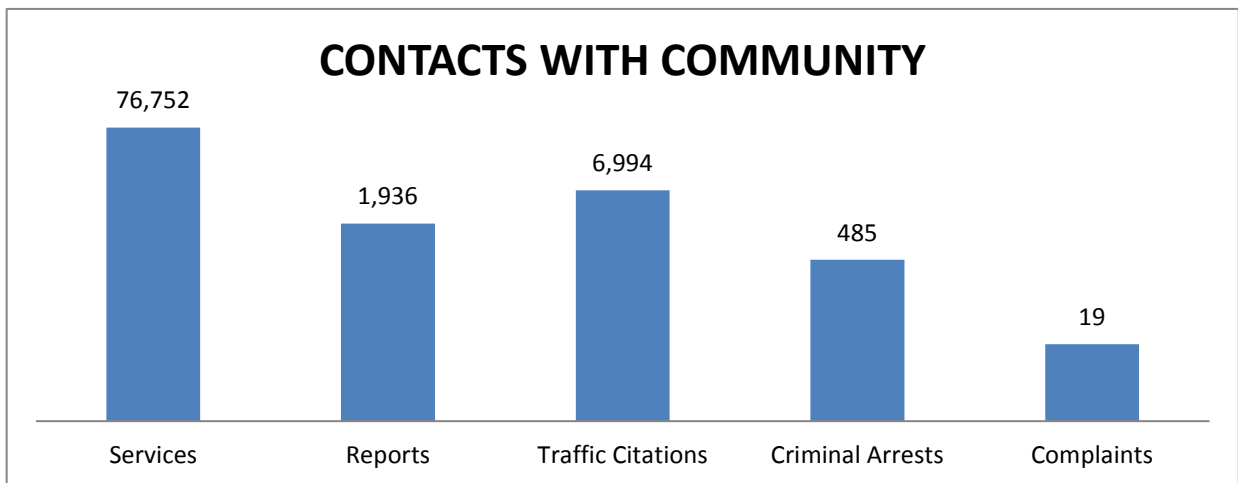


**INTERNAL AFFAIRS  
2016 ANNUAL REPORT  
UNIVERSITY OF MARYLAND  
DEPARTMENT OF PUBLIC SAFETY**

**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 resolution for 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 the use 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 2016, the number of services rendered by agency personnel was 76,752. The following were included in this number: 1,936 incidents significant enough for agency personnel to generate formal police reports, e.g., crimes, medical emergencies, etc.; 6,994 traffic citations issued; and criminal, including serious traffic charges filed against 485 individuals. In 2016, 19 complaints were received expressing concern of the conduct of agency personnel, with 15 of the 19, 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 for assistance with performance and/or stress-related problems.

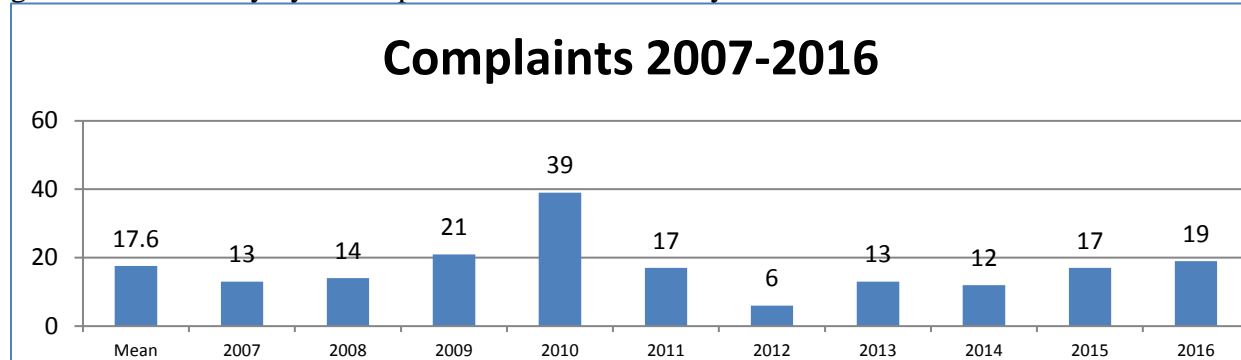
The EIS is intended to serve as a systematic approach to highlighting tendencies that may otherwise be overlooked. Once the report has been completed, it is forwarded to the bureau commander of the employee listed on the report. The bureau commander or their designees will review the incidents and analyze 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:

