



FROSTBURG CITY POLICE DEPARTMENT

37 BROADWAY, FROSTBURG, MD 21532 • 301-689-3000 (P) 301-687-0642 (F)

Kevin G. Grove
Commissioner of Public Safety

Nicholas J. Costello
Chief of Police

Fugitives

I. Purpose:

The purpose of this policy is to establish guidelines consistent with law and state policy for the handling of Fugitives from Justice.

II. Definitions:

- A. “Fugitive from Justice”** means a person wanted by an arrest warrant or arrest order in another state (a state other than Maryland) or by federal authorities.

III. Policy:

- A.** A Fugitive from Justice matter shall be handled in accordance with law and the procedures below.

IV. Procedures:

- A. Arrests.** When a Fugitive from Justice is arrested, the arresting officer or supervisor shall see that:

1. a hit confirmation is received through METERS/NCIC showing the existence of an arrest warrant or order, **AND**
2. the hit confirmation shows that the state or authority will extradite the person.

- B. Confirmation.** Prior to making a custodial arrest, the officer should, when circumstances reasonably allow, confirm with the originating agency that the arrest warrant is “in hand,” meaning that the originating agency checked, confirmed that they have an open and active warrant for the person actually in their files, and that the hit is not the result of a data error.

- a.** In the event an officer arrests an apparent fugitive based on a computer hit but finds that the authority does not have an active warrant or that they will not extradite the person, the officer will notify their supervisor, release the person, explain what occurred, and describe the circumstances that evolved factually and chronologically in an incident report. The supervisor shall promptly notify the originating agency of the erroneous data issue and document that notification in the incident report.



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C. Judicial Officer. When a Fugitive from Justice is arrested, the person will be transported promptly to a District Court Commissioner for an initial appearance. The arresting officer will:

1. Complete District Court of Maryland Form DC-CR-140 – Complaint Against Fugitive,

and

2. Present the completed form, along with a copy of the warrant, to the District Court Commissioner along with the fugitive

D. UNDER NO CIRCUMSTANCES WILL A FUGITIVE BE RELEASED DIRECTLY TO OUT OF STATE AUTHORITIES. Fugitives will be presented to a Maryland Judicial Officer, after which the extradition process shall determine their release to out of state authorities. This is normally handled by the Allegany County Detention Center staff. Federal authorities, however, may take custody of a prisoner for federal matters, provided they have the lawful authority to do so.