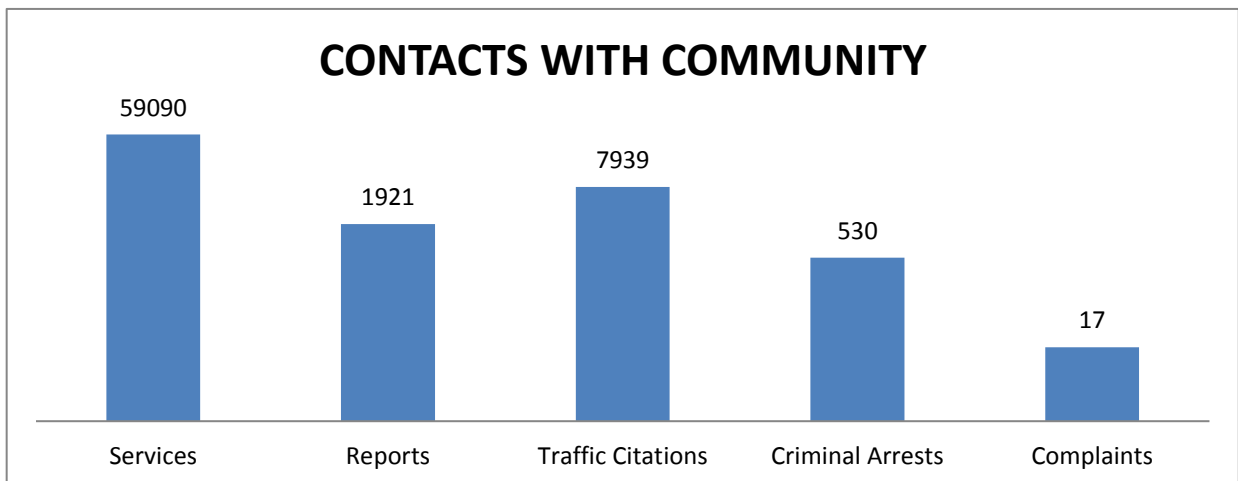


**INTERNAL AFFAIRS**  
**2015 ANNUAL REPORT**  
**UNIVERSITY OF MARYLAND**  
**DEPARTMENT OF PUBLIC SAFETY**

**INTRODUCTION**

The members of the University of Maryland Department of Public Safety are committed to providing quality service to the community. Agency personnel are expected to conduct themselves professionally and courteously while achieving our mission to serve the community, protect life and property, and enforce the law. The agency investigates all allegations of inappropriate conduct of employees. Investigations are necessary to ensure successful resolutions of these allegations and to ensure compliance with standards established by the Commission on Accreditation for Law Enforcement Agencies. Additionally, agency supervisory and administrative personnel conduct reviews of all instances of uses of force, traffic accidents, and departmental property losses. Use of force reviews are conducted in each incident where police officers discharge firearms, point firearms or FN-303 less-lethal launchers at persons, deploy shotguns or rifles from an agency vehicles, utilize defensive batons, deploy Oleoresin Capsicum (OC), take actions resulting in or are alleged to have resulted in injuries or death, apply physical force when conducting police functions, engage in vehicle pursuits or foot pursuits.



In 2015, the number of services rendered by agency personnel was 59,090. The following were included in this number: 1,921 incidents significant enough for agency personnel to generate formal police reports, e.g., crimes, medical emergencies, etc.; 7,939 traffic citations issued; and criminal, including serious traffic charges filed against 530 individuals. In 2015, 17 complaints were received expressing concern of the conduct of agency personnel, with 6 of the 17, being internally generated.

## **EARLY IDENTIFICATION SYSTEM**

The University Of Maryland Department of Public Safety has an Early Identification System (EIS) to provide systematic reviews of specific, significant events involving agency employees. This system is necessary for the agency to exercise its responsibility to evaluate, identify, and assist employees who exhibit signs of performance and/or stress related problems.

The EIS is one of several methods by which employees are identified as possibly needing assistance with performance and/or stress related problems.

