

OCEAN CITY POLICE DEPARTMENT
Ocean City, Maryland

SUBJECT: STATEMENTS & CONFESSIONS		NO: 700 C-1
APPROVED/EFFECTIVE DATE March 1, 1988	AMENDS G.O. 700 C-1	RESCINDS
DISTRIBUTION/DATE A	REFERENCES	

- .10 It is mandatory for all department members to advise any person in custody of his/her constitutional rights prior to any interrogation.
- .20 Whenever a person is arrested and charged with an offense, officers will complete the Waiver of Prompt Presentment, Form 102C, if any interrogation takes place prior to the suspect's appearance before a court commissioner.
- .30 It is the state's responsibility to prove in court that the defendant was properly and fully advised of all his/her constitutional rights, and that the defendant fully understood and waived those rights; therefore,
 - A. The officer(s) conducting the interview must give serious consideration to the age, education, and mental and physical condition of the person in custody.
 - B. The officer(s) conducting the interview must never threaten any person in custody, trying to obtain a statement or confession.
- .40 Officers will insure that all Explanation of Rights forms are filled out completely.
- .50 When a suspect refuses to sign an Explanation of Rights form, the officer(s) must enter "refused to sign" in the space provided above the signature.
- .60 If a suspect or person in custody expresses a desire to exercise his rights, the officer(s) will immediately stop the interview.
- .70 Whenever possible, statements and confessions should be made in writing. The statement shall be written by the suspect in narrative form, or question and answer form. When using question and answer form, the interviewer will write out the questions and the suspect will respond to the questions in his/her own handwriting. The suspect will then initial all written answers