



Cover Memorandum

Arrest Warrants, Attachments & Criminal Process, JHPD Directive #423

Purpose of the Directive

The purpose of this Directive is to set forth standards and guidance for members of the Johns Hopkins Police Department (JHPD) to safely and uniformly obtain and serve criminal process.

Summary of Directive Requirements

This Directive explains the various types of criminal process and the procedures for obtaining them from the Maryland Courts.

The Directive explains that a JHPD member seeking criminal charges for an offense committed by a person that has not been arrested may file an application for a statement of charges with a judicial officer in the District Court containing an affidavit showing probable cause that the person committed the offense charged. When a statement of charges is issued and the person has not been arrested, a judicial officer may issue a summons or warrant.

Consistent with JHPD's least intrusive and most effective enforcement strategy, this Directive dictates that members should obtain a criminal summons, in lieu of a warrant, when seeking criminal charges for a person not in custody, or is not eligible to be charged by citation, unless they have:

- Probable Cause to believe that a person has committed or is committing a violent offense, a sexual related offense, or a significant theft; or
- The subject of the warrant poses a danger of bodily harm to another person or to the community.

This Directive also requires that for individuals that do not pose a danger to another person or to the community, prior to attempting to serve an arrest warrant, the member must attempt to contact the individual by telephone and request them to come to JHPD Headquarters for service of the warrant.

In addition, this Directive requires that service of arrest warrants in classrooms, lecture halls, other areas of educational instruction, campus residences, workspaces or health care facilities must be approved by the Chief of Police and should only be considered when the individual poses a danger to another person or to the community and must be arrested without delay.

Blueprint for the Policy Development Process

The draft JHPD policies (hereinafter referred to as "directives") shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together,

they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD's draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of JHPD development, including suggestions received in the legislative process as well as last fall's Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

a. Publicly available policies from municipal police departments that have undergone substantial reform efforts, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;

b. National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts's "Racially Just Policing: Model Policies for Colleges and Universities"; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.

c. National and local higher education institutions that are based in comparable environments and make policies publicly available, including: Carnegie Mellon University; Morgan State University; Towson University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community's public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



POLICE DEPARTMENT

**ARREST WARRANTS,
ATTACHMENTS &
CRIMINAL PROCESS**

**OPERATIONAL
PROCEDURE #423**

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
Dr. Branville G. Bard, Jr.
Issued: [full date]
Revised: [full date]

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Policy Statement

It is the policy of the Johns Hopkins Police Department (JHPD) to safely and uniformly serve legal process, including arrest warrants, in compliance with Maryland Rule of Criminal Procedure 4-212. As law enforcement officers, JHPD officers may from time to time have to serve arrest warrants and other legal process; however, those occasions will be rare. The primary focus/mission of the JHPD is community service and problem-solving.

Who is Governed by this Policy

All sworn police officers, as defined by MD Code, Public Safety, § 3-201 in service with the Johns Hopkins Police Department, are governed by this Directive.

Purpose

The purpose of this Directive is to set forth standards and guidance for officers of the JHPD to safely and uniformly obtain and serve criminal process in accordance with the 4th Amendment to the United States Constitution, Maryland Law, and the requirements of this directive that exceed the minimum legal requirements. This Directive does not apply to court summonses and dockets directed to officers for court appearance for activities arising out of the routine performance of their jobs.

