



# MARYLAND CAPITOL POLICE

## OPERATIONS DIRECTIVE



### Flag Protocol

<b>Distribution:</b>	All Employees	<b>Index:</b>	<b>OPS 14.10</b>
<b>Responsible Unit:</b>	Headquarters	<b>Rescinds:</b>	N/A
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#### .01 Purpose

To ensure proper flag etiquette and procedures are followed by MCP personnel when handling, honoring, and displaying the U.S., Maryland State, and POW/MIA Flags.

#### .02 Policy

The MCP will adhere to the guidelines set forth in the applicable Federal and State statutes pertaining to the handling, honoring and display of the United States Flag, POW/MIA Flag, and the Maryland State Flag.

#### .03 Definitions

**HONOR AND REMEMBER FLAG:** a flag created and trademarked by Honor and Remember, Inc., a non-profit organization, designed to honor the sacrifice of America's military fallen service members and their families.

**NATIONAL LEAGUE OF FAMILIES POW/MIA FLAG:** a flag created for the National League of Families of American Prisoners and Missing in Southeast Asia. On August 10, 1990, the 101st Congress recognized the National League of Families POW/MIA Flag designating it "as a symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation."

#### .04 Authority

U.S. CODE: THE FLAG, 4 U.S.C. §§ 1-3,

U.S. CODE: PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS, 36 U.S.C. §§ 101 – 2502,

U.S. PUB. LAWS § 101-355,

MD CODE ANN. GEN. PROV. § 7-204 AND § 7-205,

MD CODE ANN. STATE FIN. & PROC. § 4-210.

#### .05 Procedures

##### A. United States Flag Protocol

1. The flag will be flown from sunrise to sunset on buildings and on stationary flag staffs in the open. However, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.
2. The flag should be hoisted briskly and lowered ceremoniously.
3. The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
4. No other flag or pennant should be placed above or, if on the same level, to the observer's left of the U.S. flag.

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5. The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day.
6. The Flag will be flown at half-staff on the following occasions and times:
  - a. By order of the President of the United States,
  - b. By order of the Governor,
  - c. Peace Officers Memorial Day, May 15th (sunrise until sunset),
  - d. Memorial Day, last Monday in May (sunrise until noon),
  - e. Patriot Day, September 11 (sunrise until sunset),
  - f. Korean War Veterans Armistice Day (sunrise until sunset),
  - g. National Firefighters Memorial Day (sunrise until sunset), and
  - h. Pearl Harbor Remembrance Day, December 7th (sunrise to sunset).

**B. Saluting the United State Flag**

1. Uniform personnel will show respect for the flag by rendering a salute under the following circumstances:
  - a. At the playing of our National Anthem.
  - b. When reciting the Pledge of Allegiance to the flag;
  - c. When the flag is being raised or lowered from the flag pole at a public event; and
  - d. When the flag is passing by, as in a parade or flag ceremony.
2. National Anthem
  - a. During the renditions of the National Anthem, persons in uniform should:
    - 1) face the flag;
    - 2) stand at attention;
    - 3) render a salute; and
    - 4) hold the salute until the last note.
  - b. Persons not in uniform should:
    - 1) stand at attention facing the flag;
    - 2) place their right hand over the heart;
    - 3) if wearing a cap or hat, remove it with their right hand and hold it at the left shoulder, the hand being over the heart.
  - c. When the flag is not present those present should face forward and act in the same manner they would if the flag was displayed.
3. Pledge of Allegiance
  - a. During the Pledge of Allegiance, persons in uniform should:
    - 1) face the flag;
    - 2) stand at attention;
    - 3) remain silent;

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- 4) render a salute; and
- 5) hold the salute until the Pledge has concluded.
- b. Persons not in uniform should:
  - 1) stand at attention facing the flag;
  - 2) place their right hand over the heart;
  - 3) if wearing a cap or hat, remove it with their right hand and hold it at the left shoulder, the hand being over the heart; and
  - 4) recite the Pledge.
4. Parades and Flag Ceremonies

During parades and flag ceremonies, persons in uniform should:

  - a. face the flag;
  - b. stand at attention;
  - c. render a salute; and
  - d. hold the salute until the flag has either completed the movement or passed their location.

**C. The Maryland State Flag Protocol**

1. The Maryland flag shall be flown with the black stripe on the diagonal band of the first quarter at the top of the flagstaff (Figure1). Only a gold cross botany may be used as an ornament on the top of a flagstaff that carries the Maryland flag.



**Figure 1**

2. When the Maryland flag is displayed within the State of Maryland, it should occupy the position of honor to the observer's right after the U.S. flag and the flag of any other nation, and before the flags of other states, Maryland counties and Baltimore City, municipalities, and public or private organizations (Figure 2).



**Figure 2**

3. When the U.S. flag and Maryland flag are flown from a single flagstaff, the U. S. flag should be displayed from the peak position with the Maryland flag immediately below it. The Maryland flag should be approximately the same size as, but never larger than, the U.S. flag (Figure 3).



**Figure 3**

4. The U.S. flag and the Maryland flag shall be flown from the State House at Annapolis continuously during sessions of the General Assembly.
5. When the General Assembly is not in session, the U.S. flag and the Maryland flag shall be flown continuously from the State House on each day that the Governor designates as a public occasion, and on any other day, weather permitting, between sunrise and sunset.
6. When the Maryland flag and the U.S. flag are displayed on separate flagpoles, the flagpoles should be of equal height and the Maryland flag should be approximately the same size as, but never larger than, the U.S. flag.
7. The Maryland flag should be flown from the second position of honor, or from the flagpole on the right of the U.S. flag as normally viewed by the observer (Figure 4).



