

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Caroline County Sheriff's Office to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Caroline County Sheriff's Office to limit its members to only exercise the authority granted to them by law.

While this agency recognizes the power of peace officers to make arrests and take other enforcement action, deputies are encouraged to use sound discretion in the enforcement of the law. This agency does not tolerate abuse of law enforcement authority.

100.3 AUTHORITY OF THE CAROLINE COUNTY SHERIFF'S OFFICE

Certified members of this agency are authorized to exercise peace officer powers pursuant to applicable state law (Md. Code CP § 2-102; Md. Code PS § 2-412).

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE CAROLINE COUNTY SHERIFF'S OFFICE

Deputies may make arrests within the jurisdiction of the Caroline County Sheriff's Office (Md. Code CP § 2-202):

- (a) In compliance with an arrest warrant.
- (b) Without a warrant:
 - 1. When an individual commits or attempts to commit a felony or misdemeanor in the presence or within the view of the deputy.
 - 2. When the deputy reasonably believes that an individual is committing a felony or misdemeanor in the presence or within the view of the deputy.
 - 3. When the deputy has probable cause to believe that a felony has been committed or attempted, and the individual has committed or attempted to commit the felony, whether or not it was in the presence or within the view of the deputy.
 - 4. When there is probable cause to believe a person is in violation of an interim, temporary, or final extreme risk protective order in effect at the time of the violation (Md. Code PS § 5-610).
 - 5. When the deputy has probable cause to believe that the person has committed one of the crimes listed in Md. Code CP § 2-203 and that unless the person is immediately arrested, the person:
 - (a) May not be apprehended.
 - (b) May cause physical injury or property damage to another.

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- (c) May tamper with, dispose of, or destroy evidence.
- 6. When the deputy has probable cause to believe that a person has engaged in certain stalking offenses as described in Md. Code CP § 2-205.
- 7. During certain public emergencies as described in Md. Code CP § 2-206.

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE CAROLINE COUNTY SHERIFF'S OFFICE

Deputies may make arrests, conduct investigations and otherwise enforce the laws of Maryland throughout the state, without limitations as to jurisdiction, while acting in accordance with Caroline County Sheriff's Office policies and procedures, except for enforcement of the vehicle laws, when (Md. Code CP § 2-102; Md. Code CR § 5-802):

- (a) The deputy is participating in a joint investigation with officials from another state, federal or local law enforcement unit, at least one of which has local jurisdiction.
- (b) The deputy is assisting another law enforcement officer.
- (c) The deputy is acting at the request of a law enforcement officer or a Maryland State Police officer.
- (d) An emergency exists.
- (e) The deputy is in fresh pursuit of a person who (Md. Code CP § 2-301):
 - 1. Has committed or is reasonably believed by the deputy to have committed a felony within the jurisdiction of the Caroline County Sheriff's Office.
 - 2. Has committed a misdemeanor in the presence of the deputy within the jurisdiction of the Caroline County Sheriff's Office.

A deputy who acts outside his/her jurisdiction shall notify the appropriate state or local official as required by state law (Md. Code CP § 2-102; Md. Code CR § 5-802).

100.4 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended to other states:

- (a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.
- (b) When a deputy enters the following states as follows:
 - 1. In Delaware, while in the pursuit of a person believed to have committed a felony, a misdemeanor or a violation of the motor vehicle code (11 Del. C. § 1932).
 - 2. In the District of Columbia, while in pursuit of a person who has committed a felony or who the pursuing deputy has reasonable grounds to believe has committed a felony (D.C. Code § 23-903).
 - 3. In Pennsylvania, while in fresh pursuit of a person in order to arrest him/her (42 Pa.C.S. § 8922).
 - 4. In Virginia while in fresh pursuit of a person to arrest him/her for committing a felony (Va. Code § 19.2-79).

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5. In West Virginia while in fresh pursuit of a person to arrest him/her for committing a felony (W. Va. Code § 62-11-1).

Whenever a deputy makes an arrest in Delaware, the District of Columbia, Pennsylvania, Virginia or West Virginia, the deputy shall take the offender to the appropriate judicial officer where the arrest occurred as soon as practicable (11 Del. C. § 1933; D.C. Code § 23-902; 42 Pa.C.S. § 8923; Va. Code § 19.2-79; W. Va. Code § 62-11-2).

