

# Policy Manual

## 103.1 PURPOSE AND SCOPE

### Discretionary

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All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do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

## 103.2 POLICY

### Best Practice

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 department under the circumstances reasonably available at the time of any incident.

## 103.3 DISCLAIMER

### Best Practice

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 Brentwood Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the Town, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Brentwood Police Department reserves the right to revise any policy content, in whole or in part.

## 103.4 AUTHORITY

### Discretionary

The Chief of Police 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 Chief of Police or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

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#### 103.5 DEFINITIONS

Best Practice MODIFIED

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.

**Town** - The Town of Brentwood.

**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 Department (Md. Code GP § 4-101).

**Department/BPD** - The Brentwood Police Department.

**DJS** - Maryland Department of Juvenile Services.

**DPSCS** - Maryland Department of Public Safety and Correctional Services.

**Employee** - Any person employed by the Department.

**Manual** - The Brentwood Police Department 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

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- **IL** - Insurance Law
- **LE** - Labor and Employment
- **LG** - Local Government
- **NR** - Natural Resources
- **PS** - Public Safety
- **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 Brentwood Police Department, including:

- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary officers
- 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.

**Officer** - Those employees, regardless of rank, who are sworn members of the Brentwood Police Department.

**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 Brentwood Police Department.

**Rank** - The title of the classification held by an officer.

**Shall or will** - Indicates a mandatory action.

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**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 background investigations, issue assignments, recommend discipline, issue emergency suspension of other department members, directing the work of other members. The supervisory 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., officer-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 department 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.

#### **103.6 ISSUING THE POLICY MANUAL**

##### **Best Practice**

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police 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 General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

#### **103.7 PERIODIC REVIEW OF THE POLICY MANUAL**

##### **Best Practice**

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

#### **103.8 REVISIONS TO POLICIES**

##### **Best Practice**

##### **MODIFIED**

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

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisors, who will consider the recommendations and forward them to the command staff as appropriate.