The EIS is intended to serve as a systematic approach to highlighting tendencies that may otherwise be overlooked. Once the report has been completed, it is forwarded to the bureau commander of the employee listed on the report. The bureau commander or their designees will review the incidents and analyze the employee's performance along with the employee's supervisor and their reviewer to determine the need for any necessary or appropriate follow-up activities. Options or courses of actions include, but are not limited to:

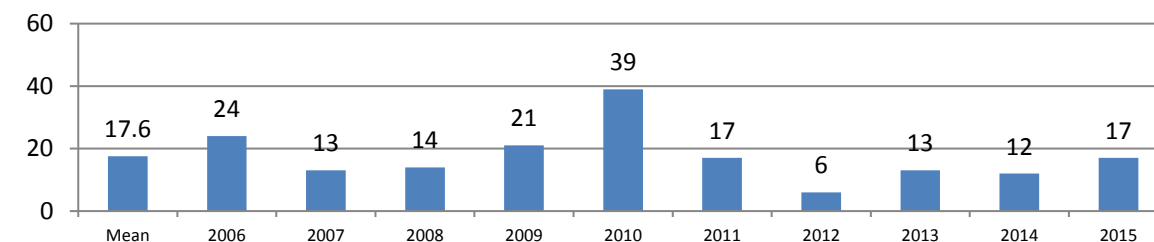
- Open internal investigation
- No additional action;
- Informal counseling and informal monitoring by employees' raters;
- Formal counseling or corrective actions as appropriate;
- Formal monitoring for a minimum of 12 weeks with monthly formal reviews and reports;
- Mandatory remedial or additional training designed to improve employees' skills;
- Voluntary or mandatory referral to the university's Faculty Staff Assistance Program for counseling or referral assistance, etc.; or
- Reassignment.

In 2015, 12 officers were involved in EIS reviews. As a result, it was determined that none of the involved officers were in need of assistance.

## **INTERNAL INVESTIGATIONS**

Between 2006 and 2015, the total number of complaints filed with the University of Maryland Department of Public Safety has ranged from 6 to 39, with 2015 consisting of 17 complaints. Of the 17 complaints generated by this agency during 2015, 11 were generated externally and 6 were generated internally by the Department of Public Safety.

### **Complaints 2006-2015**



Internal investigations into allegations of police officer misconduct that could lead to disciplinary action, demotion or dismissal, must be conducted in accordance with State law, LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS (LEOBR), Sections 3-101 through 3-112, PUBLIC SAFETY, ANNOTATED CODE OF MARYLAND. The LEOBR does not apply to other, non-sworn, employees of the agency. Agency administrators (rank of lieutenant, captain, or major) directed all of the investigations. All investigations were reviewed and approved by the Director of Public Safety/Chief of Police. Alleged violations are investigated and receive one of the following disposition classifications: Unfounded, Exonerated, Not Sustained, Sustained, or Administrative Closure.

- Unfounded dispositions conclude that the act(s) did not occur or did not involve members of this agency.
- Exonerated dispositions conclude that the alleged act(s) did occur and the actions of the officer(s) were justified, lawful and proper.
- Not Sustained dispositions conclude investigations failed to discover sufficient evidence to clearly prove violations of directives.
- Sustained dispositions conclude sufficient evidence existed to clearly prove violations of directives.
- Administrative Closure of cases may be made during the following circumstances:
  - Complaints concerned matters of law or agency policy and did not concern employees' actions;
  - Complainants could not be contacted or refused to participate in inquiries and no other witnesses or evidence could be located;
  - Complainants do not want formal actions taken or pursued; or
  - Closure is in the best interest of the agency and the community.