- No additional action;
- Initiate an internal investigation
- 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 2016, 1 officer was involved in an EIS review. This officer received the necessary assistance.

## **INTERNAL INVESTIGATIONS**

Between 2007 and 2016, the total number of complaints filed with the University of Maryland Department of Public Safety has ranged from 6 to 39, with 2016 consisting of 19 complaints. Of the 19 complaints generated by this agency during 2016, 4 were generated externally and 15 were generated internally by the Department of Public Safety.



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 and the LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS (LEOBR), Sections 3-101 through 3-112 of the PUBLIC SAFETY, ANNOTATED CODE OF MARYLAND. The LEOBR only applies to sworn agency personnel. Agency administrators (rank of lieutenant, captain, or major) direct all investigations. All investigations are reviewed and approved by the Director of Public Safety/Chief of Police. Alleged violations are investigated and classified with one the following dispositions: 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.
- **Non-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 (19)**

1. **2016-CI-003 Background and Allegation:** An internal review was conducted regarding a Worker's Compensation claim reported by an UMPD employee.

**Disposition:** Non-Sustained - This investigation failed to reveal any evidence of inappropriate actions by the employee. Therefore, the case was closed without any further action.

**Additional Information & Comments:** None

2. **2016-CI-004 Background and Allegation:** An external complaint was received regarding a subject stop that was conducted by PGPD and UMPD officers. An investigation into the matter determined that the UMPD officers were there to assist the PGPD officers. The complainant wanted to address the actions of the PGPD officers.

**Disposition:** Exonerated - The complainant was directed to contact PGPD Internal Affairs to pursue any further action.

**Additional Information & Comments:** An investigation was conducted by UMPD, which revealed that UMPD officers were only present to assist PGPD officers. No policy violations were discovered during the review of UMPD personnel.

3. **2016-CI-007 Background and Allegation:** An internal investigation was conducted into the conduct of a UMPD employee regarding their actions while in the Emergency Communications Center.

**Disposition:** Sustained - The employee's actions were a violation of UMPD policy. The employee accepted responsibility for their actions and was issued a written letter of reprimand.

**Additional Information & Comments:** The employee received enhanced training concerning departmental policies and procedures.

4. **2016-IA-001 / 2016-PS-001 Background and Allegation:** An internal investigation was conducted into the performance of three employees from UMPD regarding the actions they took on a suspicious activity call.

**Disposition:** Sustained - The internal investigation revealed that all involved employees violated departmental policy and procedures. The employees accepted responsibility for their actions and received discipline for the following offenses: Unsatisfactory Performance, failure to give a proper clearance code, failure to make proper notifications, and failure to supervise. The discipline ranged from written reprimands to monetary fines.

**Additional Information & Comments:** The employees received enhanced training regarding departmental policies.

5. **2016-IA-002 / 002A / 002B Background and Allegation:** An internal investigation into the performance of two employees from UMPD regarding the actions they took at a loud party/ assault in progress call for service. The investigation revealed unreported police misconduct, which led to additional investigations. Those cases were investigated separately as **2016-IA-002A** and **2016-IA-002B**.

**Disposition:** Sustained - The employees accepted responsibility for their actions, which included the following: Unsatisfactory Performance, Conduct Unbecoming an Officer, and Failure to Supervise. The employees received discipline appropriate to their violation such as verbal counseling, formal counseling, enhanced training, suspension without pay for 80 hours, transfer, and/or demotion.

