



2018

Internal Affairs Annual Report

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INTRODUCTION:

The members of the University of Maryland Police Department are committed to providing quality service to our community. Agency personnel are to conduct themselves professionally and courteously while achieving our mission to serve our community, protect life and property, and enforce the law.

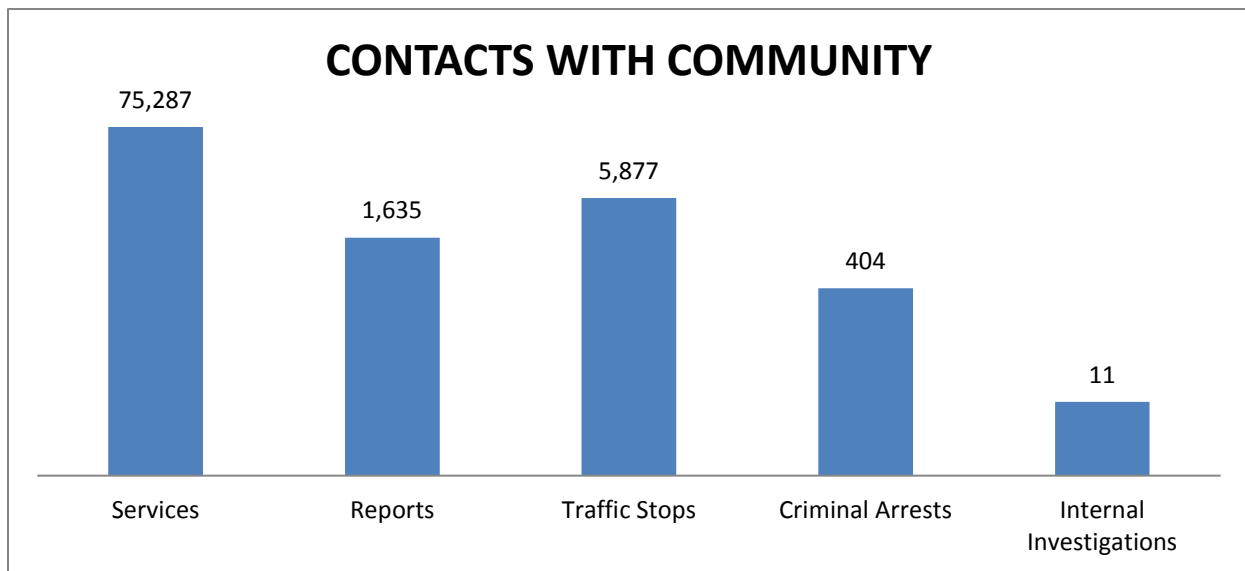
The agency investigates all allegations of inappropriate conduct by its employees. These investigations are necessary to ensure successful resolution for those allegations and to ensure compliance with established University of Maryland standards as well as those established by the Commission on Accreditation for Law Enforcement Agencies. Furthermore, agency supervisory and administrative personnel conduct reviews of all instances of use of force, traffic accidents, and departmental property losses.

CONTACTS WITH THE COMMUNITY:

The University of Maryland Police Department (UMPD) is a professional law enforcement organization that employs over 100 dedicated men and women. These individuals provide a complete array of law enforcement and related services to our community of approximately 80,000 members, which includes a student population of approximately 40,000.

Our police officers are State certified in accordance with Article 41, Section 4-201 of the Annotated Code of Maryland and have all the same power and authority as any other sworn police officer in Maryland; each officer is empowered by State law to make arrests, investigate crimes, and carry firearms. Furthermore, the University of Maryland Police Force is the primary agency responsible for policing property owned, operated, leased by, or under the control of the University of Maryland System.

To provide effective services to our community as a whole, UMPD has entered into a "Concurrent Jurisdiction Agreement" with Prince George's County Police Department (PGPD) whereby, in addition to our statutory jurisdiction and authority, enforcement authority is granted to University Police Officers in certain areas of Prince George's County. UMPD and PGPD have a mutual and positive working relationship and provide assistance and expertise to each other as needed. Additionally, State law empowers University Police Officers to enforce laws throughout the State of Maryland in many circumstances.