Definitions

Arrest:	<p>The taking, seizing, or detaining of a person by any act that indicates an intention to take the person into custody by a JHPD officer, and that subjects the person to the actual control and will of the officer making the arrest. An arrest is affected:</p> <ol style="list-style-type: none">(1) when the arrestee is physically restrained, or(2) when the arrestee is told of the arrest and submits. <p>An Arrest requires Probable Cause that a crime was committed or is being committed.</p>
Arrest warrant:	<p>A written order that (A) in the District Court is signed by a judge or District Court commissioner; (B) in the Circuit Court is signed by (i) a judge or (ii) the clerk of the court upon an order by a judge that is in writing or otherwise of record, is docketed, and expressly directs the clerk to issue the warrant; and (C) commands a peace officer to arrest the person named in the warrant.</p>
Bench warrant:	<p>An arrest warrant that (A) is signed by (i) a judge or (ii) the clerk of the court upon an order by a judge that is in writing or otherwise of record, is docketed, and directs the clerk to issue the warrant, and (B) commands a peace officer to arrest the person named in the warrant.</p>
Body Attachment:	<p>A written order issued by a court directing a sheriff or peace officer to take custody of and bring before the court (1) a witness who fails to comply with a subpoena, (2) a material witness in a criminal action, or (3) a party in a civil action who fails to comply with an order of court. Maryland Rule 1-202</p>
Campus Area:	<p>Per the enabling statute, <u>MD Code, Education, Code § 24-1201(c)</u>, “campus area means any property that is: (i) owned, leased, or operated by, or under the control of Johns Hopkins University; (ii) located on:</p> <ol style="list-style-type: none">1. The Homewood Campus, meaning the area bounded by West University Parkway and East University Parkway on the north, East 28th Street and West 28th Street on the south, Remington Avenue and Stony Run stream on the west, and North Calvert Street on the east;

	<p>2. The East Baltimore Campus, meaning the area bounded by East Eager Street on the north, East Baltimore Street on the south, North Caroline Street on the west, and North Castle Street on the east; or</p> <p>3. The Peabody Campus, meaning the area bounded by West Madison Street and East Madison Street on the north, East Hamilton Street and West Hamilton Street on the south, Cathedral Street on the west, and Saint Paul Street on the east; and (iii) used for educational or institutional purposes.” Campus Area “includes the public property that is immediately adjacent to the campus, including: (i) a sidewalk, a street, or any other thoroughfare; and (ii) a parking facility.”</p>
Forced Entry:	The non-consensual entry into a non-secured area or structure that may contain a hostile person or persons.
Legal Process:	Any written order issued by a court to secure compliance with its commands or to require action by any person and includes a summons, subpoena, an order of publication, a commission or other writ.
Member:	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
Officer:	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
Probable Cause:	Where the totality of the circumstances, including all facts and circumstances known to the officer(s) at the time and their relevant training and experience, taken as a whole, would lead a reasonable prudent officer to believe there is a fair probability- that ; (1) for purposes of a crime, a particular person has committed or is committing a crime, (2) for purposes of an enforceable civil violation, a particular person is committing or has committed civil violation, (3) for purposes of a traffic offense, that particular vehicle or person has committed or is committing a particular violation of the traffic laws, or, (4) for purposes of a search, either contraband or evidence of a crime will be found in a particular location. Probable cause is an objective legal standard that requires stronger evidence and greater certainty than Reasonable Articulate Suspicion. `
Service:	The delivery of any item of legal process that is complete with the act of delivery and does not require physical or legal seizure of a person or thing.
Summons:	A Writ notifying the person named in the summons that (1) an action against that person has been commenced in the court from which the summons is issued and (2) in a civil action, failure to answer the complaint may result in entry of judgment against that person and, in a criminal action, failure to attend may result in issuance of a warrant for that person's arrest.
Subpoena:	A written order or writ directed to a person and requiring attendance at a particular time and place to take the action specified therein.

Writ:	A written order issued by a court and addressed to a sheriff or other person whose action the court desires to command to require performance of a specified act or to give authority to have the act done.
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Policy

The JHPD is responsible for the maintenance, accountability and physical security of all criminal process and Criminal History Records Information (CHRI) generated by agency arrests. The JHPD maintains guidelines and procedures for the execution, entry and clearance of arrest warrants, attachments for arrest, Criminal Summonses, and other records of service. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 74.3.1)

Principles

- I. **Proper Application of Probable Cause Standard.** Officers must have sufficient Probable Cause prior to conducting the arrest of a person.
- II. **Non-Discriminatory Policing.** Officers are prohibited from relying, to any extent or degree, on a person's race, ethnicity, national origin, religion, gender, sexual orientation, age, disability, gender identity or expression, or affiliation with any other similar identifiable group as a factor in conducting a field interview, investigative stop, vehicle stop, weapons pat-down, search, or arrest except when physically observable as part of an actual or credible description of a specific suspect or suspects in any criminal investigation that includes other appropriate non-demographic identifying factors (such as clothing or associated vehicle). See JHPD Directive #106, Fair and Impartial Policing.

