

BALTIMORE CITY PUBLIC SCHOOLS

GENERAL ORDER 10-8 SECTION C-1

RULES AND REGULATIONS Revisions Approved: September 27, 2022

This General Order contains the following numbered sections:

- I. Directive
- II. Purpose
- III. Rules
- IV. Effective Date

I. DIRECTIVE

Consistent with law, it is the intent of this department to establish and promulgate to all members, rules and regulations for the good government of the Baltimore City School Police Force (“BCSPF”) and of its members.

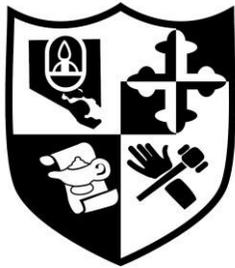
Rules and Regulations are necessary for the achievement of organizational goals. Primary among these goals is a requirement that all members of the BCSPF adopt a general standard of conduct both on and off-duty consistent with the professional standards of the law enforcement community.

The BCSPF acknowledges that circumstances and events may exist which, in the best interest of the member, BCSPF and the community, preclude sworn members, while off- duty, from personally taking official police action.

Consistent with this, the BCSPF cautions sworn members, when off-duty, to use discretion when invoking police powers, particularly involving the use of a firearm. This in no way, however, relieves sworn members from their obligation to notify appropriate on-duty authorities and provide them assistance as they deem necessary.

All members, both sworn and civilian, shall be thoroughly familiar with the rules promulgated in this General Order and adhere resolutely to their requirements, as well as the policies adopted by the Baltimore City Board of School Commissioners and the Administrative Regulations adopted by the Chief Executive Officer of Baltimore City Public Schools.

Although these rules cannot and do not cover every specific act of conduct or specific situation which a member may face, their fundamental aim is to ensure optimum orderliness, and shall be the prevailing guideline for all behavior. The exercise of good judgement and the application of common sense, together with the highest degree of cooperation by those entrusted with law enforcement, is essential to effect police work.



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The development of a well-disciplined and efficient police department, which has the confidence and respect of the public, can only be accomplished when each member realizes that their every action, whether it is a part of their official duty or their private life, is closely observed by the public. Acts of misconduct or inefficiency not only reflect on the member as an individual, but on the department as a whole. It is therefore essential that all members familiarize themselves with the rules, regulations, and procedures and adhere to them as rigidly as possible

Any punishment imposed upon a sworn member shall be in compliance with the Maryland State law, including, but not limited to Md. Code Ann., Pub. Safety Art., §§ 3-101, *et seq.*, if applicable.

II. **PURPOSE**

The purpose of this directive is to promulgate and define the rules of conduct and regulations applicable, as appropriate, to all members of the BCSPF.

III. **RULES**

A. **Rule 1. Conduct**

Any breach of the peace, neglect of duty, misconduct, or any conduct on the part of any member of the BCSPF, either within or without the City of Baltimore, which tends to undermine the good order, efficiency, or discipline of the Department, or which reflects discredit upon the Department or any member thereof, or which is prejudicial to the efficiency and discipline of the Department, even though these offenses may not be specifically enumerated or laid down, shall be considered conduct unbecoming a member of the BCSPF, and subject to disciplinary action by the Chief of School Police.

Section 1. All members of the Department shall be quiet, civil, and orderly at all times, and shall refrain from coarse, profane, or insolent language.

Section 2. Members of the Department shall meet the public with courtesy and consideration. Questions must be answered civilly and courteously, at the same time avoiding unnecessary conversation. Members shall not use slang or facetious expressions while talking to the public.

Section 3. It shall be the duty of every member of the Department to promote good public relations by giving assistance when it is required; by the impartial administration of the law; and by clean, sober, and orderly habits.



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Section 4. Sworn members of the Department shall carry their badge of authority at all times and shall furnish their name and badge number, to any person, upon request.