100.5 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and Maryland constitutions.

Chief Executive Officer

101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the State of Maryland are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Executive Officer of the Caroline County Sheriff's Office, who is required to exercise the powers and duties of the office as prescribed by state law.

101.2 POLICY

It is the policy of the Caroline County Sheriff's Office that the Sheriff meets the minimum standards for exercising his/her authority granted by law.

101.3 SHERIFF REQUIREMENTS

The Sheriff of this agency, as a condition of continued employment, shall meet the requirements of the Maryland Constitution prior to becoming eligible to be elected or appointed as Sheriff of the Caroline County Sheriff's Office (Md. Const. Art. IV § 44).

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that, when appropriate, oaths are administered to agency members.

102.2 POLICY

It is the policy of the Caroline County Sheriff's Office that, when appropriate, agency members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Agency and the dedication of its members to their duties.

102.3 OATH OF OFFICE

All agency members, when appropriate, shall take and subscribe to the required oath or affirmation to the Clerk of the Circuit Court in addition to any other form of oath or affirmation required by the Maryland Constitution, state law or ordinance (Md. Const. Art. I § 9; Md. Code CJ § 2-104; Md. Code PS § 3-309). If a member is opposed to taking an oath, he/she shall be permitted to substitute the word "affirm" for the word "swear."

102.4 SANCTITY OF LIFE PLEDGE

All deputies are required to sign an affirmative written sanctity of life pledge to respect every human life and act with compassion toward others (Md. PS § 3-524).

102.5 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (Md. Const. Art. I § 10; Md. Code PS § 3-309).

102.6 ATTACHMENTS

See attachment: CCSO Form 245 Oath of Office Verification.pdf

See attachment: CCSO Form 39 Sanctity of Life Pledge.pdf

Attachments

CCSO Form 245 Oath of Office Verification (5).pdf



CAROLINE COUNTY SHERIFF'S OFFICE

VERIFICATION OF SWORN OFFICER STATUS

Maryland Courts and Judicial Proceedings Section §2-104

Article - Courts and Judicial Proceedings

This is to affirm that on: _____ while at the Caroline County Circuit Court,

DATE OF SWEARING IN

_____ did appear before the Caroline County Circuit

Court Clerk: _____ who has conducted the "Oath of Office" for

LIST THE DEPUTY SHERIFF'S NAME AND RANK

the named Caroline County Deputy Sheriff and has been officially sworn in as a Maryland Police Officer for the Caroline County Sheriff's Office according to Maryland Code Criminal Procedure §2-102 Authority of Police Officers.

This process satisfies the requirements set by Maryland Courts and Judicial Proceedings Section §2-104.

(a) Every auditor, clerk, sheriff, constable, commissioner, surveyor, or other officer before he/she assumes the duties of his/her office, shall take, and sign the oath or affirmation prescribed by the Constitution. And...

(e)(1) Except as authorized by Article I, § 10 of the [Maryland] Constitution, every officer, except the Clerk of The Circuit Court of a county or an appellate court, shall take the oath before the Clerk of The Circuit Court.

The "Oath of Office" has been recited and sworn to as dictated and prescribed by the Caroline County Circuit Court Clerks' Office. The official signature of the Deputy Sheriff acknowledging his/her Oath has been kept in the official ledger of the Clerk for the Caroline County Circuit Court.

Deputy Sheriff Signature

Sheriff's Signature (or designee)

Court Clerks Signature (or designee)

Date

Date

Date

THIS DOCUMENT MUST BE KEPT IN THE DEPUTY SHERIFF'S PERSONNEL FILE.

CCSO Form 39 Sanctity of Life Pledge (6).pdf



Maryland Certified Police Officer

Sanctity of Life Pledge

Public Safety Article § 3-524(C)
[SB 71, 2021 Legislative Session]

I, _____ the undersigned certified police officer [Deputy Sheriff], as defined by PSA 3-201, in accordance with my assigned duties, my oath as a police officer and Maryland Public Safety Article Section 3-524(c), do hereby pledge that at all times, whether on duty or off duty, I will respect every human life and act with compassion towards others.