Procedures

- I. **Legal Process -General** (CALEA 74.2.1, 74.3.1, 74.3.2, 84.1.8)
 - A. Officers are responsible for serving legal process documents that fall within the agency's jurisdiction, authority, and mission.
 - B. Consistent with Maryland Rule of Criminal Procedure 4-212, only officers are authorized to serve criminal processes and civil processes requiring civil arrests. Officers whose powers of arrest have been suspended administratively or by operation of law may not serve legal processes.
 - C. Refer to JHPD Directive #413, Diplomatic Immunity for directives relating to which foreign diplomatic officers have what type of legal immunity.
 - D. Criminal processes that may be obtained and/or served by officers include, but are not limited to:
 - Arrest warrants – valid until served or recalled
 - Bench warrants – valid until served or recalled
 - Criminal summonses – valid for 30 calendar days, or noted on summons

- Body attachments
- E.** Civil processes that may be obtained and/or served by officers include, but are not limited to:
- Protective orders – valid as specified by issuing judicial officials;
 - Peace orders – valid as specified by issuing judicial officials; and
 - Emergency Evaluation Petition (EP) orders – valid for five days if signed by a judge. The agency has adopted a five-day limit on the service of EP orders signed by physicians, etc. See JHPD Directive #418, Emergency Medical Examination & Assistance. (CALEA 74.2.1)
- F.** The JHPD provides officers with 24-hour access to warrant and wanted persons and other criminal and civil process documents through the:
- Agency’s METERS/NCIC terminal;
 - Maryland Judiciary Case Search; and
 - Agency’s records management system (RMS) system and Records/NCIC Officer.
- G.** The Records/NCIC officer shall ensure the following information is recorded regarding each item of legal process, civil and/or criminal including the:
- date and time received;
 - type of legal process, civil or criminal;
 - nature of document;
 - source of document;
 - name of defendant/respondent;
 - personnel assigned for service or execution;
 - date of assignment;
 - court docket number; and
 - date service due (CALEA 7.4.1.1 (LE1))
- H.** Officers shall serve criminal or civil legal process (Protective Orders and Emergency Petitions) during those patrol and investigative functions normally conducted by the Department. Only officers shall handle criminal legal process. Civilian members may assist in collecting evidence related to the execution of criminal process, but shall not participate in the physical apprehension, handling, or transportation of any person in custody pursuant to criminal process. (CALEA 74.3.2)
- I.** All officers are **prohibited** from relying on information known at the time to be materially false or incorrect in taking any enforcement action.

- J. All officers are **prohibited** from taking any enforcement action in retaliation for protected speech (See JHPD Directive #486, Assemblies, Demonstrations and Disruptions of Campus Activities) or for any other reason.
- K. All officers are **prohibited** from considering the demographic category of the person in question to any extent or degree when taking, or refraining from taking, any law enforcement action, except when such information is part of an actual or credible description of a specific suspect in an ongoing investigation that also includes other appropriate non-demographic identifying factors. (CALEA 1.2.9)
- L. Understanding that being subject to arrest or criminal process is a traumatic event that often destabilizes an individual's life, all officers, to the extent feasible, shall provide all individuals they personally serve with criminal process with community-based behavioral health provider information.

II. Application for Statement of Charges

- A. An officer seeking criminal charges for an offense committed by an individual who has not been arrested may file an Application for a Statement of Charges with a judicial officer in the District Court containing an affidavit showing probable cause that the defendant committed the offense charged.
- B. When an individual has been arrested without a warrant, unless an information is filed in the District Court, the officer who has custody of the defendant shall file a Statement of Charges against the defendant in the District Court and Statement of Probable Cause.
- C. When a Statement of Charges is issued and the individual has not been arrested, a judicial officer may issue a summons or warrant.