Section 5. Members of the Department shall refrain from making personal contacts with persons of questionable character, or visiting places where suspected violations of the law may be occurring, unless necessary to do so in the performance of their duty.

Section 6. Every member of the Department shall refrain from using unnecessary force or violence, in compliance with General Order 13-20.

Section 7. Members of the Department, while riding gratis on any type of public conveyance, are not permitted to be seated while other passengers are standing.

Section 8. All members of the Department shall fulfill their financial obligations. Every three years, a background check will be conducted which may consist of MVA, Credit Report, and Criminal Background.

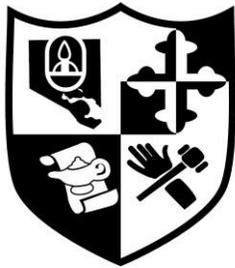
Section 9. Any attempt to bring influence to bear upon the Chief of School Police for the purpose of securing promotion or transfer, or to avoid the penalties for reprehensible action or conduct, shall be considered equivalent to insubordination and treated accordingly.

Section 10. Members of the BCSPF shall not participate in political activity other than as may be provided for by law and to exercise their right of suffrage, for which sufficient time shall be allowed.

Section 11. Any member of the Department, who being present at or having cognizance of any mutinous, seditious, rebellious, or reactionary movement within the Department, must use the utmost effort to suppress same, or knowing or having reason to believe that such movement is to take place, must give information thereof to that member's commanding officer without delay.

Section 12. No member of the Department shall publicly criticize or ridicule the official action of any member of the Department, public official, or judge.

Section 13. No member of the Department shall at any time be insubordinate or disrespectful to a superior.



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Section 14. No member of the Department shall willfully disobey any lawful command or order, either verbal or written, of any superior or other member designated to command.

Section 15. No member of the Department shall maliciously threaten strike or assault any other member of the Department. Members who aid, abet, or incite any altercation between members of the Department shall be held responsible along with those actually involved.

Section 16. All members of the Department shall treat as confidential the official communications and business of the Department.

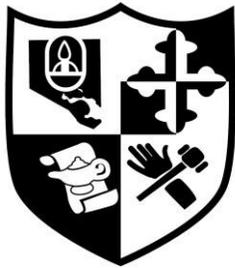
Section 17. No member of the Department shall knowingly make any false statement or misrepresentation of any material fact, oral or written, under any circumstances, with the intent to mislead any person or tribunal.

Section 18. No member of the Department shall violate any Federal or State law or City ordinance.

Section 19. Members of the Department shall be held strictly responsible for the proper performance of their duties. Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department.

Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the member's rank, grade and/or position; the failure to take appropriate action on the occasion of a crime, disorder or other condition deserving police attention; absence without leave; or unnecessary absence from the assigned patrol during a tour of duty.

In addition to other indication of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated less than satisfactory evaluations or a written record of repeated infractions of the rules, regulations, directives, or orders. Repeated inability to perform assigned duties in a satisfactory manner due to physical, mental, or emotional incapacitation including, but not limited to, that brought about by a member's use of alcohol shall also be considered unsatisfactory performance. Additionally, repeated inability to perform assigned duties in a satisfactory manner due to physical infinity or mental/emotional incapacitation shall be considered



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unsatisfactory performance.

Section 20. Members of the Department shall not frequent Headquarters, except as duty requires or upon order.

Section 21. Members of the Department must be punctual in attendance to all calls, requirements of duty, court appointments, and other circumstances where time is specified.

Section 22. Members of the Department shall not feign illness, avoid responsibility, or attempt to shirk their duties.

Section 23. Members of the Department are sworn in as peace officers of Baltimore City and, as such, are considered to be on-duty or ready for duty at all times.

