

**Hagerstown Community College
Police Department**

Policies and Procedures

The Board of Trustees for Hagerstown Community College approved the following Policies and Procedures, on September 22, 2009. The following policies and procedures will become effective October 1, 2009.

BACKGROUND:

In accordance with Chapter 0389, House Bill 361, signed into law May 7, 2009, which recognizes the establishment of the Hagerstown Community College's Police Force, the Board of Trustees for Hagerstown Community College must adopt certain standards and regulations regarding the operation of the police force. Procedures must be submitted to the Maryland Police Training Commission.

Rules and regulations are intended for the guidance of the members of the HCC Police Department and do not apply to staff or faculty members of Hagerstown Community College. They cannot cover every specific act of commission or omission, nor can they cover every specific situation or problem which may, from time to time, confront members of the Department. Therefore, a great deal must necessarily be left to the intelligence and discretion of the individual. The exercise of good judgment, and the application of common sense, together with the highest degree of cooperation by those entrusted with law enforcement, is essential to effective and successful operation of this department.

POLICY:

All policies and guidelines pertaining to the HCC Police Department will align with existing College policies, the Law Enforcement Officer's Bill of Rights, and the requirements set forth by the Maryland Police Training Commission.

Purpose of the HCC Police Department

The purpose of the Hagerstown Community College's Police Department is to protect and serve the College Community; enforce the College policies, traffic and parking rules, enforce state and local laws, safeguard life and property, detect and prevent crime, preserve the peace and protect the rights of all citizens, especially the College Community. The Police Department will also support student services and human resources functions of the College on occasions when unruly employee or student behavior must be addressed.

Chain of Command

Members of the HCC Police/ Security and Safety Office and members of the Student Patrol are under the direct supervision of the Chief of Police, who reports to the Vice President of Administration and Finance.

Employment and Training Standards

It is the policy of Hagerstown Community College's Police Department that to be considered for employment as a member of its Police Department, applicants must complete a personal history statement, pass mental and physical examinations, provide the College with a list of personal and work-related references and otherwise meet the Maryland Police Training Commission's requirements for certification. Hagerstown Community College subscribes to the medical and psychological standards set forth and published by the Maryland Chiefs of Police Association. All active officers of the Hagerstown Community College's Police Department will be required to pass periodic medical, physical and psychological examinations or when deemed necessary by the administration.

Applicants selected for employment as a sworn member of HCC's Police Department must meet or exceed these minimum qualifications:

1. Applicants must be a United States Citizen at the time of appointment.
2. Applicants must have received a high school diploma or the equivalent.
3. Applicants must have reached their 21st birthday upon completion of academy training.
- 4 Applicants must be subjected to an initial physical examination by a licensed physician to determine if the applicant is physically fit and able to perform the daily duties of a police officer.
5. Applicants must be certified by a licensed mental health care professional to be emotionally and mentally fit for the duties of a police officer.
6. Applicants must have a valid driving license for the state of their residency prior to the beginning of recruit training.
7. The applicant's criminal record and drug-use experience may be disqualifying, even if circumstances appear to be very minor, as will any experience which may jeopardize an officer's credibility to enforce the law, testify under oath, in court, and related enforcement practices.
8. Applicants must submit to a polygraph or other truth verification examination.

It is the policy of Hagerstown Community College's Police Department to abide by the provisions of the *American with Disabilities Act*, and all other federal statutes and regulations governing employment standards.

All members of the Hagerstown Community College's Police Department will be competently trained in the required knowledge, skills and abilities associated with the daily circumstances of police work before they are actively used in enforcement activities or are able to make arrests. Generally, initial training will take place in an academy or classroom setting and will meet the standards of the Maryland Police Training Commission. The College will provide training opportunities for its Police Officers to the extent needed to meet Maryland police standards and to effectively enforce the law.

Proficiency in the use of firearms for all members of the Police Department will be determined by periodic qualification. At a minimum, the requirements for qualification will meet the standards established by the Maryland Police Training Commission.