III. Criminal Summons

- A. Unless one of the circumstances identified in Section VIII (A) below are present, officers should seek to obtain a Criminal Summons, in lieu of an arrest warrant, when seeking criminal charges for a suspect for which a warrant has not been requested or has been issued, is not in custody, or is not eligible to be charged by citation. See JHPD Directive #424, Arrests & Alternatives to Arrest.
- B. A Criminal Summons may be issued by the District Court or Circuit Court for Baltimore City. The clerk of the Court will issue a Criminal Summons to the defendant advising them to appear in person at the time and place specified or, in the Circuit Court, to appear or have counsel enter an appearance in writing at or before that time. A copy of the charging document will be attached to the Criminal Summons. A court may order the reissuance of a Criminal Summons.

- C. The Criminal Summons and charging document shall be served on the defendant by mail or by personal service by a sheriff or other officer, as directed (1) by a judicial officer in the District Court, or (2) by the State's Attorney in the Circuit Court.

IV. Arrest Warrants-General

- A. An Arrest Warrant is valid only if all the following conditions are met:
- The Arrest Warrant is from a court specified below or another appropriate court (e.g., any District or Circuit Court from Baltimore City or an outside jurisdiction).
 - The Arrest Warrant specifies the name of the person whose arrest is ordered, if known. If unknown, the Arrest Warrant specifies a reasonably definitive description of the person. This includes a specific description of multiple physical characteristics that a reasonable person could use to identify the person.
 - The Arrest Warrant states that the person to be arrested is accused of one or more offenses against the laws of the State of Maryland or other jurisdiction, and names the violations(s).
 - The Arrest Warrant is signed by a Court Commissioner or Judge and their office is named in the body of the Arrest Warrant or by their signature.
- B. Officers shall not seek an Arrest Warrant, unless approved by a supervisor.

V. Obtaining an Arrest Warrant

- A. On review of an application by an officer for a statement of charges, generally, a Court Commissioner of the District Court (or a Judge at the request of the State's Attorney) may issue an Arrest Warrant, upon a finding that there is probable cause to believe that the person committed the offense charged in the charging document and that:
- The person has previously failed to respond to a summons that has been personally served or a citation,
 - There is a substantial likelihood that the person will not respond to a summons,
 - The whereabouts of the person are unknown, and the issuance of a warrant is necessary to subject the defendant to the jurisdiction of the court,
 - The person is in custody for another offense, or

- There is probable cause to believe that the person poses a danger to another person or to the community. A copy of the charging document shall be attached to the warrant.
- B.** In the Circuit Court, upon the request of the State's Attorney, a judge of the Circuit Court may order, in writing or on the record, issuance of an Arrest Warrant, if an information has been filed against the person and the Circuit Court or the District Court has made a finding that there is probable cause to believe that the person committed the offense charged in the charging document or if an indictment has been filed against the person; and (A) the person has not been processed and released pursuant to Maryland Rules of Criminal Procedure 4-216, 4-216.1, or 4-216.2, or (B) the court finds there is a substantial likelihood that the person will not respond to a Criminal Summons. A copy of the charging document shall be attached to the Arrest Warrant.

VI. Application for Arrest Warrants

- A.** Officers shall only apply for an Arrest Warrant instead of a Criminal Summons when they have:
- Probable Cause to believe that a person has committed or is committing a violent offense, a sexual related offense, or a significant theft; or
 - The person poses a danger of bodily harm to another person or to the community.
- B.** When applying for an Arrest Warrant, officers shall:
- Notify their supervisors of their actions and the elements of the case and seek their approval prior to seeking the Arrest Warrant.
 - Understand that they bear full responsibility for the content of the application for the Arrest Warrant.
 - Ensure that they have probable cause to charge any offense for which criminal charges are sought. See JHPD Directive #424, Arrests & Alternatives to Arrest, for further guidance on probable cause standard.
 - Submit all applications for Arrest Warrants to a Court Commissioner at one of the following locations:
 - o The Court Commissioner's Office, located at 500 N. Calvert Street, 24 hours a day.
 - o The John R. Hargrove, Sr. Building, located at 700 E. Patapsco Avenue. The availability of a Court Commissioner must be verified prior to responding to this location.