### **INDIVIDUAL CASE SYNOPSES OF INTERNAL INVESTIGATIONS (17)**

1. **CI-001 Background and Allegation:** Social media photograph depicting an individual wearing UMPD indicia acting inappropriately.  
**Disposition:** Unfounded. Unable to determine who the individual was and/or if the individual was a UMPD employee.  
**Additional Information & Comments:** None
2. **CI-002 Background and Allegation:** Internal audit revealed that an employee inappropriately utilized a database that the employee was authorized to access.  
**Disposition:** Sustained.  
**Additional Information & Comments:** Employee received written counselling and retraining in the proper usage of the database as a result of the investigation.

3. **CI-003 Background and Allegation:** Citizen alleged that an employee spoke to the complainant in an intimidating tone.  
**Disposition:** Non-Sustained. Investigation failed to reveal evidence of inappropriate communication.  
**Additional Information & Comments:** None
4. **CI-004 Background and Allegation:** Students complained that two employees acted in an unprofessional and unbecoming manner.  
**Disposition:** Sustained.  
**Additional Information & Comments:** Employees received written counselling as a result of their unprofessional and unbecoming demeanor.
5. **IA-001 Background and Allegation:** An allegation was made that an employee obtained services the employee was not entitled to receive.  
**Disposition:** Exonerated. Employee actions did not violate policy or law.  
**Additional Information & Comments:** None
6. **IA-002 Background and Allegation:** Employee was supervising a work-related activity that resulted in another employee sustaining an injury.  
**Disposition:** Sustained. Employee pled guilty to neglect of duty and conduct unbecoming.  
**Additional Information & Comments:** - Employee received a suspension, a written reprimand, and related training.
7. **PS-001 Background and Allegation:** Complainant alleged that an employee was discourteous and utilized inappropriate force during a traffic stop arrest.  
**Disposition:** Exonerated. The investigation revealed that employee was not discourteous, nor utilized any force during the incident.  
**Additional Information & Comments:** None
8. **PS-002 Background and Allegation:** Citizen alleged that an employee wrongfully issued traffic citations.  
**Disposition:** Exonerated. A review of MVA records was conducted and revealed that employee correctly and accurately issued said citations.  
**Additional Information & Comments:** None.
9. **PS-003 Background and Allegation:** Complainant advised that an employee disrespected her during a pedestrian-related violation interaction.  
**Disposition:** Exonerated. The employee counseled the complainant relating to rights and responsibilities of pedestrians and the investigation revealed no unprofessional behavior on the part of the employee.  
**Additional Information & Comments:** Employee was counselled reference to not activating his Body-Worn Camera as per policy.

10. **PS-004 Background and Allegation:** An employee was notified of an intoxicated individual had been separated from her friends in the early morning hours and was under-dressed for weather conditions. Complainant alleged that the employee did not initiate proper search for the intoxicated individual.  
**Disposition:** Sustained  
**Additional Information & Comments:** Employee was counselled regarding additional actions that could have been taken.
11. **PS-005 Background and Allegation:** Complainant alleged that employees were ill-mannered and impolite while investigating a domestic disturbance.  
**Disposition:** Unfounded. The employee's actions were appropriate and the investigation revealed no evidence of conduct unbecoming a police officer.  
**Additional Information & Comments:** None.
12. **PS-006 Background and Allegation:** The complainant alleged that an employee racially profiled and harassed the complainant during a traffic stop.  
**Disposition:** Unfounded. The employee's actions were appropriate and the investigation revealed no evidence of conduct unbecoming a police officer.  
**Additional Information & Comments:** The employee did not activate his remote audio recorder and received verbal counselling.
13. **PS-007 Background and Allegation:** A use of force investigation was initiated as a result of a use of force review.  
**Disposition:** Sustained. The employee exercised his right to be heard at a Trial Board. The employee was found in violation of UMDPS Use of Force and Courtesy policies.  
**Additional Information & Comments:** The employee was required to forfeit leave, received written reprimands for each violation, and was ordered to attend related training.
14. **PS-008 Background and Allegation:** An employee-complainant alleged that another employee used disparaging terms that offended the employee-complainant.  
**Disposition:** Non-Sustained. The investigation failed to discover necessary evidence to clearly prove the use of disparaging terms and/or violations of policy.  
**Additional Information & Comments:** The employee received verbal counseling regarding comments and their impact on others.
15. **PS-009 Background and Allegation:** Complainant alleged that during a search on a traffic stop, an employee removed currency from the complainant's purse and failed to return it and/or document the seizure.  
**Disposition:** Administratively Closed. Following initial contact with the complainant, the complainant failed to respond to the Department's repeated requests for further interviews.  
**Additional Information & Comments:** The entire traffic stop was captured on the employee's Body Worn Camera/in-car camera. The BWC specifically depicts the employee searching the purse, removing currency from the purse and immediately returning the currency back into the purse.

