

Bowie Police Department - General Orders



TITLE: NOTIFICATION OF STATE'S ATTORNEY'S OFFICE	NUMBER: 441
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I. POLICY

Members of the Bowie Police Department will notify and consult with the State's Attorney's Office as directed by this General Order and as necessary to enhance case preparation and to assure the most effective prosecution of criminal and traffic offenders.

II. NOTIFICATION PROCEDURES AND CRITERIA

- A. The procedures listed below will bring an Assistant State's Attorney into cases involving serious and habitual offenders as early as possible.
1. Officers will alert the State's Attorney's Office early about a major offender so that a senior Assistant State's Attorney can be assigned to assist in the enhancement of a case, and to monitor, as well as expedite, the processing of the defendant, including attending the initial Bond Review Hearing.
 2. Officers shall notify the State's Attorney's Office of the following, unless relieved of that responsibility by the appropriate Investigator:
 - a. All murders and attempted murders, regardless of the defendant's prior criminal history;
 - b. All arrests for rape, armed robbery, sexual offenses (1st and 2nd degree), assault with the intent to murder, rape, or rob and any attempts to commit any of the above;
 - c. Any defendant who has a prior felony conviction as an adult from any jurisdiction or a serious juvenile record, if known;
 - d. Violent crimes;
 - e. Felonies which are unusual and/or complex and generate media interest; and
 - f. Fatal or serious P.I.C.'s **prior to the placing of charges.**

3. Monday through Friday from 0830 to 1700 hours, contact the State's Attorney's Office directly. All other times, or if no answer, contact communications for the number for the on-call State's Attorney.
4. The on-call State's Attorney will be contacted whenever a major offender is charged (warrant obtained) and then whenever the offender is located, wherever that may be.

B. Fatal/Serious Personal Injury Accidents

Before an officer places charges in a fatal accident or an accident involving serious personal injury, the officer will contact the District Prosecution Team Leader as soon as possible, and no later than the next working day, to determine what and how the appropriate charges are to be placed, i.e., citation, warrant, indictment, etc.

C. Habitual/Repeat Offenders

1. The goal of identifying habitual and repeat offenders is to reduce the incidence of specific criminal offenses occurring in the City of Bowie and in Prince George's County by identifying and targeting the career criminal for prosecution and incarceration.
2. An officer arresting a habitual or repeat offender will notify the District Team Leader as soon as practical.

D. Use of the Bond Alert Form

1. A "Bond Alert" form is completed by an officer who, for good cause, wishes to recommend that the State's Attorney's Office **oppose** the release of a defendant on bond at a Bond Review Hearing because, among other reasons, the offender is a habitual offender.
2. The form will be completed in its entirety, listing clear reasons why the defendant is unsuitable to be released on bond and will be faxed as soon as possible after arrest and supervisory approval.
3. Use of the form is **mandatory** in cases where a firearm was used in the commission of a crime.
4. A copy of the form will be maintained with the station copy of the report.

E. DWI Repeat Offenders

1. Officers will use a DWI Repeat Offender Notification Form to notify the State's Attorney's Office of an individual that was arrested on a previous occasion for a DUI or DWI offense.
2. When the form is prepared by the arresting officer, it will include a copy of the officer's report and a copy of the defendant's driving record.