- o The Eastside Court Facility, located at 1400 E. North Ave. Hours of operation are 0830 hours to 1630 hours, Monday through Friday.
- C. **Supervisor** – Supervisors shall ensure their officers follow the procedures outlined above. In addition, supervisors shall:
- Verify that their officers’ applications for Arrest Warrants include sufficient evidence to show Probable Cause to Arrest for violations, contain all pertinent elements of the crime(s), and are the result of a thorough investigation;
 - Verify that the person that is the subject of Arrest Warrant poses a danger to another person or to the community; and
 - Notify the Chief of Police through the chain of command of all arrest warrants for university students, staff, and faculty.

VII. **Service of Arrest Warrants** (CALEA 74.2.1)

- A. Only officers shall serve Arrest Warrants. (CALEA 74.3.2)
- B. Officers may serve a felony, misdemeanor, or bench warrant between the hours of 0700 and 1900 hours, unless approved by a supervisor to serve it at another time.
- C. In accordance with the Memorandum of Understanding (MOU) between the Johns Hopkins University (JHU) and the Baltimore Police Department (BPD):
- The JHPD shall obtain and execute warrants (Arrest/Bench/Retake/ Violation of Probation or Parole) necessary to discharge its official duties within the Campus Area.
 - Warrants for service outside the Campus Area shall be submitted to the BPD (or another appropriate police agency) for service.
 - o The JHPD officer can work with officers of the jurisdiction where the suspect is found but shall take a secondary, assisting role, and allow the primary agency to affect the arrest.
 - Any warrants originating with JHPD that are not served shall be retained by the JHPD.
 - The BPD shall notify JHPD, whenever possible, of the execution of a BPD warrant within the Campus Area.
- D. Before attempting to serve an Arrest Warrant, the officer must activate their body-worn camera (BWC) and keep it activated throughout the duration of the encounter. See JHPD Directive #433, Body-Worn Camera.
- E. Officers shall confirm the validity of an Arrest Warrant through the Records/NCIC

Operator or Court Commissioner **prior to acting**. (See “Role of Records/NCIC Operator” on page 6 for procedures)

- The Records/NCIC Operator will check both the National Crime Information Center (NCIC) and the Maryland Inter-agency Law Enforcement System (METERS) for possible warrants. If the system reflects that an Arrest Warrant has been issued for the person in question, the dispatcher will either advise the officer to contact the Records/NCIC Operator to confirm that the Arrest Warrant is available for pick-up prior to the person’s arrest or provide the officer with an out-of-jurisdiction telephone number so the out-of-jurisdiction Arrest Warrant can be confirmed.
 - o No arrest shall be made on an Arrest Warrant until the validity of the warrant has been confirmed.
 - Officers are not required to have the Arrest Warrant in their possession when making an arrest.
- F.** Officers shall ensure that the person they are seeking to arrest is the person for whom the Arrest Warrant was issued, which may be achieved through an identification check, check against a photograph, fingerprint verification, etc.
- G.** Officers shall ensure all Arrest Warrants are executed as soon as practicable.
- H.** Officers shall make every effort to ensure the time and place of Arrest Warrant service accounts for the safety of the suspect, the officer, and the public.
- I.** To the extent practical, officers should allow person and involved bystanders to dress or cover themselves for modesty, religious purposes (such as head scarves), or for winter weather. Officers should not search, arrest, or detain a person who is nude or partially-nude. Officers should allow people to put on shoes or a winter coat if they are readily available. The officer is responsible for affording people basic dignity wherever possible.
- NOTE: Prior to the person dressing or covering themselves, officers shall make reasonable efforts to ensure weapons are not obtained.
- J.** Officers shall ensure sufficient officers are on-scene when Arrest Warrant service is requested, based upon factors such as: known criminal history, age, physicality of the person, potential presence of weapons, the presence of friends or family members.
- K.** When making an arrest, notify the person of the existence of the Arrest Warrant and the type of offense(s) charged.
- L.** Upon making an arrest, the officer shall conduct a search incident to arrest for

weapons that pose a danger to the person or others in their presence.