Use of Force

It is the policy of the Hagerstown Community College that members of the Police Department use the least amount of force that is reasonably necessary to control an incident, to affect an arrest, or to protect themselves or others from personal harm or death. The degree of force used by the officer should be progressive along a continuum. The use of firearms to fire warning shots is prohibited. Hagerstown Community College will provide training and qualify sworn personnel in the use of any firearm and other tools approved by Hagerstown Community College used to apply force.

The use of deadly force is authorized only under the following circumstances:

1. In defense of self or another when the officer has reasonable cause to perceive an immediate threat of death or serious physical injury.
2. To prevent the escape of a suspect of a violent felony whom the officer has probable cause to believe will pose a significant threat of death or serious physical harm to other officers or the public.

To ensure all members of the department apply only the appropriate level of force, it is the policy of Hagerstown Community College that its Police Department must report all use of force incidents to the President's Office. At the President's discretion, an independent review conducted by persons outside the Police Department chain of command may be conducted. Incidents of on-duty officers discharging a firearm away from a firing range will also be reported to the President's Office and could also be subject to independent review.

Sexual Assault Investigations

The health and safety of a sexual assault victim is of paramount importance. The victim's physical condition and mental state should be immediately assessed and appropriate medical attention provided, if required. The first officer to respond to a sexual assault has three primary responsibilities:

1. Physically protect and emotionally support the victim.
2. Identify, isolate and protect the crime scene.
3. Conduct a quality preliminary investigation.

The investigating officer shall candidly inform the victim what will be expected of him/her in the ensuing criminal investigation and any possible court appearances. HCC's Police Department will respect and protect the identity and confidentiality of the sexual assault victim. Victims will be dealt with in a considerate and empathetic manner and the investigation will be conducted objectively and professionally, without any preconceived or biased judgments relating to the victim's background, personal circumstances or perceived motivation.

Investigation of Misconduct

All misconduct complaints regarding officers will be received courteously, recorded on a standard form, and investigated seriously and professionally. All members of the Department are authorized to receive complaints in writing, by telephone, and through personal communication. This information will then be recorded and forwarded to the appropriate supervisor designated to investigate such complaints. The degree of seriousness of the allegation or complaint will determine the course of the investigation.

Members of the Department who have witnessed a serious violation of departmental regulations by Police Department personnel, by an act of commission or omission, shall report this violation up through the HCC administrative chain of command. Additionally, all members of the Department are required to report as soon as possible to their immediate supervisor all criminal and hazardous traffic violations for which they are themselves charged.

A progressive continuum of disciplinary actions will be established to be used when instances of misconduct are identified. This continuum will range from verbal and written reprimands to suspensions or termination of employment. Disciplinary procedures and actions will be applied to all officers in accordance with all state requirements and other HCC personnel and human resources policies.

Release of Information

Release of information, and in particular, the release of information to representatives of the media will follow HCC policy and procedures. The release of information is expected to enhance the relationship between the police agency and the community which it serves, and to gain support in the crime control effort. The release of information will adhere to all state and federal regulations including, but not limited to the Family Education Right to Privacy Act (FERPA).

Information will be released in a timely and accurate fashion by assigning the duty of controlling and disseminating public information to the Public Information Office for Hagerstown Community College in accordance with procedures set by the College. In the absence of personnel from the College's Public Information Office, the Vice President of Administration and Finance, or the President of the College will determine who will disseminate information to the public.