Failure to stop and perform the necessary police duty while off-duty or on leave shall be considered neglect of duty. Necessary police duty, while off-duty may include, but is not necessarily limited to, immediately notifying the responsible law enforcement agency or causing such notification, or taking direct police action. Off-duty members, both inside and outside of the City limits, are to give first consideration to causing the appropriate action to be effected by the on-duty members of the responsible law enforcement agency. Members should become directly involved only after due consideration of the gravity of the situation, their present physical and mental ability to act in an on-duty capacity, and their possible liability, along with that of the Department and the City of Baltimore. Whenever members assume their official rule and take direct police action, they are governed by all policies, rules, and regulations applicable to on-duty members.

Section 24. Members of the Department in uniform on patrol duty, or at any public gathering, shall not smoke or chew tobacco. Smoking is permitted at other times when it is done in an inconspicuous manner.

Section 25. Members of this Department while on-duty, or when off-duty in uniform, shall not enter bars, taverns, or liquor establishments, except in the proper performance of their duties.

Section 26. All members of the Department are prohibited from indulgence in intoxicating liquors while on-duty, or while off-duty in uniform or partial uniform. Only in cases requiring such action to carry out a duty assignment shall authority be granted to violate this rule. This authority must be given to the officer concerned by that officer's immediate



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superior. Habitual overindulgence is forbidden. Members, while off-duty, shall refrain from consuming intoxicating beverages to the extent that it results in obnoxious or offensive behavior which would discredit them or the Department, or to such extent that at the time of the member's next regular tour of duty, they are impaired or intoxicated and thereby unfit for duty.

Section 27. Members of this Department shall not bring any intoxicating liquor into any Department building, schools, or vehicles, nor shall they permit same to be brought therein, except as required in the performance of police duty.

Section 28. The use of playing cards or other gambling paraphernalia in Headquarters or schools is strictly forbidden except as required in the performance of police duty.

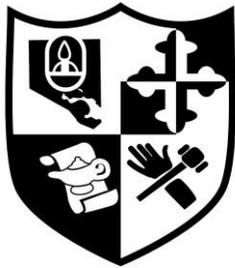
Section 29. No member of the School Police Department is permitted to take any employment, either full or part time, outside of the School Police Department, without special permission of the Chief of School Police or consistent with the guidelines contained in the General Order entitled "Secondary Employment."

Section 30. No compensation, reward, gift, or other consideration shall be solicited or accepted by members of the Baltimore City School Police Force. Attention is directed to Subtitle 16, Police Department, Section 22, Monies in Special Fund, Subsection 3, of the Code of Public Local Laws of Baltimore City, being Article 4 of the Code of Public Local Laws of Maryland; and, Article 27, Section 23 of the Annotated Code of Maryland, as well as Baltimore City Board of School Commissioners Policy BCA (Code of Ethics).

Offering a bribe to or receiving bribe by public officer; witnesses in prosecution. No member shall accept any monetary reward for the apprehension or surrender of any military personnel absent without leave (AWOL).

Section 31. Members of the Department shall not circulate, distribute, sell, or solicit the sale of tickets, handbills, posters, literature, or any other matter, or permit their names to be used by any person or organization for the purpose of selling tickets or promoting any contest, gift, or enterprise, without special permission of the Chief of School Police.

Section 32. Members of the Department, in their private business transactions with persons residing or doing business in their sectors or elsewhere, shall not place themselves in a position which would interfere with the proper discharge of their police duties.



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Section 33. Uniformed members of the Department, when encountering the Chief of School Police and other superior officers, except those assigned to plainclothes or detective duty, and superior officers in uniform when encountering each other, shall render the salute in the prescribed manner. All uniformed members of the Department shall also salute the Governor and Mayor in the prescribed manner.

B. Rule 2. Recovered Property

All members of the Department who recover or come into the possession, custody, or control of any lost, stolen, seized, or abandoned property, including money, shall be held responsible to properly secure and handle such property or money in conformity with the law and the established procedure of the Department.