- An officer's search incident to arrest shall include a pat-down of the outer clothing and search of the person's pockets. It may also include a search of any articles of property found on the person and the minor manipulation of clothing that does not expose a person's groin/genital area, buttocks, female breasts, or more than the waistband or upper portions of the undergarments. The search also includes the area in the person's immediate control. (See JHPD Directive #411, Search & Seizure).
 - Once the person has been removed from the area and has been rendered incapable of gaining immediate control of items in that area, the officer shall not continue the search of that area.
- M.** Officers shall serve a copy of the Arrest Warrant and charging document on the person promptly after the arrest.
- N.** If a person is injured or requires medical attention, including if the person requests medical attention, Officers shall request emergency medical services (EMS).
- O.** If there are no injuries or complaints of injuries, the officer shall promptly transport the person to Central Booking and Intake Facility (CBIF). At CBIF, the person must be taken before a judicial officer of the District Court without unnecessary delay no later than 24 hours after arrest (See JHPD Directive #412, Custody, Transport & Processing).
- P.** If the Arrest Warrant so specifies, transport the person before a judicial officer of the Circuit Court without unnecessary delay and no later than the next session of the Circuit Court after the date of arrest.
- Q.** If an officer executes an Arrest Warrant for felony charges, the officer must consult with the primary investigator prior to transporting the person from the scene to discuss evidence preservation and other steps that may be required for the investigation.

VII. Execution of Arrest Warrants

- A.** Officers should generally only execute an Arrest Warrant within the Campus Area. To the extent that a primary residence is within the Campus Area, officers have authority to enter, search for, and arrest subjects inside of their primary residence. The officer may do so if they have reliable information that the person lives in **and** is inside of the residence. As such, officers shall not enter a residence in search of a person based on a person's mailing address without possessing reliable information that the person is inside the residence.
- B.** NOTE: Some specific facts that an officer may be considered before deciding to enter the home may include, but are not limited to, hearing the suspect person's voice, seeing the suspect person through the window, seeing the suspect person

entering the home, the suspect person's car is outside the house, and/or a family member or friend tells the JHPD officer that the person is inside the residence.

VIII. Execution of Arrest Warrants at Third Party Locations

Prior to entering the residence of a third party (e.g., not the subject of the arrest), officers must obtain a Search and Seizure Warrant to enter that residence or have an articulable exception to the warrant requirement. See JHPD Directive #411, Search and Seizure.

IX. Forcible Entry

If Forcible Entry into a property is believed to be necessary, officers should follow the procedures for Forcible Entry in accordance with JHPD Directive #411, Search and Seizure.

X. Special Circumstances

A. Arrest Warrants for a person who does not pose a danger to another person or to the community:

- An attempt should be made by the officer to contact the person by telephone and request them to come to the JHPD headquarters for service of the warrant.
- If the person cannot be contacted, fails to report to the JHPD headquarters within twenty-four (24) hours, or, in the opinion of the on-duty supervisor, the Arrest Warrant should be served immediately, the officer will respond to the known location of the person and make the arrest. The officer will notify his/her supervisor prior to service; the supervisor will ensure appropriate notifications.

B. Educational, professional, or patient care locations:

- Officers shall not service Arrest Warrants in classrooms, lecture halls, other areas of educational instruction, campus residences, workspaces, or health care facilities, without the approval by the Chief of Police and should only be considered when the person poses a danger to another person or to the community and must be arrested without delay.
- If an arrest in a classroom building is deemed necessary, officers should proceed to the classroom prior to the beginning of class or at the end of the class and inform the instructor that they have an Arrest Warrant for the individual which needs to be served.
- If an arrest is necessary in a residence hall, the Officer should coordinate with Student Affairs and Public Safety.
- Officers should request that the instructor, Public Safety or Student Affairs have the student come into the hall at which time the Arrest

Warrant will be served. The purpose of this procedure is to reduce the circumstances in which classroom instruction or others in the residence hall are disturbed.

