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 always conduct themselves professionally and courteously. The agency investigates all allegations of poor service, brutality, or unprofessional conduct on the part of any employee of the agency. This is done to resolve any incidents or perceptions of poor service as well as to comply with the high standards established by the Commission on Accreditation for Law Enforcement Agencies. Additionally, agency supervisory and administrative personnel conduct reviews of all the following instances involving agency personnel: Traffic accidents; departmental property losses; and uses of force. 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 agency vehicles; utilize defensive batons; deploy Oleoresin Capsicum (OC); take actions that result in, or are alleged to have resulted in, injuries or death; apply physical force when conducting police functions; or engage in vehicle pursuits.

In 2007, the number of services rendered by agency personnel was 47,643. The following were included in this number: 1,914 incidents significant enough for agency personnel to generate formal police reports, e.g., crimes, medical emergencies, etc; 8,473 traffic citations issued; criminal, including serious traffic, and charges filed against 1,128 individuals. In 2007, fourteen complaints were received expressing concern in reference to the conduct of agency personnel.
INTERNAL INVESTIGATIONS

Between 1991 and 2006, the total number of complaints filed with the University of Maryland Department of Public Safety has ranged from seven to twenty-four. The average number of complaints per year is 15.1.

Fourteen internal investigations were initiated by this agency during the year 2007. Some complaints alleged more than one instance of misconduct. Twelve investigations were initiated in response to information received from individuals not affiliated with the agency. The remaining two investigations were initiated in response to concerns raised by agency personnel.

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) conducted all 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: Not Sustained, Sustained, or Administrative Closure. 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.

In ten of the fourteen cases, investigations failed to ascertain sufficient evidence to clearly prove agency personnel violated agency policy. One case was closed administratively when the complainant withdrew her complaint. Agency personnel were determined to have violated some aspect of agency policy in two of the thirteen incidents. One case is pending investigation.

INDIVIDUAL CASE SYNOPSIS
Background & Allegations: While working a traffic post an officer was rude to a motorist.
Disposition: Not Sustained
Additional Information & Comments: The case went to an administrative hearing board where the charges were dismissed.

Background & Allegations: An officer allegedly used excessive force during an arrest.
Disposition: Not Sustained.
Additional Information & Comments: No violations of policy.

Background & Allegations: Officers arrested an individual and impounded his vehicle. When the citizen picked up his vehicle from the impound lot cash was allegedly missing from inside the vehicle.
Disposition: Not Sustained
Additional Information & Comments: The agency was unable to determine what happened to the cash after the officers left it in the vehicle. Policy changes were recommended.

Background & Allegations: Two officers allegedly followed a citizen on his motorcycle in an unsafe manner on two different occasions.
Disposition: Not Sustained.
Additional Information & Comments: No violations of policy.

Background & Allegations: On a traffic stop the officer allegedly threatened to find a reason to pull the motorist over in the future.
Disposition: Not Sustained.
Additional Information & Comments: No violations of policy.

Background & Allegations: An officer allegedly used excessive force while moving a citizen away from a traffic stop.
Disposition: Pending.
Additional Information & Comments:

Background & Allegations: An officer conducted an improper search during a field interview.
Disposition: Not Sustained.
Additional Information & Comments: No violations of policy.

Background & Allegations: A motorist claimed she was pulled over without justification.
Disposition: Not Sustained.
Additional Information & Comments: No violations of policy.

Background & Allegations: A citizen alleged that officers damaged her car during a search.
Disposition: Administrative Closure.
Additional Information & Comments: The citizen withdrew her complaint.

Background & Allegations: A citizen alleged that officers damaged his cell phone when they handled it during his arrest.
Disposition: Not Sustained.
Additional Information & Comments: The investigation did not uncover how the cell phone became damaged; the agency reimbursed the driver for his phone.

Background & Allegations: An officer alleged that a civilian employee’s inaction caused his DUI case to be dropped.
Disposition: Not sustained.
Additional Information & Comments: The civilian employee did not act negligently.

