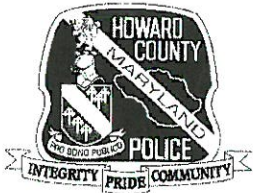


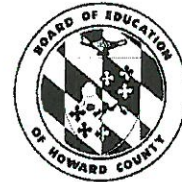
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# CANINE DRUG SCANS

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**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
HOWARD COUNTY DEPARTMENT OF POLICE  
AND THE  
HOWARD COUNTY PUBLIC SCHOOL SYSTEM**



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**HOWARD COUNTY DEPARTMENT OF POLICE**  
- WILLIAM McMAHON, CHIEF OF POLICE -

**HOWARD COUNTY PUBLIC SCHOOL SYSTEM**  
- SYDNEY COUSIN, SUPERINTENDENT -

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE HOWARD COUNTY DEPARTMENT OF POLICE (HCPD)  
AND THE  
HOWARD COUNTY PUBLIC SCHOOL SYSTEM (HCPSS)  
REGARDING  
CANINE DRUG SCANS OF HIGH SCHOOL FACILITIES**

WHEREAS, the Howard County Department of Police (herein referred to as the HCPD) is responsible for the safety of individuals and the enforcement of laws throughout Howard County; and

WHEREAS, the Howard County Public School System (herein referred to as the HCPSS) seeks to maximize the safety of students, staff, and visitors on school property; and

WHEREAS, the HCPD and the HCPSS wish to work cooperatively in carrying out their responsibilities for public safety, law enforcement, student discipline, and the safety of all persons within HCPSS facilities,

NOW, THEREFORE, the parties agree to the following provisions regarding police canine drug scans on high school property, including parking lots.

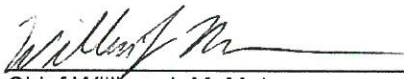
1. The HCPD shall appoint a lead contact person to act as the liaison (Police Liaison) with the HCPSS regarding canine drug scans on school property, including parking lots.
2. The HCPSS shall appoint a liaison (School Liaison) to work with the HCPD in carrying out all provisions of this Memorandum of Understanding.
3. Each Howard County High School principal will ensure that an announcement is made to the student body that periodic police canine drug scans will be conducted on school property. This announcement must be made at least three (3) times during the first month of each school year and three (3) additional times during the first month of the second semester. The school principal will maintain a written record of the dates and times of these school announcements and will provide a copy to the HCPD on the day of each canine drug scan. The school announcement will be as follows:

*"This is to notify you that periodic drug scans will be conducted on school premises by K-9 teams from the Howard County Department of Police. This action is being taken to protect you and to work towards a drug-free school environment. You are being given prior notice of this program pursuant to school system policy."*

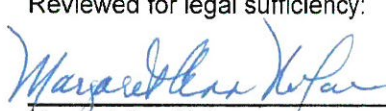
4. High school principals and the Police Liaison will mutually agree on a date and time for the HCPD to conduct canine drug scans. Prior to the agreed upon date, the high school principal will meet with the Police Liaison to review the canine drug scan procedures. The HCPD supervisor will be responsible for the operational aspects of the drug scan.
5. A pre-planning meeting will be held with the Police Liaison and the school principal to provide specific information to HCPD to assist in maximizing the effectiveness of the drug scan.
6. The HCPSS shall take all possible steps to ensure that no school employee, other than that principal has prior knowledge of any scheduled drug scan.
7. At the time of the canine drug scan, the high school principal shall:
  - A. Provide documentation to the HCPD supervisor of the dates and times that all previous announcements were made advising of the use of canine drug scans within HCPSS facilities.
  - B. Inform students and staff that the school is in a "lockdown" and announce that all students are required to remain in their seats, within their classroom, with the doors closed.
  - C. Ensure that late arriving students are sent to a designated area in the building and supervised by HCPSS staff until the conclusion of the canine drug scan.
8. Each school principal should assign a school administrator to work directly with the HCPD canine team during the scan to handle the following:
  - A. Escort students or staff to the parking lot to witness any police searches of their vehicles (based upon probable cause developed by the HCPD drug detection dog).
  - B. Provide vehicle owner/driver information to the HCPD, if requested.
  - C. Escort students, with legitimate excuses, who must leave their classrooms (medical or bathroom emergency, doctor's appointment, etc.).
  - D. Based upon probable cause developed during the course of the canine scan and any subsequent investigation, along with any CDS and/or paraphernalia recovered, the HCPD retains the ability to charge any suspects criminally.
  - E. If probable cause exists to affect an arrest, any search of a student and/or their possessions incident to that arrest will be conducted by a police officer.
  - F. Any administrative search of a student and/or their possessions will be conducted by and at the discretion of the designated school administrator.

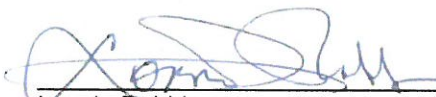
9. Administrative actions and discipline will be the sole responsibility of school officials pursuant to applicable laws and regulations.
10. This Memorandum of Understanding (MOU) shall remain in effect from the time of its full execution until November 30, 2011. Thereafter, all provisions of this MOU shall continue without any further action by the parties for successive one (1) year terms, running July 1<sup>st</sup> through June 30<sup>th</sup>, unless terminated by either party pursuant to this MOU.
11. Either party may terminate this MOU by serving written notice upon the other party at least thirty (30) days in advance of such termination.
12. This MOU is an agreement between the parties for the purpose of clarifying their respective functions in a joint activity, and no provision in this agreement is intended to confer procedural or substantive due process rights on students or staff, whose persons or property may be scanned or searched by the HCPD or HCPSS.
- 13.


IN WITNESS WHEREOF, each party to this Memorandum of Understanding has caused it to be executed on this 10th day of November 2009.

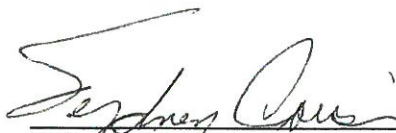
 11/12/09  
 Chief William J. McMahon Date  
 Chief of Police  
 Howard County Department of Police

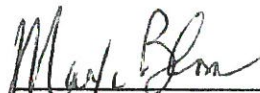
Reviewed for legal sufficiency:

 11/18/09  
 Margaret Ann Nolan Date  
 County Solicitor  
 Howard County Office of Law

 11/20/09  
 Lonnie Robbins Date  
 Howard County Chief Administrative Officer

 11/23/09  
 Ken Ulman Date  
 Howard County Executive

 12-15-09  
 Sydney Cousin Date  
 Superintendent  
 Howard County Public School System

 12-9-09  
 Mark C. Blom Date  
 Howard County Public School System