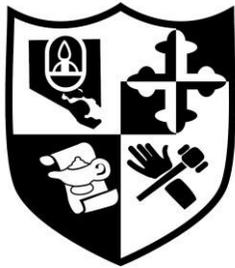
C. Rule 3. Firearms

Members of the Department who are authorized by law to carry firearms shall exercise the utmost care and precaution in the preservation and use of such weapons.

Section 1. All sworn members of the Department shall be suitably armed at all times when on-duty, except when working at a school during normal school hours. Sworn members, off-duty, within the State of Maryland, are authorized to carry an issued or approved handgun. There is, however, no requirement to be armed when off-duty.

While sworn members are authorized to wear, carry, or transport a handgun off-duty, they are reminded that their manner of doing so must be in conformance with existing State law and Departmental General Orders. Members of this Department shall not use firearms in the discharge of their duty, except in the following cases:

- a. In self-defense, or to defend another person (unlawfully attacked) from death or serious injury;
- b. To affect the arrest or to prevent the escape, when other means are insufficient, of a person whom the officer has probable cause to believe:
 - Has committed a felony involving the use or threat of deadly force or serious physical injury; and,
 - Who poses an imminent threat of death or serious physical injury to the officer or others.



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NOTE: Where feasible, the officer should give verbal warning prior to shooting at the felon. There are, however, situations where the issuance of a warning would be detrimental to the safety of the officer or others. In such a case, an officer need not give warning if to do so would increase the risk to himself or others.

- c. To kill a dangerous animal or an animal so badly injured that humanity requires its relief from further suffering;
- d. To give an alarm or to call assistance when no other means can be used; and
- e. When used in practice and/or qualification on the range.

Firearms training conducted by this agency stresses double action shooting skills consistent with the types of close range combat situations police most often face. Under no circumstances shall an officer cock his/her weapon while frisking a suspect, effecting an arrest, or at any other time while in close proximity to other persons.

Under no circumstances shall a member of the Department shoot at a person who is running away to avoid arrest on a misdemeanor charge, as the law recognizes that it is better to allow a misdemeanant to escape than to take that person's life. Members must always bear in mind, "When in doubt don't fire."

Section 2. A report must be submitted in writing to the Chief of School Police, through official channels, whenever a firearm is discharged by any member of the Department in the line of duty, giving full particulars, except when it is used on the range.

Section 3. When not in use, firearms shall be kept in a secure place inaccessible to persons not members of the Department.

Section 4. All Departmental firearms shall be given to the Firearms Instructor/Armorer for any repairs and adjustments, however slight.

NOTE: This rule shall apply to the off-duty use of firearms issued or approved for off-duty wear by the Department.

D. Rule 4. Uniforms and Equipment



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Members of the Department shall wear such uniforms, badges, insignia of rank, and equipment as prescribed in Departmental procedure. Uniforms and service equipment as covered under this rule are applicable to members having police powers only, and the wearing of any portion of the uniform or the use of police service equipment by civilian employees is a violation of this rule unless covered by orders specifically applicable to the individual or group. No uniform or equipment shall be worn or used by members of this Department unless they conform to the prescribed specifications.

Section 1. Members of the Department are required at all times to be neat, clean, and well-groomed; uniforms and civilian clothes shall be clean and pressed; shoes, boots, leather, and metal equipment shall be regularly polished; and side arms shall be clean and serviceable.

Section 2. Members of the Department while on-duty shall wear the prescribed uniform, and be properly armed and equipped, unless otherwise directed.

Section 3. Members of the Department shall wear only such uniforms, badges, insignia of rank, and equipment as prescribed in Departmental procedure.

Section 4. No member of the Department shall allow any other person to use his/her badge or other means of personal identification.

Section 5. Members of the Department shall not sell, exchange, lend, or borrow any part of their prescribed uniform and equipment, nor shall they wear their uniforms and equipment or any part thereof in any private performance, exhibition, or parade without permission of the Chief of School Police.

Section 6. Members of the Department who lose any equipment issued to them shall report the facts at once in writing to the Chief of School Police through official channels.