**16. PS-010 Background and Allegation:** Employees improperly handled recovered property as required by policy.

**Disposition:** Sustained.

**Additional Information & Comments:** Both employees received written reprimands as a result of improperly handling recovered property.

**17. PS-011 Background and Allegation:** Complainant alleged that an employee was discourteous while exchanging informal greetings

**Disposition:** Sustained.

**Additional Information & Comments:** Employee received verbal counselling.

### **PROPOSED DISCIPLINARY SETTLEMENTS (2)**

In cases where the facts of an incident are not in dispute, investigations are not required to initiate disciplinary action. During the year 2015, the following additional actions were initiated:

- An employee received written counselling for not properly caring and maintaining an item of issued equipment.
- An employee received a written reprimand for repeated tardiness.

### **USE OF FORCE**

Reviews are routinely conducted by supervisory and administrative personnel in each incident where police officers discharge firearms, point firearms or FN-303 less-lethal launchers at persons, deploy shotguns or rifles from an agency vehicles, utilize defensive batons, deploy Oleoresin Capsicum (OC), take actions resulting in or are alleged to have resulted in injuries or death, apply physical force when conducting police functions, engage in vehicle pursuits or foot pursuits. In the year 2015, 43 total Use of Force reviews were conducted involving 38 different officers. Those 38 officers' actions resulted in a total of 91 individual uses of force. The following is a breakdown of the use of force actions that occurred during 2015:

Firearms pointed at persons	54
Long gun deployments (1 euthanized deer & 1 deployment with no shots fired)	2
OC spray deployment	1
Baton strike	1
Other physical force (e.g., hands, control holds, pressure points, takedowns etc.)	33
<b>Total</b>	<b>91</b>

Use of Force reviews may contain several force components, e.g., two or more of the above-listed types of force. This will explain the difference between the individual Use of Force statistics (91) and the 2015 total Use of Force reviews (43). Except where otherwise mentioned within this report, these routine reviews concluded that personnel acted in accordance with use of force policy.

### **TRAFFIC ACCIDENTS INVOLVING AGENCY PERSONNEL**

Supervisory and/or administrative personnel conduct reviews of all employee-involved traffic accidents. In 2015, 24 employee-involved accident reviews were conducted. In 21 of these instances, it was determined agency employees failed to comply with some aspect of department rules and regulations. Sanctions included the following:

<b>Sanction Imposed For Traffic Accidents</b>	<b>Number Of Employees</b>
Written Counseling	16
Written Reprimand	1
Written Counseling, Training & Fine	4
<b>Total</b>	<b>21</b>

### **DEPARTMENT PROPERTY LOSS**

Supervisory and/or administrative personnel conduct reviews when agency property is lost, stolen, and/or damaged. In 2015, 30 property loss, stolen and/or damaged reviews were conducted. In 20 instances, it was determined that employees contributed to the loss, theft, and/or damage of agency property, with the overwhelming majority being the loss of electronic swipe access cards. In those cases, where appropriate, employees were counseled. In the remaining instances, a determination was made that the loss, theft and/or damage occurred through no fault of the employee.

<b>Departmental Property Loss</b>	<b>Number of Reviews</b>	<b>Employee Contributed to Loss, Theft or Damage</b>
Lost Departmental Property	21	19
Stolen Departmental Property	2	0
Damaged Departmental Property	7	1
<b>Total</b>	<b>30</b>	<b>20</b>