Certified Officer's Signature

Date

Law Enforcement Code of Ethics

103.1 CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or abuse and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession... law enforcement.

Policy Manual

104.1 PURPOSE AND SCOPE

The manual of the Caroline County Sheriff's Office is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules and guidelines of this agency. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

104.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and that circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this agency under the circumstances reasonably available at the time of any incident.

104.3 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Caroline County Sheriff's Office and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the County, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for agency administrative action, training or discipline. The Caroline County Sheriff's Office reserves the right to revise any policy content, in whole or in part.

104.4 AUTHORITY

The Sheriff shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Sheriff or the authorized designee is authorized to issue Special Orders, which shall modify those provisions of the manual to which they pertain. Special Orders shall remain in effect until such time as they may be permanently incorporated into the manual, amended, or rescinded.

104.5 DEFINITIONS

The following words and terms shall have these assigned meanings, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older (Md. Code CJ § 3-8A-01).

APS - Adult Protective Services.

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County - The County of Caroline.

Civilian - Employees and volunteers who are not sworn peace officers.

CJIS - Maryland Criminal Justice Information System.

COMAR - Maryland Code of Regulations (Example: COMAR 10.38.03.02).

Custodian of Records - The authorized person having physical custody and control of the records of the Agency (Md. Code GP § 4-101).

Agency/CCSO - The Caroline County Sheriff's Office.

DJS - Maryland Department of Juvenile Services.

DPSCS - Maryland Department of Public Safety and Correctional Services.

Employee - Any person employed by the Agency.

Manual - The Caroline County Sheriff's Office Policy Manual.

May - Indicates a permissive, discretionary, or conditional action.

Md. Code - Maryland Annotated Codes (Example: Md. Code PS § 1-301). Following are abbreviations for sections of the Maryland Annotated Codes referenced in this Policy Manual:

- **CJ** - Courts and Judicial Procedure
- **CL** - Commercial Law
- **CP** - Criminal Procedure
- **CR** - Criminal Law
- **CS** - Correctional Services
- **ED** - Education
- **EL** - Election Law
- **ET** - Estates and Trusts
- **FL** - Family Law
- **GP** - General Provisions
- **HG** - Health – General
- **HS** - Human Services
- **IL** - Insurance Law
- **LE** - Labor and Employment
- **LG** - Local Government
- **NR** - Natural Resources
- **PS** - Public Safety

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- **SG** - State Government
- **SP** - State Personnel and Pensions
- **TG** - Tax – General
- **TR** - Transportation

Md. Const. - Maryland Constitution (Example: Md. Const. Art. IV § 44).

MDOT - Maryland Department of Transportation.

Member - Any person employed or appointed by the Caroline County Sheriff's Office, including:

- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary deputies
- Civilian employees
- Volunteers

METERS - Maryland Electronic Telecommunications Enforcement Resource System.

MPTSC - Maryland Police Training and Standards Commission.

MSP - Department of Maryland State Police.

MVA - Motor Vehicle Administration.

OAG - Maryland Office of the Attorney General.

Deputy - Those employees, regardless of rank, who are sworn members of the Caroline County Sheriff's Office.

On-duty - A member's status during the period when the member is actually engaged in the performance of assigned duties.

Order - A written or verbal instruction issued by a superior.

Peace Officer - Those employees, regardless of rank, who are sworn members of the Caroline County Sheriff's Office.

Rank - The title of the classification held by a deputy.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other agency members, directing the work of other members or having the authority to adjust grievances. The supervisory

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exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., deputy-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank, or compensation.

When there is only one agency member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

104.6 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the agency network for viewing and printing. No changes shall be made to the manual without authorization from the Sheriff or the authorized designee.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Policy Manual and Special Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

104.7 PERIODIC REVIEW OF THE POLICY MANUAL

The Sheriff will ensure that the Policy Manual is periodically reviewed and updated as necessary.

104.8 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Commander will ensure that members under his/her command are aware of any Policy Manual revision.

All agency members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Commanders through the chain of command, who will consider the recommendations and forward them to the Chief Deputy as appropriate.