Section 7. Members of the Department shall be held responsible for all equipment issued to them, and where it is established that any part thereof is lost or damaged through negligence; the officer(s) concerned shall be obligated to replace it as their own expense. All members of the Department shall assume a personal responsibility for all Departmental property issued to them or placed in service for their use or convenience, and shall notify their commanding officer immediately when such property or equipment requires repair or replacement.



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Members who elect to store issued equipment within desks, lockers, etc., shall inspect such equipment daily to insure its presence and condition.

Section 8. Members of the Department under suspension from duty are required to turn over to their commanding officer all Departmental equipment issued to them or assigned for their use.

Section 9. Members of the Baltimore City School Police shall refrain from making personal cellular telephone calls while on duty in uniform or in plain-clothes capacity. When the infrequent occasion requires making a personal cellular telephone call, that call shall be brief in duration and conducted out of public view.

Personal earpieces for both cellular telephones and entertainment devices are prohibited from use while on-duty in uniform or in plain-clothes capacity. The prohibited devices include but are not limited to speakers and microphones, both wired and wireless.

E. Rule 5. Leave. Sickness. Injury

Members of the Department shall, except when on authorized or medical leave, perform the prescribed tours of duty.

Section 1. Members of this Department shall not absent themselves from duty without proper authority.

Section 2. All requests from members of the Department for leave of absence shall be made on a form provided for that purpose, submitted to their supervisor at least twenty four hours prior, and shall be approved or disapproved by their supervisor.

Section 3. Members while off duty on authorized leave of absence are subject to recall in the event of any emergency. Therefore, members while on leave of absence will notify their supervisors how they may be located. (Not to apply to short trips in the counties adjacent to Baltimore City).

Section 4. All members of the Department who are unable to report for duty for any reason shall promptly notify or cause to be notified their supervisor, stating the reason for such failure to report. Members who sustain an injury in line of duty shall promptly notify or cause to be notified their commanding officer.



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Section 5. Members of the Department on medical leave, non-line of duty, five days or more shall, upon their return to duty, furnish their supervisor with a release certificate from their physician. Members of the Department on medical leave, line of duty, shall, upon their return to duty, furnish their supervisor with a release certificate from the Office of Occupational Medicine and Safety.

Section 6. Members of the Department on medical leave shall not engage in secondary employment while on medical leave.

F. Rule 6. Reports and Communications

In the transaction of Departmental business, all reports and communications shall be prepared and handled in accordance with the procedure of the Department.

Section 1. Unless otherwise ordered, members of the Department shall refrain from discussing with the public any of the general policies of the Department. Information concerning the business of the Department shall be released only by the Chief of School Police or persons authorized by the rules, regulations, or procedures.

Section 2. No member of the Department shall sign any petition as a member except on authority of the Chief of School Police.

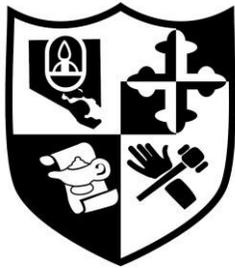
Section 3. Departmental telephone service is for official business only and shall not be used for personal calls.

Section 4. Members of the Department are required to report through official channels any change in their address, telephone number, or marital status, within 24 hours.

Section 5. Such reports as may be required to properly administer the affairs of the Department, or to furnish information, shall be submitted in accordance with Departmental procedure.

G. Rule 7. Departmental Records

All members of the Department whose duties require them to maintain Departmental records shall do so in accordance with the provisions of the law and the established procedures of the Department.



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Section 1. No member of the Department or other person or persons shall have access to or make a transcript from Departmental records except where permitted by Departmental procedure, or unless so directed by the Chief of School Police.

Section 2. No member of the Department shall remove any official book, document, or file belonging to the Department, whether contained at Headquarters or any division of the Department, without authority of the Chief of School Police or under due process of law.