**Additional Information & Comments:** Additional training has been implemented to enhance communication skills of agency employees.

6. **2016-IA-003 Background and Allegation:** A UMD student filed a complaint regarding the actions taken by a UMPD employee while on the scene of a sexual assault.

**Disposition:** Sustained - Employee actions were found to be a violation of UMPD policy. The employee accepted responsibility for their actions. The employee received verbal counseling, a letter of reprimand, and a one-day suspension without pay.

**Additional Information & Comments:** The employee received additional training regarding this matter.

7. **2016-IA-004 Background and Allegation:** An internal investigation has been conducted into an incident for an officer reporting fictitious traffic stops.

**Disposition:** Pending, Administrative Hearing Board.

**Additional Information & Comments:** None

8. **2016-IA-005 Background and Allegation:** An internal investigation was conducted regarding the theft of UMPD issued equipment, which was taken from an employee's personal vehicle that was parked at his residence.

**Disposition:** Sustained - The employee was found responsible for UMPD policy violations and received a letter of reprimand and a monetary fine.

**Additional Information & Comments:** The employee was counseled regarding the proper storage of departmental property.

9. **2016-IA-006 Background and Allegation:** An internal investigation is being conducted into allegations of improper use of force during a call for service for a disorderly individual.

**Disposition:** Pending.

**Additional Information & Comments:** None.

10. **2016-IA-007 Background and Allegation:** An internal investigation was conducted when it was reported that two UMPD employees had been involved in an argument within the Emergency Communication Center.

**Disposition:** Sustained - The internal investigation revealed that the employees' actions were inappropriate and there was evidence to support the finding. One employee took responsibility for their actions and received a letter of written reprimand. The other employee chose to tender her resignation prior to receiving a letter of reprimand.

**Additional Information & Comments:** The employee received remedial training on the UMPD policy.

11. **2016-IA-008 Background and Allegation:** An internal complaint was investigated regarding two UMPD employees in reference to inappropriate conduct and use of the departmental email system.

**Disposition:** Sustained - The employees' actions were inappropriate and the investigation revealed evidence to support the findings. One employee resigned and the other was terminated.

**Additional Information & Comments:** Additional training was provided to all UMPD employees to ensure the proper use of the email system, as well as a policy review to ensure that all have a complete understanding of the department expectations.

12. **2016-PS-004 Background and Allegation:** An internal audit was conducted regarding recovered property, which led to an investigation of a missing item.

**Disposition:** Non-Sustained - During the internal investigation, no evidence was found to support any policy violations.

**Additional Information & Comments:** Departmental procedures have been updated and a logbook was created to assist in the proper logging of recovered property.

13. **2016-PS-005 Background and Allegation:** An internal review was conducted regarding a vehicle pursuit and a high-risk traffic stop incident.

**Disposition:** Sustained - The internal investigation revealed an employee violated UMPD policy. The employee accepted responsibility and received verbal counseling.

**Additional Information & Comments:** All employees received refresher training on the pursuit policy.

14. **2016-PS-006 Background and Allegation:** A citizen attempted to file a complaint alleging the fire department was following him around campus. The complainant indicated a desire to file a formal complaint against Prince George's County Fire Department and University of Maryland Police Department personnel. Eventually, the proper information was provided to the citizen and the complaint was filed.

**Disposition:** Sustained - An internal investigation revealed there was evidence to indicate employees violated UMPD policy. All involved employees received either verbal counseling or a letter of reprimand.

**Additional Information and Comments:** All employees received remedial training with the department's policy on handling complaints.

15. **2016-PS-007 Background and Allegation:** A citizen filed a complaint regarding discourtesy of a UMPD employee. The citizen was unhappy with the way a UMPD officer treated him during a call for service.

**Disposition:** Sustained - The internal investigation revealed that the employee violated UMPD policy. Subsequently, the employee accepted responsibility and received a letter of reprimand along with a one-day suspension.

**Additional Information and Comments:** The employee received remedial training on departmental policy as it related to the incident.