XI. Documentation

- A.** The officer who executes an Arrest Warrant or other legal process will prepare and maintain a case folder including, but not limited to:
- A copy of the Arrest Warrant or legal process,
 - Any photographs or videos taken, and
 - Inventory of any property seized from the person, from their immediate reach, or items in plain view.
- B.** The officer who executed the Arrest Warrant or other legal process will complete an Incident Report including, but not limited to:
- The date and time service was executed (CALEA 74.1.2.a),
 - The name and ID# of the personnel serving the process (CALEA 74.1.2.b),
 - Upon whom the process was served (CALEA 74.1.2.c),
 - The address of the service/arrest (CALEA 74.1.2.e),
 - The warrant number or process number and the full name of the person on the first line of the narrative,
 - Attempts to gain entry by knocking,
 - The name of the member who knocked on the door,
 - If entry was forced, the reasons for Forced Entry, time of Forced Entry, the points of Forced Entry and areas searched with interior descriptions,
 - Where the person was found, and the name of the member who located the person,
 - The number of photographs taken, or videos recorded,
 - Identity of the officers involved in the service of the warrant.
- C.** Officers shall follow JHPD Directive #412, Custody, Transport & Processing, for guidance if transporting the person.
- D.** In addition, officers shall document attempts for service and any additional information gathered during service attempts in the appropriate area on the Service Worksheet, to include:
- The date and time service was attempted, or executed (CALEA 74.1.2.a)

- The name and ID# of the person attempting or serving the process (CALEA 74.1.2.b)
 - Upon whom the process was served (CALEA 74.1.2.c)
 - The address of the attempt, or service (CALEA 74.1.2.e)
 - The method of service, or reason for non-service (CALEA 74.1.2.d)
- E. Officers shall ensure that the Records/NCIC operator is notified that the Arrest Warrant or legal process has been executed.

XII. Assisting an Outside Jurisdiction in the Campus Area

- A. Officers shall review the arrest warrant and any other information provided by the member of the outside jurisdiction. A warrant for the arrest of a wanted person will be honored if it is received from a law enforcement agency, correctional agency, or other public authority with powers of prosecution and extradition and within the Campus Area.
- B. Officers engaged in the service of any out-of-jurisdiction Arrest Warrant shall follow the procedure for service contained in this Directive. In addition, they shall ensure the Arrest Warrant contains the following information prior to service:
- Warrant number, date of issue, issuing authority, and issuing agency,
 - Charges,
 - Person's full name,
 - Person's date of birth,
 - Person's physical description,
 - Date, time, and name of the member authorizing the warrant,
 - The issuing court's address,
 - Recommended bond, if any, and
 - The county and the state where the warrant was issued.
- C. If necessary, officers shall arrange for transportation of any person in custody to the appropriate booking facility.
- D. Officers shall complete an Incident Report to include:
- Name, rank of the person listed on the warrant,
 - Any injuries to the person, and
 - If Forcible Entry or any other unusual events occurred.

XIII. Maryland Parole Commission Retake Warrants

Officers shall ensure that parole violators arrested on a Maryland Parole Commission retake warrant, who are not the subject of other Arrest Warrants or criminal charges, are transported directly to the Maryland Reception Diagnostic and Classification Center

located at 550 E. Madison St.

XIV. Federal Flight Warrants

Officers shall contact the United States Marshalls Service through the Baltimore Police Department (BPD) for apprehension assistance for wanted persons who have left the state of Maryland.

XV. Procedures for Records Maintenance

A. The Records/NCIC operator will maintain an accurate record of all legal process, including Arrest Warrants. The Records/NCIC operator will follow the procedures below:

