



**Baltimore County Sheriff's Office  
Towson, Maryland**

**Sheriff  
R. Jay Fisher**

**General Order**

|   |                                 |                      |
|---|---------------------------------|----------------------|
| <b>Subject:</b><br>Authority of the Sheriff,<br>Command Structure | <b>Effective Date</b><br>2/4/08 | <b>Number</b><br>A-1 |
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**Purpose:** The purpose of this directive is to formally define the authority and the Office of the Sheriff for Baltimore County.

**Contents:**

- I. Authority**
- II. Jurisdiction**
- III. Service of Writs**
- IV. Execution of Attachments**
- V. Command Structure**

**I. Authority**

The authority and responsibilities of the Office of the Sheriff are established by common law, statutory enactment and judicial rules.

- A.** The Constitution of Maryland, Article IV, Section 44 establishes the office of an elected Sheriff in each county and Baltimore City. The duties of the Sheriff are those prescribed by the common law, the enactments of the Maryland General Assembly, and the rules of the Court of Appeals of Maryland.
  - 1.** Duties and responsibilities of the Sheriff's Office include, but are not limited to the following:
    - a.** Preserve the peace and maintain public safety.
    - b.** General law enforcement.
    - c.** Arrest and commit to jail, felons and other violators of statutory or common law.
    - d.** Execute legal process as directed.
    - e.** Attend trial courts of record and preserve the peace within the courthouse and courtrooms.
    - f.** Custody and transportation of prisoners.
    - g.** Insure prisoner appearance at trial.
    - h.** Execute and carry out the mandates, orders and directions of the courts.
    - i.** Apprehend fugitives.
    - j.** Participate in law enforcement task force operations with local, state and federal agencies.
    - k.** Deploy with area police departments during natural disasters and declared states of public emergency.
    - l.** Deploy canine teams trained in explosive detection.
    - m.** Provide domestic violence civil and criminal intervention.
    - n.** Collection of fees and penalties.

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- B. The Maryland Code, Criminal Law Article § 4-203, authorizes sworn deputy sheriffs to carry handguns in the performance of their duties.
- C. The policies of the Sheriff's Office regarding the use of weapons or any use of force are predicated on the authority granted by number legal mandates, including:
  - 1. The United States Constitution, Fourth Amendment, Search and Seizure.
  - 2. The Maryland Constitution, Article 24, Due Process.
  - 3. Maryland Police and Correctional Training Commissions, General Police Powers, Force in Making Arrest.
  - 4. Court Decisions, including, but not limited to, Tennessee v. Garner, 471, U.S. 1 (1985).
- D. Prior to assuming sworn status, each deputy must take and subsequently abide by the Oath of Office as administered by the Clerk of the Circuit Court.
- E. Only those deputies who have taken the Oath of Office and have met the Maryland law enforcement certification requirements as established by the Maryland Police and Corrections Training Commission (MPCTC) shall have the powers of their office and of arrest.
- F. Employees who have been assigned responsibility also have the requisite authority, delegated by the Sheriff, to make decisions necessary for the effective execution of those responsibilities. Each employee is fully accountable for the use of delegated authority, as well as for failure to use it.

### **II. Jurisdiction**

- A. A Sheriff's jurisdiction is defined as the county in which the Sheriff is elected and is referred to as a "bailiwick". The geographical jurisdiction of the Sheriff of Baltimore County is depicted on the various Baltimore County street maps posted throughout the Sheriff's Office.
- B. The Sheriff and the Sheriff's deputies have the authority to serve certain types of process (i.e. summonses and subpoenas) in other Maryland counties as stated in the Annotated Code of Maryland, "*Courts and Judicial Proceedings*", § 2-301

### **III. Service of writs**

- A. Except as provided in § 2-302 of this subtitle, the sheriff shall serve all papers directed to him according to their instructions, within the time set by the court.

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- B. A sheriff may serve papers in a county other than the county of which he is Sheriff; or the clerk may send a paper to the sheriff of another county for service by him. After serving the paper the sheriff shall file a return with the court from which it was issued.

#### **IV. Executions and attachments**

- A. A writ of execution or attachment shall be directed to the sheriff of the county where the property is located
- B. A sheriff may seize only property found within his county. Authority is subject to deputies acting in accordance with regulations adopted by this office to carry out these activities.

#### **V. Command Structure**

- A. The Sheriff is the highest-ranking member of the office. In the event the Sheriff is absent, unless otherwise designated, the command progression is:
  - 1. Undersheriff – Colonel
  - 2. Chief Deputy – Lieutenant Colonel
  - 3. Captain, by seniority
  - 4. Lieutenant, by seniority
- B. The Sheriff may designate a deputy to serve in an acting command capacity, i.e. Acting Night Commander.
- C. The order of rank (chain of command) for sworn employees is:
  - 1. Sheriff
  - 2. Undersheriff - Colonel
  - 3. Chief Deputy – Lieutenant Colonel
  - 4. Captain
  - 5. Lieutenant
  - 6. Sergeant
  - 7. Deputy Sheriff First Class
  - 8. Deputy Sheriff
- D. Each organizational component, whether a division or section, is under the direct command of only one supervisor.
  - 1. Employees assigned to a section, including employees assigned temporarily, are accountable to the supervisor of that section.

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2. In situations involving personnel from different sections, unless otherwise designated, the senior ranking deputy is in command.
- E. During the temporary absence of a commanding supervisor, and when competent authority makes no other provision, the command automatically devolves to the senior ranking deputy. Seniority is established for command purposes first by rank and, secondly, by length of service in such rank. In cases of equal rank and length of service in rank, the deputy with the greatest length of service in the Sheriff's Office is in command.
- F. All supervisors are accountable for the performance of employees under their immediate control.
- G. All employees must adhere to the provisions of the chain of command in their official duties. Communications and correspondence must be made through official channels, i.e. supervisors in the chain of command.
- H. Employees must use sound discretion when faced with situations or circumstances that do not fall within specific written guidelines, policies, training and supervision.

**Appendix:** Organizational chart

**Revisions**

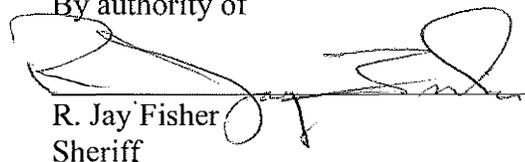
Remove from manuals/files and rescind:

General Order 1.1.2,

Sub-Section 1, Authority, paragraphs 1 through 6, inclusive.

Sub-Section 2, Jurisdiction, paragraph 1.

By authority of



R. Jay Fisher  
Sheriff

## Baltimore County Sheriff's Office Organizational Chart

