INTERNAL AFFAIRS

2014 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 2014, the number of services rendered by agency personnel was 75,718. The following were included in this number: 4,347 incidents significant enough for agency personnel to generate formal police reports, e.g., crimes, medical emergencies, etc.; 14,883 traffic citations issued; and criminal, including serious traffic charges filed against 745 individuals. In 2014, 12 complaints were received expressing concern of the conduct of agency personnel, with 3 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 2014, 13 officers were identified in 15 reviews using the EIS (2 officers identified in 2 EISs). As a result of a review of the 45 incidents involving these 13 officers, it was determined that the involved officers acted in accordance with the Department of Public Safety policies and no officers were in need of assistance.

**INTERNAL INVESTIGATIONS**

Between 2005 and 2014, the total number of complaints filed with the University of Maryland Department of Public Safety has ranged from 6 to 39, with 2014 consisting of 12 complaints. Of the 12 complaints generated by this agency during 2014, 9 were generated externally and 3 were generated internally.

**Complaints 2005-2014**

![Complaints 2005-2014 chart](chart.png)
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 (9)**

**Background and Allegation:** Complainant alleged that employee displayed conduct unbecoming.  
**Disposition:** Sustained. Employee was issued a written reprimand, mandatory counselling and the loss of (40) hours of leave.  
**Additional Information & Comments:** None

**Background and Allegation:** Citizen alleged that items were stolen from his vehicle following his arrest and subsequent vehicle impound.  
**Disposition:** Unfounded. The investigation revealed that the alleged acts did not occur. Additionally, the complainant failed to cooperate with investigation and occupants refused to be interviewed.  
**Additional Information & Comments:** Employee received verbal counselling as a result of not activating the Mobile Digital Video Recording System remote microphone.
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

Background and Allegation: Vehicle operator alleged that an employee conducted a search of his vehicle with probable cause.
Disposition: Not Sustained. The investigation revealed that the officer did have probable cause to search the complainant’s vehicle and failed to support the allegation.
Additional Information & Comments: Employee received verbal counselling as a result of not activating the Mobile Digital Video Recording System remote microphone.

Background and Allegation: An employee entered a campus building without authorization and a supervisory employee failed to report the incident in a timely manner.
Disposition: Sustained (both). Employee who entered the building without authorization received a letter of reprimand and suspension without pay. Supervisory employee who failed to report the incident in a timely manner received a written reprimand and suspension without pay.
Additional Information & Comments: None

Background and Allegation: Citizen alleged unsafe operation of police vehicle.
Disposition: Exonerated. The investigation revealed no evidence of unsafe vehicle operation.
Additional Information & Comments: None

Background and Allegation: The complainant was observed possessing and consuming an alcoholic beverage at a campus sporting event. A field supervisory officer directed a second officer to conduct an ejection from the event. The complainant was not provided all information relating to why he was ejected.
Disposition: Sustained. The complainant was rightfully ejected from a campus sporting event for possessing and consuming an alcoholic beverage. The complainant was not provided with adequate information as to why he was required to leave the event.
Additional Information & Comments: Officers involved in the ejection received verbal counselling regarding the importance of providing adequate justification of enforcement matters.

Background and Allegation: Citizen alleged that employees failed to take a police report after having indicated that he had been assaulted while attending a campus sporting event.
Disposition: Sustained. Evidence suggests that the complainant did advise the officers that he had been assaulted and neither officer completed a report.
Additional Information & Comments: Both officers received written counselling.

Background and Allegation: Employees responded to a call for service where the complainant requested actions that the employees were unauthorized to perform. As a result, the complainant alleged that the employees did not have a positive attitude.
Disposition: Unfounded. The investigation revealed that the allegations did not occur.
Additional Information & Comments: None
PROFESSIONAL STANDARDS REVIEWS (3)

In cases where the facts of an incident are not in dispute, investigations are not required to initiate disciplinary action. During the year 2014, the following additional actions were initiated:

- An employee received written counselling for not adhering to requisite responsibilities and expectations.
- An employee received a written reprimand and demotion for receiving unauthorized information.
- An employee received a written reprimand and loss of leave for reporting to work unprepared to perform required duties.

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 2014, 57 Use of Force reviews were conducted. They involved the following use of force components:

<table>
<thead>
<tr>
<th>Component</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firearms pointed at persons</td>
<td>19</td>
</tr>
<tr>
<td>Long gun deployments</td>
<td>12</td>
</tr>
<tr>
<td>Euthanized deer &amp; deployments</td>
<td>4</td>
</tr>
<tr>
<td>OC spray deployment</td>
<td>1</td>
</tr>
<tr>
<td>Baton strike</td>
<td>1</td>
</tr>
<tr>
<td>Other physical force</td>
<td>10</td>
</tr>
<tr>
<td>Hands</td>
<td>11</td>
</tr>
<tr>
<td>Foot pursuit</td>
<td>13</td>
</tr>
<tr>
<td>Vehicle pursuit</td>
<td>67</td>
</tr>
</tbody>
</table>

Total Use of Force components: 67

Use of Force review may contain several force components, e.g., a firearm may be pointed at the driver after a vehicle pursuit, etc. This will explain the difference between the individual Use of Force statistics (67) and the 2014 total Use of Force reviews (57). 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.
TRAFFIC ACCIDENTS INVOLVING AGENCY PERSONNEL

Supervisory and/or administrative personnel conduct reviews of all employee-involved traffic accidents. In 2014, 26 employee-involved accident reviews were conducted. In 25 of these instances, it was determined agency employees 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>Written Counselling</td>
<td>16</td>
</tr>
<tr>
<td>Written Counselling &amp; Vision Test</td>
<td>3</td>
</tr>
<tr>
<td>Written Counselling, Training &amp; Vision Test</td>
<td>4</td>
</tr>
<tr>
<td>Written Counseling, Training &amp; Fine</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>25</td>
</tr>
</tbody>
</table>

DEPARTMENT PROPERTY LOSS

Supervisory and/or administrative personnel conduct reviews when agency property is lost, stolen, and/or damaged. In 2014, 38 property loss, stolen and/or damaged reviews were conducted. In 27 instances, it was determined that employees contributed to the loss, theft, and/or damage of agency property, with the majority being the loss of electronic swipe access cards. In those cases, where appropriate, employees were counselled. In the remaining instances, a determination was made that the loss, theft and/or damage occurred through no fault of the employee.

<table>
<thead>
<tr>
<th>Departmental Property Loss</th>
<th>Number of Reviews</th>
<th>Employee Contributed to Loss, Theft or Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lost Departmental Property</td>
<td>21</td>
<td>21</td>
</tr>
<tr>
<td>Stolen Departmental Property</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Damaged Departmental Property</td>
<td>14</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>38</td>
<td>27</td>
</tr>
</tbody>
</table>