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| Section 4/600 ♦ Processing Prisoners | | |
| 4 / 612 | Special Circumstances | 5/1/96 Rev. 6/8/04 |
| Accreditation Standards | 1.2.5/61.1.3 | |

4 / 612.05 MILITARY PERSONNEL

The Office of the Provost Marshal at Fort Meade, MD shall be notified whenever any member of the United States Armed Forces is arrested (301-677-6261). Other than this notification, all other arrest procedures shall apply except:

- “A member of the organized militia may not be arrested on any process not issued by a military authority while going to, remaining at, or returning from a place that the member is required to attend for military duty”. (MARYLAND CODE, PUBLIC SAFETY ARTICLE 13-905)
- The Uniform Code of Military Justice provides authority for civil law enforcement officers to arrest a deserter from the United States Armed Forces. Officers who arrest military deserters shall treat the offense as a misdemeanor, process the individual in accordance with current procedures and shall notify the Provost Marshal as indicated above. In accordance with the department Code of Conduct, officers shall not accept any bounty or other gratuity from the Federal Government for arresting a deserter unless special permission is granted by the Chief of Police.

4 / 612.10 MAIL CARRIERS

Any person arrested while actively engaged in the delivery of the United States mail, or while operating a vehicle transporting United States mail, shall be permitted to turn the mail and/or vehicle over to a representative of the Postal Service prior to his/her removal from the scene of the arrest. All other arrest procedures shall apply. If a Postal Service representative cannot respond to the scene within a reasonable period of time, another officer will remain with the vehicle until postal authorities arrive.

4 / 612.20 LEGISLATORS

There is no provision in Maryland law exempting any state or local official, either appointed or elected, from federal, state or local laws. The issuance of a traffic citation, a warning or a physical arrest in those cases where physical arrest is authorized is permitted.

In regard to members of Congress, the following provision is taken from the CONSTITUTION OF THE UNITED STATES, Article 1, Section 6: The United States Senators and Representatives... “shall in all Cases, except Treason,

Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.”

4 / 612.25 CORRECTIONAL EMPLOYEES

The Maryland Division of Corrections (DOC) Investigative Unit handles both criminal and administrative investigations within all DOC institutions and facilities.

The Investigative Unit requests notification via MILES teletype of any arrest of a DOC of Patuxent Institution employee. If the arrested employee indicates that he/she possesses information pertaining to criminal or serious administrative violations within a correctional facility, immediate notification will be made by the arresting officer to the Investigative Unit by calling the DOC Monday through Friday (between 0830-1630 hours) at (410) 799-0336 or the Maryland State Police Telecommunications Division may be called at (401) 653-4200 at any other time.

The Investigative Unit will contact the arresting officer, evaluate the circumstances and respond when necessary to obtain pertinent information. When requested, the Investigative Unit will provide investigative assistance. The Unit will also make notification to the Commissioner of Correction and the Director of the Patuxent Institution, as appropriate.

The Investigative Unit requests that they be notified whenever information is developed indicating that a DOC or Patuxent Institution employee is involved in criminal activity. This notification will not be made if it would jeopardize the ongoing investigation.

END OF ORDER