**Figure 4**

8. When carried in a procession the Maryland flag should be on the marching left (observer's right) of the U.S. flag (Figure 5).



**Figure 5**

9. When the U.S. flag is flown at half-staff, the Maryland flag will also be lowered to half-staff.
10. The procedures for folding the Maryland flag and its' history can be found at:  
[www.sos.maryland.gov](http://www.sos.maryland.gov).

**D. POW/MIA and Honor and Remember Flag Protocol**

1. The MD State Finance and Procurement Article §4-210 designates the POW/MIA flag (Figure 6) and the Honor and Remember flag (Figure 7) to be flown whenever the US flag is flown on all State buildings under the control of the DGS, with the following exceptions:
  - a. State buildings determined by DGS Facilities Operations and Management (FOM) to be historic or structurally incapable of withstanding an additional flag will not fly the POW/MIA flag.
  - b. On the State House Grounds, the POW/MIA and the Honor and Remember flags will only be flown on a removable telescopic flag pole located on the Maryland Avenue side of the State House grounds.

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- 1) The flag pole will be put in place by FOM personnel until the completion of the holiday, at which time it will then be removed by FOM personnel until the observance of the next holiday the flag is to be flown.
- 2) The POW/MIA and the Honor and Remember flags will be kept behind the State House ground floor information desk until after the completion of the observed holiday, it will then be stored in the Sergeant's office until the next date it is to be flown.



**Figure 6**



**Figure 7**

***\*Note:** POW/MIA and the Honor and Remember flags may be purchased at: [www.honorandremember.org](http://www.honorandremember.org).*

2. The POW/MIA and the Honor and Remember flags will be flown from sunrise to sunset, on the designated national observances as follows:
  - a. Armed Forces Day—Third Saturday in May;
  - b. Memorial Day – The last Monday in May and the Saturday and Sunday closest to the day of observance;
  - c. Independence Day—July 4th;
  - d. National POW/MIA Recognition Day—Third Friday in September; and
  - e. Veterans Day—November 11th and the Saturday and Sunday that are closest to the day of observance.
  - f. It is the responsibility of the Annapolis Division Commander, or their designee, to forward a memo to MCP staff by January 31st each year with the actual observance dates.
3. When displayed from a single flag pole, the POW/MIA and Honor and Remember flags should fly directly below, and be no larger than, the U.S. flag. The United States and Maryland flags are to be raised first.
4. For instances when the United States and Maryland flags may be down due to damage, the POW/MIA and the Honor and Remember flags will not be displayed.
5. If on separate poles, the POW/MIA and Honor and Remember flags should always be placed in the second position of honor to the observer's right of the U.S. flag and the left of other flags.
6. When the U.S. flag is flown at half-staff, the POW/MIA flag and the Honor and Remember flags will not be flown unless it can be displayed at half-staff as well.
7. In the event that the POW/MIA and the Honor and Remember flags are flown in an area where the flags are lowered daily, the POW/MIA and the Honor and Remember flags are lowered first before the United States and Maryland flags.

**E. Flag Notifications**

1. The Office of the Maryland Secretary of State will send out electronic notifications when the President or Governor have ordered the lowering of the U.S. flag. These notifications will be sent via email to MCP Command Staff.
2. Division Commanders will ensure that the procedures outlined in the notification are carried out at facilities within their jurisdiction.

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3. Upon completion, the Division Commanders will promptly notify MCP Headquarters Command Staff.

**F. Special Flag Requests**

1. On occasion, MCP receives requests to fly the United States and Maryland flags over the State House on behalf of constituents to commemorate birthdays, retirements, deaths and other special occasions. These requests should only be made through and approved by the following:
  - a. Office of the Governor or Lieutenant Governor;
  - b. Members of the Maryland State Senate or House of Delegates;
  - c. The Secretary of State's Office;
  - d. Officials from Maryland State Law Enforcement Agencies for in-the-line of duty deaths for members of their department; and
  - e. Officials from Maryland Fire and Emergency Medical Services Agencies for in-the-line of duty deaths for members of their department.
2. All other requests and special circumstances require the approval of the Chief of Police, or his designee.
3. Special flag requests received by MCP will be forwarded to the Annapolis Division Commander who will make contact with the requestor to notify them of the procedures for delivery of the flag and subsequent return.
4. Requestor's should be directed to download and complete a MCP Form 19 – Flag Request available on the MCP webpage: [mcp.marlyand.gov](http://mcp.marlyand.gov) under the "Documents and Forms" tab.
5. The requestor will provide the flag to be flown. The flags must be 3'x5' or 5'x 8' in size and may be delivered to the Division in person or via U.S. Mail with a self-addressed, postage paid return envelope or box to the following address:

Maryland Capitol Police  
Attn: Annapolis Division Commander  
29 Saint John's Street  
Annapolis, MD 21401
6. Once received, the Annapolis Division Commander, or a designee, will arrange to have the flag flown over the State House.
7. Upon completion, the Division Commander will return the flag to the requestor along with a letter of authenticity, signed by the Chief of Police, or his designee, attesting to the date and occasion the flag was flown over the State House.

Approved: 
Colonel Michael S. Wilson Chief of Police    05/21/2020