The following information is NOT to be publicly released:

1. The identity of victims of sex-related crimes.
2. The identity of a suspect for whom a warrant or summons has not been issued or indictment returned.
3. The existence or contents of any confession, admission, or statement of the accused.
4. The identity, comments, expected testimony or credibility of any witness.
5. Any statements regarding the innocence or guilt of the accused, the merits of the case, the possibility of a plea, or the value of evidence when these statements are based upon an officer's own opinion.
6. The identity of a juvenile arrestee who has not been waived by the Court as an adult.
7. The identity of a deceased person before next-of-kin has been notified.
8. Information regarding special enforcement tactics that have been planned in advance (e.g., raids, stake-outs, or special assignments, etc.) except where it may be beneficial to release such information in advance (e.g., DWI, seatbelt, and out-of-state license plate checkpoints).
9. Any information which could impede the enforcement of the law or an on-going investigation.
10. Any information which is legally privileged.
11. Any information which violates or jeopardizes the constitutional rights of an accused person.
12. Any information that could jeopardize the safety of an officer, victim, witness or informant.
13. Any information that could cause embarrassment or harm to a victim or witness (e.g., name or address of a suspected abuser living in the same residence as the victim).

The following information MAY be released:

1. The type of event or crime and where it occurred.
2. Identity of victim (unless the crime was a sexual assault, the victim has requested to remain unidentified, or in the case of death, the victim's next-of-kin have not been notified).
3. The name, age, city of residence, and other background information of a charged suspect.

4. The charge upon which an arrest has been made.
5. Circumstances of the arrest.
6. Custody status.
7. Dates of hearings.
8. Identifying photographs, only if they are available and do not contain police identification data.

Reporting Requirements

Officers will complete an incident report, at least by the completion of their current shift, when incidents such as the following have occurred:

1. All calls for service regarding a felony crime even if the call is classified as “Unfounded” or handled by another agency.
2. A citizen has reported a complaint against an officer.
3. An officer has responded to a criminal case by initiating an investigation.
4. An officer has responded to a motor vehicle accident involving death, serious personal injury, or property damage, even if handled by another jurisdiction.
5. An officer has responded to an incident which could be considered a racial, religious, or ethnic hate crime, even if handled by another agency.
6. An officer has responded to an incident involving the death of a person, regardless of cause of death.
7. An officer has applied the use of force or when a suspect or arrestee has complained of an injury sustained during an arrest
8. An on-duty officer has discharged a firearm in a circumstance other than during training.
9. An officer has been involved in a high speed pursuit.
10. An officer has initiated an arrest or another agency has made an arrest on campus or one of the satellite locations.
11. All calls of sick or injured student, faculty, staff, or visitor.
12. All calls of a criminal nature and verified as “Not Unfounded”.

Ethics in Law Enforcement

Officers of the Hagerstown Community College’s Police Department will perform their professional duties competently and conscientiously in full accordance with the law as well as College rules and regulations. While on-duty, officers will uniformly treat private citizens in a civil and equitable manner, regardless of the circumstances. Members of the Department will conduct their off-duty personal lives in a mature, law-abiding and exemplary manner. All members will be guided by the provisions of the International Association of Chiefs of Police law enforcement ethics statements.

The National Incident Management System (NIMS) and Incident Command System

(ICS)

The Police Department will cooperate fully with NIMS and ICS doctrine and procedures that are compliant with law and agency procedures. Officers will participate in the recommended ICS training programs developed and coordinated by the Federal Emergency Management Agency (FEMA) and will cooperate fully with designated public safety emergency responders in all strategic and tactical operations, including training.

The Board of Trustees will empower the President and the administration to develop and modify as required standard operating procedures/guidelines to address the following areas:

- Approved Firearms and Other Tools
- Emergency Vehicle Pursuit Operation
- Evidence
- Inter-Agency Notification and Cooperation
- Documentation for Calls for Service
- Investigative and Enforcement Traffic Stops
- Interviews and Interrogations
- Eyewitness Identification
- Domestic Violence by an HCC Police Officer
- Code of Conduct in accordance with other HCC policies and procedures
- Operational and Report Writing Manual
- Transport of Prisoners

All other College policies will apply to the Hagerstown Community College Police Force including, but not limited to, those related to:

- Employment with the College
- Employee Relations
- Salary Administration
- Employee Benefits
- Discrimination and Sexual Harassment
- Computer Use, Protection and Security
- Establishment of sanctions and fines
- Release of Public Information