



# CASE CLEARANCE & ADMINISTRATIVE DESIGNATION

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## Contents:

- I. Policy
- II. Open/Active
- III. **Open/Inactive**
- IV. Closed By Arrest (In Custody)
- V. Closed – Juvenile Citation (No Physical Arrest)
- VI. Closed – Summon/Citation Issued – Adult (No Physical Arrest)
- VII. Warrant/Summons Issued (Not in Custody/Not Served)
- VIII. Exceptionally Closed
- IX. False Reports & Unfounded Complaints
- X. Administrative Closures
- XI. Proponent Unit
- XII. Cancellation

### **I. POLICY**

The following definitions will be used by all department components when compiling statistics for both Investigative Case Status and Uniform Crime Reporting (UCR) – National Incident Based Reporting System (NIBRS) purposes. Supervisors will ensure that their components' statistics are being captured and recorded as defined below.

### **II. OPEN/ACTIVE**

Case currently assigned for investigation and investigative efforts are active.

### **III. OPEN/INACTIVE**

Cases that have been actively investigated and all possible leads have been exhausted; or when a case is screened and not assigned for investigation.

#### Inactive Statuses:

1. Inactive – Suspended: When all investigative leads have been exhausted and the case is no longer being actively investigated. The Investigative Case Status can change back to "Open/Active" at any time if additional information or leads are developed.

2. Inactive – Screened/Not Assigned: When an Offense/Incident Report was screened by an investigative supervisor and a determination was made that the case would not be assigned for investigation at that time. If circumstances change, the case can be assigned for investigation and the Investigative Case Status changed to "Open/Active."

### **IV. CLOSED – BY ARREST (IN CUSTODY)**

An offense is closed by arrest or solved for crime reporting purposes when at least one person is:

- A. Arrested;
- B. Charged with the commission of the offense; and
- C. Turned over to the court for prosecution

Several crimes may be cleared by the arrest of one person, or the arrest of many persons may clear only one crime. Further, if several persons are involved in the commission of a crime and only one is arrested and charged, the crime is listed as cleared by arrest. When the other persons involved in the crime are arrested at a later date, NIBRS reporting can be updated by Central Records.

Examples:

1. Five thieves forcibly break and enter a warehouse; one suspect is arrested and charged. Statistically, this event will be recorded as one burglary and one physical arrest and one burglary clearance. Days later, the other four thieves are arrested and charged. No entry is made for the offense of burglary because the offense has already been recorded and cleared by the first arrest. However, the additional four physical arrests will simply be recorded as four burglary arrests cross referencing the original burglary case number.

Note: As described in this example, NIBRS recognizes a case as “Closed by Arrest” when at least one suspect involved in the offense is arrested. However, for internal Case Management purposes, the “Agency Report Status” should reflect “Closed – By Arrest;” and the “Investigative Case Status” should remain “Open/Active” or “Warrant/Summons Issued (Not in Custody/Not Served)” until all offenders are arrested.

2. One suspect is arrested and charged with committing five separate burglaries. All five burglaries will be recorded as “cleared by arrest”, however, only one physical arrest will be recorded with cross referencing the case numbers.

**V. CLOSED – JUVENILE CITATION (NO PHYSICAL ARREST)**

When a juvenile offender is charged with an offense on a Juvenile Citation, but was not physically arrested.

**VI. CLOSED – SUMMONS/CITATION ISSUED – ADULT (NO PHYSICAL ARREST)**

When an adult offender is charged and has been served a summons or citation related to crimes reported in the Offense/Incident Report, but was not physically arrested.

**VII. WARRANT/SUMMONS ISSUED (NOT IN CUSTODY/NOT SERVED)**

When an offender or offenders related to crimes reported in an Offense/Incident Report have been identified; and have had warrant(s) or summons issued, but the offender(s) have not yet been arrested or served with those charging documents.

NOTE: In these circumstances where a warrant or criminal summons has been obtained but not served, the case is not considered, “Closed – By Arrest.”

**VIII. EXCEPTIONALLY CLOSED**

In certain situations, law enforcement is not able to close a case by arrest. Exceptionally Closed should not be confused with “Inactive/Suspended” and “Inactive - Screened/Not Assigned” case statuses. If the following questions can all be answered “yes”, the offense can then be Exceptionally Closed:

- A. Has the investigation definitely established the identity of the offender?
- B. Is there sufficient probable cause to support an arrest, charge, and prosecution of the offender?
- C. Is the exact location of the offender known so that the subject could be taken into custody now, if exceptional circumstances did not prevent it?
- D. Is there some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender?

Exceptionally Closed Statuses:

- 1. Exceptionally Closed – Death of Offender: When the offender is deceased, but probable cause exists to arrest and prosecute the offender, if they were alive.
- 2. Exceptionally Closed – Juvenile Offender Identified – Not Charged/Arrested: When probable cause exists to charge and/or arrest a juvenile and the juvenile’s location is known, however the juvenile is not charged or arrested (i.e. Fresh Start Referral, etc.).

3. Exceptionally Closed – Offender in Custody in Other Jurisdiction: When an offender is in custody out of state and extradition is formally declined; or when the offender committed offenses in Anne Arundel County and in another jurisdiction and was arrested and is in custody in that jurisdiction.

4. Exceptionally Closed – Prosecution Declined: When probable cause exists to charge and/or arrest an offender; and the offender's location is known, but prosecution is declined by the State Attorney's Office prior to arrest (i.e. SAO Screening, SAO Trial Team decisions, etc.).

5. Exceptionally Closed – Victim Refused to Cooperate in Prosecution: When probable cause exists to charge and/or arrest an offender; and the offender's location is known, but the victim declines to participate and cooperate with the prosecution.

#### **IX. FALSE REPORTS & UNFOUNDED COMPLAINTS**

On occasion, an agency will receive a complaint, which is determined through investigation to be intentionally false or baseless. There are other occasions when a complaint is made with good intentions; however after investigation it is determined that no offense occurred. If the investigation shows that no offense occurred nor was attempted, the reported offense can be unfounded for UCR purposes.

Unfounded Statuses:

1. Closed – Unfounded (Good Intent): When an offense was reported with good intentions, but after investigation it was determined no crime occurred.

2. Closed – Unfounded (Intentional False Report): When an offense was reported, and after investigation it was determined the report made to law enforcement was intentionally and maliciously false.

#### **X. ADMINISTRATIVE CLOSURES**

Cases may be assigned for investigation that are not related to a NIBRS (criminal) Offense. In these circumstances the investigation can be closed using an administrative Investigative Case Status.

Administrative Closure Statuses:

1. Closed – Missing Person Found: When a Missing Person Case is closed as a result of the missing person being found (no the matter the circumstances).

2. Closed- Other (Non Offense Related): When a non-criminal incident was assigned for follow-up investigation and is closed.

**XI. PROPONENT UNIT:** Central Records Section.

**XII. CANCELLATION:** This directive cancels Index Code 2203, dated ***11-01-21***.