
NOTE: Specific details will not be requested from the GOCCP at the time of the initial report.

SPECIAL ORDER #2016-05 (Continuation)

- Forwards information to GOCCP for each reportable death, at the conclusion of the investigation or no later than February 1 of the year following the incident by:
 1. Completing a Form CJ11-MD, Deaths Involving a Law Enforcement Officer Report Form, or;
 2. Compiling a report using their own format, including the following information:
 - a. Primary agency.
 - b. Date and time of incident.
 - c. Age, gender, ethnicity, and race of the deceased, for officer involved deaths and line of duty deaths.
 - d. Age, gender, ethnicity, and race of officer(s) involved, for officer involved deaths.
 - e. Location of incident.
 - f. Narrative/summary of the incident.

NOTE: For cases where the initial investigation is not completed prior to February 1 of the year following the incident, the Operations Captain will indicate that the results are preliminary and the investigation is not yet complete.

- Forwards completed Forms CJ11-MD or alternate reports to the commander of the investigating bureau.
- Submits completed Forms CJ11-MD or alternate reports to the GOCCP at the conclusion of the investigation, or no later than March 1 of the year after the incident occurred, upon approval of the Chief of Police.
- Receives and responds to follow-up requests from GOCCP regarding officer involved deaths and line of duty deaths.

NOTE: These tasks will be completed by the Patrol Division Commander, in the absence of the Operations Captain.

COMMANDER OF THE INVESTIGATING BUREAU

- Notifies the Operations Captain and the Patrol Division Commander, when the investigation of a reportable incident is complete.
- Reviews completed Forms CJ11-MD or alternate reports, upon receipt from the Operations Captain.
- Forwards approved Forms CJ11-MD or alternate reports to the Office of the Chief for final approval.

CHIEF OF POLICE

- Approves or denies completed Forms CJ11-MD or alternate reports, upon receipt from the commander of the investigating bureau.
- Forwards approved Forms CJ11-MD or alternate reports to the Operations Captain for submission to the GOCCP.

IMPLEMENTATION: This Special Order will be distributed electronically to all Department members. Shift/Unit supervisors will be responsible for the referencing of this Special Order.

By order of,

James W. Johnson
Chief of Police