16. **2016-PS-008 Background and Allegation:** An internal review was conducted regarding the pursuit of a stolen vehicle and high-risk stop.

**Disposition:** Sustained - An internal investigation revealed that UMPD employees violated UMPD policy. The employees accepted responsibility and received either verbal counseling, a letter of reprimand and/or monetary fines.

**Additional Information and Comments:** The employees received remedial training on departmental policy.

17. **2016-PS-009 Background and Allegation:** An internal investigation was conducted into the actions of UMPD officers regarding their response to an alarm call.

**Disposition:** Sustained -The internal investigation revealed the UMPD employees violated UMPD policy. The employees accepted responsibility and received letters of reprimand.

**Additional Information and Comments:** The employee received remedial training on departmental policy.

18. **2016-PS-0010 Background and Allegation:** An internal investigation was conducted into the actions of UMPD officers regarding a pursuit of individuals on stolen bicycles.

**Disposition:** Sustained - An internal investigation revealed that the UMPD officers violated UMPD policy. The officers accepted responsibility and received a letter of reprimand, monetary fine, or verbal counseling.

**Additional Information and Comments:** The employees received remedial training on departmental policy.

19. **2016-PS-006 Background and Allegation:** An internal audit revealed damage to a departmental vehicle that was not reported.

**Disposition:** Sustained - The UMPD employee was identified and counseled.

**Additional Information and Comments:** None

The following were six (6) incidents required inquiries only and no investigations were conducted.

- 2016-CI-001
- 2016-CI-002
- 2016-CI-005
- 2016-CI-006
- 2016-PS-002
- 2016-PS-003

## **USE OF FORCE**

Reviews are routinely conducted by supervisory ranked personnel for the following: incidents in which a police officer discharges a firearm, points a firearm or FN-303 less-lethal launcher at any person, deploys shotguns or rifles from an agency vehicle, utilize defensive batons, deploys Oeoresin Capsicum (OC), take actions resulting in/or are alleged to have resulted in injuries or death, applies physical force when conducting police functions, or engages in vehicle or foot pursuits. In the year 2016, fifty-four (54) Use of Force reviews were conducted involving 46 different officers. Those 46 officers' actions resulted in a total of 121 individual uses of force. The following is a breakdown of the use of force actions that occurred during 2016:

Firearms pointed at persons during high-risk incidents	36
Long gun deployments (1 euthanized deer & 1 deployment with no shots fired)	13
OC spray deployment	5
Baton strike	0
Other physical force (e.g., hands, control holds, pressure points, takedowns etc.)	67
<b>Total</b>	<b>121</b>

Use of Force reviews may involve review of the actions of more than one officer for the same incident. Therefore, the number of reported use of force reviews (121) is greater than the incidents (54). Except where otherwise detailed within this report, the routine reviews concluded that personnel acted in accordance with use of force policy.

## **TRAFFIC ACCIDENTS INVOLVING AGENCY PERSONNEL**

Supervisory personnel conduct reviews of all employee-involved traffic accidents. In 2016, 21 accident reviews were conducted. In 14 of these instances, it was determined that 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>
Verbal Counseling	1
Written Counseling	8
Written Reprimand / Training	4
Written Counseling, Training & Fine	1
<b>Total</b>	<b>14</b>

### **DEPARTMENT PROPERTY LOSS**

Supervisory personnel conduct reviews when agency property is lost, stolen, and/or damaged. In 2016, 22 of these reviews were conducted and in 8 instances, it was determined that employees contributed to the lost or damaged departmental property. The employees received discipline appropriate to their violation such as verbal counseling, formal counseling, monetary fines and enhanced training.

<b>Departmental Property Loss</b>	<b>Number of Reviews</b>	<b>Employee Contributed to Loss, Theft or Damage</b>
Lost Departmental Property	17	4
Stolen Departmental Property	5	4
<b>Total</b>	<b>22</b>	<b>8</b>