In **2018**, the number of services rendered by agency personnel was **75,287**. The following were included in this number: **1,635** incidents significant enough for agency personnel to generate formal police reports, e.g., crimes, medical emergencies, etc.; **5,877** traffic stops; and **404** criminal arrests. In **2018**, **(11)** internal investigations were conducted concerning the conduct of agency personnel.

EARLY IDENTIFICATION SYSTEM:

The University of Maryland Police Department 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 fulfill 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 may be identified in order to assist with those potential problems.

The EIS is intended to serve as a systematic approach in 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 a designee will review the incident and analyze the employee's performance 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;
- 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 2018, **No** employees were involved in EIS reviews. If there had been any employees who were involved in an EIS review, they would have received additional counseling and enhanced training to ensure they meet the agencies needs and requirements. Additionally, these employees would receive the necessary assistance to support them both on a professional and personal level.

INTERNAL INVESTIGATIONS:

Internal investigations into allegations of police officer misconduct that could lead to disciplinary action, demotion, or dismissal can be generated both from within the Police Department and from outside the Police Department. They are 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 ARTICLE, ANNOTATED CODE OF MARYLAND. The LEOBR only applies to sworn agency personnel. Agency administrators (rank of Lieutenant, Captain, or Major), and the Internal Affairs Coordinator direct all investigations. All investigations are reviewed and approved by the Chief of Police for the University of Maryland Police Department.

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.

Between 2008 and 2018, the total number of internal investigations conducted by the University of Maryland Police Department has ranged from (6) to (39). In 2018, (11) Internal Investigations were initiated into the conduct of UMPD employees, including sworn and non-sworn employees of the agency. A synopsis of each case is provided below:



INDIVIDUAL CASE SYNOPSIS OF INTERNAL INVESTIGATIONS (11):

1. **2018-IA-001 Background and Allegation:** UMPD Officer lost track of their department issued radio and did not report it missing, it was later located and recovered by a citizen.

Disposition: Sustained – The Officer accepted responsibility for their actions, which led to a written reprimand and fine.

2. **2018-IA-002 Background and Allegation:** UMPD Officer made discourteous statements to a subordinate UMPD Officer.

Disposition: Sustained - The Officer accepted responsibility for their actions, which led to a written reprimand, fine, and relevant training as directed by the Agency.

3. **2018-IA-003 Background and Allegation:** UMPD Officer missed training after having been verbally counselled for missing training on three separate occasions.

Disposition: Sustained - The Officer accepted responsibility for their actions, which led to a written reprimand and counseling.

4. **2018-IA-004 Background and Allegation:** UMPD Officer was involved in two preventable departmental accidents within a three-year period of time.

Disposition: Sustained - The Officer accepted responsibility for their actions, which led to a written reprimand.

5. **2018-IA-005 Background and Allegation:** UMPD Officer was involved in two preventable departmental accidents within a three-year period of time.

Disposition: Sustained - The Officer accepted responsibility for their actions, which led to a written reprimand.

6. **2018-IA-006 Background and Allegation:** UMPD Officer was involved in three preventable departmental accidents within a three-year period of time.

Disposition: Sustained - The Officer accepted responsibility for their actions, which led to a written reprimand and fine.

7. **2018-IA-007 Background and Allegation:** A non-sworn employee was charged on a statement of charges in reference to an Assault and Battery (Domestic Related) that occurred between them and another individual at their residence while they were off-duty.

Disposition: Administrative Closure - The non-sworn employee was found “not guilty” after a criminal trial was conducted in a court of law in reference to the allegation that they committed an assault and battery. No further action was taken against the employee.

8. **2018-IA-008 Background and Allegation:** A non-sworn employee was late for work after being counseled several times for similar conduct.

Disposition: Sustained - The employee accepted responsibility for their actions, which led to a written reprimand.

9. **2018-IA-009 Background and Allegation:** An internal investigation was conducted in reference to unreported damage on a police cruiser.

Disposition: Not-Sustained – The investigation failed to discover sufficient evidence to clearly prove how the damage to the vehicle was caused or if an employee was responsible for the damage.