- All new legal process (and their associated complaints) will be provided to Records/NCIC operator.
- Records/NCIC operator will be responsible for receiving the process and entering the Arrest Warrant into METERS. A Legal Process Service Report will be completed and attached to the Arrest Warrant.
- The Records/NCIC officer shall ensure the following information is recorded on a legal process worksheet for each item of legal process, civil and/or criminal including the:
 - Date and time received;
 - Type of legal process, civil or criminal;
 - Nature of document;
 - Source of document;
 - Name of defendant/respondent;
 - Personnel assigned for service or execution;
 - Date of assignment;
 - Court docket number; and
 - Date service due (CALEA 74.1.1)
- The Records/NCIC officer shall ensure Criminal Warrants are marked “Warrant” on the Legal Process Service Report.
- A copy of the Arrest Warrant, attachment for arrest, or the original Criminal Summons on a charging document will be attached to the Legal Process Service Report.
- All Arrest Warrants shall be entered into METERS.
- After the Arrest Warrant has been entered into METERS, the METERS number will be written on the Legal Process Service

Report. The Arrest Warrants will be filed in the Warrant file in alphabetical order.

- Within 24 hours of entry, all Arrest Warrants will be checked for quality assurance by a second party (different employee than the entering employee). The second party quality check will include content of the METERS entry in comparison to the supporting documentation.
- Legal Process Service Report for Arrest Warrants and other legal process that are not served by the investigating officer will be assigned to geographic patrol areas according to address and are the responsibility of the patrol officers assigned to that patrol area.

B. Officers shall record all attempts for service and ensure that any additional information gathered during service attempts is entered in the appropriate area on Legal Process Service Report, to include:

- The date and time service was attempted, or executed (CALEA 74.1.2.a)
- The name and ID# of the person attempting or serving the process (CALEA 74.1.2.b)
- Upon whom the process was served (CALEA 74.1.2.c)
- The address of the attempt, or service (CALEA 74.1.2.e)
- The method of service, or reason for non-service (CALEA 74.1.2.d)
- The worksheet will be returned with the served warrant, or by its expiration date, which will be stamped on the top right of the worksheet.
 - o If the Arrest Warrant concerns an original complaint, a copy of the complaint will be attached to the Arrest Warrant. If the Arrest Warrant is for failure to appear, a copy of the original complaint or citation will be attached to the Arrest Warrant. This is the responsibility of the Records/NCIC operator.

C. When a Warrant check is requested by an Officer, the Records/NCIC operator will check METERS for the member and confirm whether an active criminal warrant exists for the subject of the inquiry.

D. When a warrant is confirmed and arrest is made by an officer, the Records/NCIC operator will ensure every effort is made to locate the original warrant or a true test copy.

- E. If neither the warrant nor the true test copy can be obtained within 24 hours of the time the person was taken into custody, release of the person will be facilitated by CBIF pursuant to Maryland Rule of Criminal Procedure 4-212. The arresting member must then write a Supplemental Report on the original complaint number and document the actions and release without a true test copy of the warrant.
- F. When, on a warrant check, an officer receives positive confirmation of the existence of a valid out-of-state warrant, the Records/NCIC Operator will send a hit confirmation to the jurisdiction that issued the Arrest Warrant to identify if the issuing jurisdiction will extradite the person.

Policy Enforcement

Enforcement	Police Department managers and supervisors are responsible for enforcing this directive. The Public Safety Accountability Unit (PSAU) investigates suspected violations and may recommend disciplinary action, including termination or dismissal in accordance with any applicable JHPD or University policy or process.
Reporting Violations	Suspected violations of this Policy should be reported to the Public Safety Accountability Unit, (PSAU).

Related Resources

University Policies and Documents
Operational Procedure #411, Search and Seizure Operational Procedure #412, Custody & Transport Operational Procedure #413, Diplomatic Immunity Operational Procedure #418, Emergency Medical Examination & Assistance Operational Procedure #424 Arrests, Criminal Citations & Alternatives to Arrest Operational Procedure #481, Active Assailant Response Operational Procedure #486, Assemblies, Demonstrations & Disruption of Campus Activities
External Documentation
Maryland Rule 4-212 Application for Statement of Charges- dccb001.pdf (mdcourts.gov) Continuation sheet for Application for Statement of Charges- dccb001af.pdf (mdcourts.gov)
University Forms and Systems
Legal Process Service Report

Contacts

Subject Matter	Office Name	Telephone Number	E-mail/Web Address
Policy Clarification and Interpretation			

DRAFT