H. Rule 8. Miscellaneous

Section 1. Members of the Department shall not associate themselves into a team, club, or organization, within the School Police Department, unless such association has the approval of the Chief of School Police.

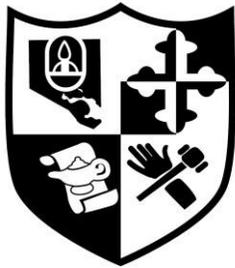
Section 2. Members of the Department are prohibited from affiliating with any organization or body, the provisions of whose constitution or charter would in any way exact prior consideration, and prevent them from performing their duty as members of the Department.

Section 3. No member of the Department shall be permitted to reside in any building where intoxicating liquors are sold.

Section 4. Members of the Department are prohibited from joining any federal or state military organization without the consent of the Chief of School Police.

Section 5.

- (a) Any member of the Department summoned to the State's Attorney's Office of Baltimore City or any other prosecutor, or before any court concerning any matter in which the officer or any other member of the Department may become a defendant, must report the facts in writing to the Chief of School Police through official channels.
- (b) Any member of the Department summoned or appearing voluntarily as a character witness in any criminal case must report the facts in writing to the Chief of School Police through official channels.



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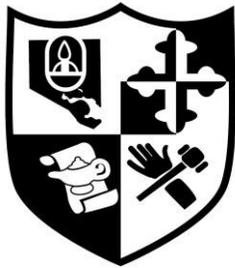
- (c) Notification of appearance as either a defendant or a witness as required in the preceding sections, must be made prior to the date of trial.
- (d) Members of the Department must not involve themselves without Departmental permission, either officially or unofficially, in any civil matter such as those pertaining to indebtedness and domestic affairs except where the member has been summoned by regular court procedure or where it becomes necessary to prevent a breach of the peace.

Section 6. Members of the Department shall not recommend or suggest to persons suspected of violating the law, or persons involved in accidents, the name of any person, firm, or corporation as attorney, counsel, or bondsman; nor shall any member be directly or indirectly concerned with making any arrangements, agreements, or compromise between a person charged with a criminal offense and the victim/complainant and/or any other party/person thereto; nor become involved in any matter for the purpose of allowing the criminal to escape punishment as provided by law or in any other way interfere with the criminal justice process, in a manner which is inconsistent with legal and ethical standards.

Section 7. Members of the Department shall not, without proper authority, release any individual in their charge or custody or, through neglect or design, allow any individual in their charge or custody to escape.

Section 8.

- (a) No member of the Department shall file a claim, bring suit, or accept settlement for the recovery of damages sustained from any injury or loss in or out of the service without prior written notification through command channels to the Chief of School Police. Such notification will be officially acknowledged by publication of a Personnel Order.
- (b) Personnel injured in the line-of-duty or non-line-of-duty, by the negligence of a third party, shall be required to reimburse the Department for expenses advanced by it provided that such reimbursement shall be made out of the proceeds of settlement with the attorney or his insurer.
- (c) Expenses for which the Department must be reimbursed shall consist of wages, hospital costs, doctors' fees, and any other medical expenses advanced by the Department.



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- (d) Reimbursement to the Department shall be made by the claimant or his counsel for monies payable to the Mayor and City Council, through the Director of the Fiscal Division.

Section 9. Members of the Department shall not compound any offense committed against their person or property, or withdraw any complaint in relation thereto, without the consent of the Chief of School Police.

Section 10. Members of this Department shall not accept a witness fee or reimbursement for expenses incurred in connection with their official duties without reporting same, through official channels, to the Chief of School Police, and obtaining his/her authorization.

Section 11. Infractions of Departmental rules and regulations resulting in punishment or reprimand shall be recorded as provided in the established procedures of the Department.

IV. **EFFECTIVE DATE**

This Order shall be effective on the date of publication.

I certify that I have read and fully understand this Order.

Signature _____ Date _____