



OFFICE OF THE COUNTY SHERIFF
Montgomery County, Maryland
Raymond M. Kight, Sheriff



GENERAL OPERATIONAL PROCEDURES

Subject: Juvenile Arrests Reporting Procedures <i>Maryland Code, Education Article, § 7-303</i>	Number: 3.03.A	Effective Date: 04/30/08
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Purpose: To establish procedures *for reporting of criminal offenses committed by a child enrolled in the public school system.*

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I. Background

Maryland Code, Education Article, § 7-303, Arrest of Students; reportable offenses, requires that law enforcement agencies *notify* the *local* public school superintendent or designee whenever a student *who is 5 years of age or older and under 22 years of age* is arrested *for a reportable offense or an offense that is related to the student's membership in a criminal gang. The superintendent or designee will be notified of the arrest and charges* within twenty-four (24) hours *or as soon as practicable.* This required action will inform public school systems about students that commit particular crimes. The reporting responsibilities require deputies to include particular information in their reports and to initiate the notification process.

II. Procedure (82.1.2.a)

- A. When a deputy charges a juvenile with one or more of the crimes *listed in the attached document*, they are required to:
 - (1) Inquire from the juvenile the name of the school they attend and the appropriate school district. If possible, verify this information with a parent, guardian, *or school official.*
 - (2) Place this information in the appropriate block of the Arrest Report and *in the* narrative of the Incident Report.

- (3) ***Complete a Juvenile Arrest Reporting Memorandum (MCSO62) and promptly fax the memorandum to the superintendent's office for the county in which the student is enrolled.***
 - (a) ***Attach a copy of the memorandum to the Incident Report.***
 - (b) ***File the memorandum and fax receipt in the individuals' case file that is maintained in the Criminal Section.***

B. Notification is not required when:

- (1) ***the juvenile is arrested on a juvenile warrant; or***
- (2) ***the juvenile is attending private school or not currently attending school.***

III. CALEA Standards

82.1.2.a

IV. Cancellation

This directive cancels and replaces General Operational Procedures 3.03.A, effective 7/17/95. Shred replaced directive.

AUTHORITY:


Raymond M. Kight, Sheriff
04/30/2008

Maryland Code, Education Article, § 7-303	
Reportable Offenses	
Arson in the 1 st degree	§ 6-102 (Criminal Law Article)
Kidnapping	§ 3-502 (Criminal Law Article)
Manslaughter, except involuntary manslaughter	§ 2-207 (Criminal Law Article)
Murder	§§ 2-201 through 2-206 (Criminal Law Article)
Rape	§§ 3-303 through 3-310 (Criminal Law Article)
Robbery or Attempt to Commit Robbery	§ 3-402 (Criminal Law Article)
Robbery with Dangerous Weapon	§ 3-403 (Criminal Law Article)
Carjacking	§ 3-405 (b) (1) (Criminal Law Article)
Armed Carjacking	§ 3-405 (c) (1) (Criminal Law Article)
Sexual Offense in the 1 st degree	§ 3-305 (Criminal Law Article)
Sexual Offense in the 2 nd degree	§ 3-306 (Criminal Law Article)
Sexual Offense in the 3 rd degree	§ 3-307 (a) (1) (Criminal Law Article)
Use of a Handgun in the Commission of a Felony or other Crime of Violence	§ 4-204 (Criminal Law Article)
Child Abuse in the 1 st degree	§ 3-601 (Criminal Law Article)
Sexual abuse of a minor if: the victim is under the age of 13 years and the offender is an adult at the time of the offense; and the offense involved: vaginal intercourse, as defined in § 3-301 of this article; a sexual act, as defined in §3-301 of this article; an act in which a part of the offender's body penetrates, however slightly, into the victim's genital opening or anus; or the intentional touching, not through the clothing, of the victim's or the offender's genital, anal, or other intimate area for sexual arousal, gratification, or abuse.	§ 3-602 (Criminal Law Article)
An attempt to commit any of the above crimes	
Continuing course of conduct with a child	§ 3-315 (Criminal Law Article)
Assault in the 1 st degree	§ 3-202 (Criminal Law Article)
Regulated firearms	§ 5-133, § 5-134 and § 5-138, (Public Safety Article)
Possession of short-barreled rifle or short-barreled shotgun	§ 5-203 (Public Safety Article)
Using, wearing, carrying or transporting a firearm during and in relation to a drug trafficking crime	§ 5-621 (Criminal Law Article)
Use of a firearm	§ 5-622 (Criminal Law Article)
Use of a machine gun in crime of violence	§ 4-404 (Criminal Law Article)
Use of a machine gun for aggressive purpose	§ 4-405 (Criminal Law Article)

Dangerous Weapons	§ 4-101 (Criminal Law Article)
Deadly Weapons on school property	§ 4-102 (Criminal Law Article)
Wearing, carrying or transporting handgun	§ 4-203 (Criminal Law Article)
Crimes involving controlled dangerous substances and paraphernalia	§§ 5-602 through 5-609, §§ 5-612 through 5-614, § 5-17, § 5-618, § 5-627, or § 5-628 (Criminal Law Article)
Manufacture or possession of destructive device	§ 4-503 (Criminal Law Article)
False Statement regarding destructive device	§ 9-504 and § 9-505 (Criminal Law Article)
Arson and burning	§ 6-102, § 6-103, §6-104, and § 6-105 (Criminal Law Article)
Criminal gang offenses	§ 9-802 and § 9-803 (Criminal Law Article)



OFFICE OF THE COUNTY SHERIFF
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Juvenile Arrest Reporting
MEMORANDUM

Date: _____

To: _____, Superintendent of Schools

_____ County, Maryland

From: _____, Deputy Sheriff

Subject: Arrest of Students; Reportable Offenses

In accordance with the Maryland Code, Education Article, § 7-303, Arrest of Students; Reportable Offenses, please accept this memorandum as notification of the arrest of the following Maryland Public School Student.

Student: _____ DOB: _____

School: _____

Charge: _____