Additional Information & Comments: During the investigation, it was discovered that several UMPD Officers failed to conduct vehicle inspections prior to utilizing the departmental vehicle in question; therefore, they were counseled.

10. **2018-IA-010 Background and Allegation:** An internal investigation was conducted into the inappropriate behavior of a UMPD Officer.

Disposition: Sustained – The Officer received a two-week suspension without pay and retraining.

Additional Information & Comments: The investigation revealed that the Officer violated policy in relation to the utilization of the mobile data terminal system.

11. **2018-IA-011 Background and Allegation:** UMPD Officer was involved in two preventable departmental accidents within a three-year period of time.

Disposition: Sustained – The Officer accepted responsibility for their actions, which led to a written reprimand and retraining.

Not included in these internal investigations, are (5) citizen complaints that dealt with the conduct of employees during their interactions with the complainant. After reviewing these (5) citizen complaints, no policy or legal violations occurred; therefore, no internal investigation was conducted. The employee's direct supervisor handled any concerns or methods to improve future interactions between the employee and citizens in these cases. If a policy or legal violation were discovered during the course of processing a citizen complaint, than an internal affairs investigation would ensue. None of the (5) citizen complaints reported in 2018 rose to the level of a policy or legal violation.

USE OF FORCE:

Supervisory-ranked personnel routinely conduct reviews for the following types of incidents:

- Discharge of a firearm by an officer.
- Pointing a firearm or FN-303 less-lethal launcher at any person.
- Deploying shotguns or rifles.
- Apply force through the use of lethal or less lethal weapons, such as:
 - Deploying a baton strike.
 - Deploying Oleoresin Capsicum (OC).
- Taking actions resulting in/or are alleged to have resulted in injury or death.
- Applying weaponless physical force when conducting police functions, such as:
 - Physical take-downs
 - Kicks, knee strikes
 - Open hand and elbow stuns & strikes
 - Pressure points
 - Hair control
 - Pain compliance techniques
 - Throws intended to overcome & control suspect's physical resistance
- Engaging in vehicle pursuits.

In the year **2018**, **(14)** Use of Force reviews were conducted involving **(24)** different officers. Those **(24)** officers' actions resulted in **(30)** individual uses of force. The following is a breakdown of the use of force actions that occurred during the year of **2018**:

Use of Force reviews	Number of Incidents
Firearms pointed at persons during high-risk incidents	6
Long gun deployments (3 euthanized deer & 1 deployment with no shots fired)	4
OC spray deployment	0
Baton strike	0
Other physical force (e.g., strikes, stuns, kicks, pressure points, takedowns, etc.)	4
Total	14

Use of Force reviews may involve the assessment of actions of more than one officer for the same incident. Therefore, the number of reported use of force actions **(30)** is greater than the incidents **(14)**. 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 **2018**, **(16)** accident reviews were conducted. In **(7)** of these instances, it was determined that agency employees failed to comply with some aspect of department rules and regulations. In **(4)** of these instances, it was determined that even though the accident was preventable in nature, it did not clearly violate any aspect of departmental rules and regulations and was not malicious or the result of reckless disregard; therefore, was deemed as non-chargeable. Traffic accident dispositions included the following:

Traffic Accident Disposition	Number of Employees
Non-Preventable	5
Preventable/Non-Chargeable	4
Verbal Counseling	1
Written Counseling	2
Written Reprimand and/or Training	3
Written Reprimand, Fine, and/or Training	1
Total	16

DEPARTMENT PROPERTY LOSS:

Supervisory personnel conduct reviews when agency property is lost, stolen, and/or damaged. In **2018**, **(14)** reviews were conducted and in all instances, it was determined that employees did not contribute to the lost or damaged departmental property. No employees were disciplined in 2018 related to these matters.

Departmental Property Loss	Number of Reviews	Employee Contributed to loss, theft or damage
Lost Departmental Property	14	0
Stolen Departmental Property	0	0
Total	14	0

Note: Many of these instances are related to the loss of agency identification cards, which can be remotely deactivated.