Background & Allegations: A citizen alleged that an officer confiscated his alcohol at a football tailgate without proper authority.
Disposition: Sustained for related violation of policy.
Additional Information & Comments: It was determined the officer acted in good faith while interpreting an ambiguous policy when he confiscated the alcohol. The policy has been changed. The officer was counseled for not properly documenting property.

Background & Allegations: It was alleged that an officer placed an inappropriate note in another officer’s locker.
Disposition: Sustained.
Additional Information & Comments: The officer received a written reprimand and 20 hours loss of leave.
DISCIPLINARY ACTION / INVESTIGATIONS NOT REQUIRED

In cases where the facts of an incident are not in dispute, investigations are not required to initiate disciplinary action. During the year 2007, the following additional actions were initiated.

- A written reprimand was issued to an officer who failed to appear in court as required.
- A written reprimand was issued to an officer who failed to appear for an overtime assignment as required.
- A written reprimand was issued to a civilian employee for unauthorized dumping of trash.
- 8 hours loss of leave and a written reprimand were issued to an officer who used inappropriate language on a traffic stop.
- 10 hours loss of leave and a written reprimand were issued to an officer for failing to appear in court as required.
- 10 hours loss of leave and a written reprimand were issued to an officer who was late reporting to duty.
- A written reprimand was issued to an officer who was involved in three minor traffic accidents.
- A written reprimand was issued to an officer for a poorly performed search of a prisoner.
- 10 hours loss of leave and a written reprimand were issued to an officer for failing to appear in court as required.
- A written reprimand was issued to a civilian employee for sleeping on duty.
- A one day suspension without pay and a written reprimand were issued to a civilian employee for sleeping while on duty.
- A written reprimand was issued to an officer who made inappropriate remarks to a subordinate officer.
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; or engage in vehicle pursuits. In the year 2007, 52 Use of Force reviews were conducted. They involved the following use of force components: 17 = firearm pointed at persons; 4 = impact weapon; 5 = OC deployed; 27= other physical force (e.g., hands, etc), and; 14 = vehicle pursuit. Note: One Use of Force review may contain several force components, e.g., a firearm may be pointed at the driver after a vehicle pursuit, etc. Except where otherwise mentioned within this report, these routine reviews concluded that personnel acted in accordance with policy with regard to the application of use of force.

In one instance, an officer received counseling for beginning a pursuit with a citizen ride-along in his vehicle which is a violation of policy. In one instance, a supervisor was counseled for allowing too many vehicles to become involved in a pursuit. In two instances officers received remedial training in the use of force continuum.
TRAFFIC ACCIDENTS INVOLVING AGENCY PERSONNEL

Supervisory and administrative personnel routinely conduct reviews when employees are involved in traffic accidents. In the year 2007, 26 accidents reviews were conducted. Two traffic accident reviews are pending final review. In 13 of these instances, it was determined agency employees (18 sworn officers; 8 non sworn personnel) failed to comply with some aspect of department rules and regulations. Sanctions included the following:

<table>
<thead>
<tr>
<th>Sanction Imposed For Traffic Accidents</th>
<th>Number Of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of Leave &amp; Written Reprimand</td>
<td>0</td>
</tr>
<tr>
<td>Written Reprimand Only</td>
<td>4</td>
</tr>
<tr>
<td>Training &amp; Counseling</td>
<td>2</td>
</tr>
<tr>
<td>Training Only</td>
<td>0</td>
</tr>
<tr>
<td>Counseling Only</td>
<td>7</td>
</tr>
<tr>
<td>Administrative Closure</td>
<td>0</td>
</tr>
<tr>
<td>Pending Final Review</td>
<td>2</td>
</tr>
</tbody>
</table>

DEPARTMENT PROPERTY LOSS

Supervisory and administrative personnel routinely conduct reviews when agency property is lost, stolen, and/or damaged. In the year 2007, 56 property loss reviews were conducted. One review is pending final review. Beginning during calendar year 2004, broken keys in locks and flat tires caused by impaled objects were excluded from the routine review process. In seventeen instances, it was determined that failure to adhere to policies contributed to the property loss and/or impacted the department’s ability to assign accountability for property losses (e.g., failure to conduct timely inspections). Three instances resulted in “Administrative Closure” when personnel were no longer employed with this agency.