UNIVERSITY POLICE

TO: Chief Mark Sparks
FROM: Major Paul Dillon
SUBJECT: Internal Affairs Annual Report

Date: October 23, 2014

INTERNAL AFFAIRS
2013 ANNUAL REPORT
UNIVERSITY OF MARYLAND
BALTIMORE COUNTY POLICE

INTRODUCTION

The members of the University of Maryland Baltimore County Police Department 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; 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.

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UPD Form 3 (revised: 10/13)
INTERNAL INVESTIGATIONS

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. Other contracts explain the process for non-sworn investigations of violations of UMBC Police agency policies.

As the Deputy Chief of Police, I assign investigations as necessary. For instance, minor complaints can be investigated by supervisors. Agency administrators (the rank of lieutenant) would be assigned to monitor these investigations.

Serious violations would be investigated by our Criminal Investigator, assisted by a lieutenant, who I would assign. We always retain the ability to request that another agency; such as the Maryland State Police or Baltimore County Police, assist with an internal investigation; if that measure would ensure community confidence in an independent investigation of a UMBC Police action.

All investigations would be reviewed and approved by the Chief of Police.

Alleged violations are investigated and receive one of the following disposition classifications: Not Sustained, Sustained, or Administrative Closure.

Not Sustained dispositions: a conclusion that an investigation failed to discover sufficient evidence to clearly prove violations of directives.

Sustained dispositions conclude that 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.

The UMBC Police did not conduct any Internal Investigations in 2013.
PROFESSIONAL STANDARD REVIEWS

These reviews are conducted when no clear allegation of misconduct has been made against the officer. It usually involves a citizen who is unhappy with the service they have received and lodge a complaint. These are assigned to administratively ranked officers for review and are initially conducted outside of the guidelines of LEOBR. However, if an investigator at any point uncovers information that could lead to formal discipline, the Deputy Chief is notified and the review is then reclassified to an internal investigation. Since these reviews are not formal investigations the disposition classification of IA’s is not applicable.

INDIVIDUAL CASE SYNOPSIS

Background & Allegations: Citizen alleged officer used inappropriate language on a call.
Disposition: No further action required.
Additional Information & Comments: No violations of policy.

Background & Allegations: Citizen alleged officer did not handle parking complaint as he should have.
Disposition: No further action required.
Additional Information & Comments: No violations of policy.

USE OF FORCE REVIEWS

Reviews are routinely conducted by supervisory and administrative personnel in each incident where police officers discharge firearms; point firearms 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 2013; the agency conducted: Four (4) Use of Force reviews. They involved the following use of force components: one (1) incident of firearm discharged and three (3) incidents of “other” physical force (e.g., hands, etc).

In one instance, an officer was found not to be in conformance with policy as it related to jurisdiction and not the use of force used. He was counseled in writing.

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TRAFFIC ACCIDENTS INVOLVING AGENCY PERSONNEL

Supervisory and administrative personnel routinely conduct reviews when employees are involved in traffic accidents. In 2013, two (2) accident reviews were conducted. In both of these instances it was determined agency employees failed to comply with some aspect of department rules and regulations. The sanctions included two written reprimands and 8 hours loss of leave.

DEPARTMENT PROPERTY LOSS

Supervisory and administrative personnel routinely conduct reviews when agency property is lost, stolen, and/or damaged. In 2013, no property loss reviews were conducted.