

### **1.1.0 POLICIES**

The policies contained in this section are broad based statements of agency principles that provide a framework for the development of agency procedures, rules, and regulations. This section does not constitute all of the agency's policies. Other agency policies are found in the Manual's consolidated system of policies, procedures, rules, and regulations.

#### **1.1.1 Mission Statement**

The mission of the University of Maryland Baltimore County (UMBC) Police Department is to serve the university community, protect life and property, and enforce the law.

#### **1.1.2 Agency Values**

##### **VALUES STATEMENT**

*The UMBC Police Department will provide service to the university's students, faculty, and staff by inspiring confidence and trust in all police services to the campus community and their guests.*

*The UMBC Police Department will inspire and preserve the public's confidence and trust in the department's disciplinary process.*

*The UMBC Police Department's philosophy of leadership by command and supervision will ensure that all department operations and personnel are held to the highest moral and ethical standards.*

*These values are based in the UMBC Police Department's motto of :*

##### **TRUTH ~ CIVILITY ~ DIGNITY**

**VALUES** ~ members of the UMBC Police Department will be committed to the following core values to guide their conduct:

**TRUTH** ~ *Employees Shall: Uphold the public's trust through truthfulness in words and actions. Seek truth through unbiased investigations.*

**CIVILITY** ~ *Employees Shall: Communicate verbally and non-verbally to promote effective communications internally and with individuals external to the department.*

- Refrain from responses of uncontrolled anger when dealing with a citizen or member of the department.
- Promote cooperation when dealing with the public and other members of the department.
- Use compassion as the instrument to build partnerships within the department and throughout the university community.

**DIGNITY ~ Employees Shall:** *Treat everyone with respect, and fairly in an unbiased manner. Provide dedicated compassionate service to citizens. Protect constitutional rights through impartial enforcement of the law. Aspire to improve service, quality of life, and partnerships with the UMBC community to promote a secure environment.*

**TO SUPPORT VALUES UMBC PERSONNEL SHALL:**

*Advance the principles of fundamental fairness on a multicultural campus. Be aware of cultural differences and their influence on verbal and non-verbal communications.*

**REMAIN RESPONSIVE TO THE COMMUNITY BY:**

*Reducing the fear of crime.  
Being sensitive and responsive to community concerns and problems.  
Actively seeking input from the community.  
Remaining courteous to the public when faced with provocation.*

**MAINTAIN THE HIGHEST DEGREE OF PROFESSIONALISM BY:**

- 1. Presenting a neat, clean professional appearance.*
- 2. Attending to duties in an accurate and timely manner.*
- 3. Using appropriate and respectful language when dealing with the public and co-workers.*
- 4. Never using excessive force.*
- 5. Never impairing fitness for duty through the use of alcohol or other drugs.*
- 6. Obeying all lawful orders.*
- 7. Promoting team work.*

**PROMOTE AND MAINTAIN THE HIGHEST STANDARDS OF INTEGRITY BY:**

- Not placing themselves in a position or act in a manner that would reflect adversely upon the UMBC Police Department.*
- Complying with all department regulations.*
- Performing all duties in the spirit of fairness, intent of the law and university procedures.*
- Perform all duties and responsibilities to the best of personal abilities.*

**Serving the UMBC Community with Values**  
**VERITAS ~ CIVITAS –DIGNITAS**  
**TRUTH ~ CIVILITY ~ DIGNITY**

### **1.1.3 Code of Ethics**

1. The Law Enforcement Code of Ethics, as published by the International Association of Chiefs of Police, is adopted as a general standard of conduct for this agency's police officers.
2. The Annotated Code of Maryland, State Government article Title 15, Subtitle 5 is adopted as a general standard of conduct for all agency employees.
3. Agency employees will receive initial training and at least biennial in-service training on the Code of Ethics.

### **Law Enforcement Code of Ethics**

"As a law enforcement officer, my fundamental duty is to serve the community, to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

"I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

"I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

"I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

"I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement."

### **Maryland State Employee's Code of Ethical Behavior**

The [Maryland Ethics Law – State Government \(SG\) §§ 15-501 through 15-508](#) and [COMAR 19A.02.01 and 19A.02.02](#) applies to all employees. It contains the following general types of ethical provisions administered by the state ethics commission:

#### **Conflict of Interest:**

- A. An employee or official may not participate as an employee or official in a matter in which he or she, certain relatives, or certain entities with which he or she is involved or has an interest.
- B. An employee or official may not participate in a matter which involves as a party a business entity in which he or she or certain relatives have employment, contractual, or creditor relationships or seek employment.
- C. An employee or official, in most instances, may not have financial interests in, or be employed by, an entity subject to his or her authority or of the agency with which he or she is affiliated. Employment under the Ethics Law includes being a member of a private board having these relationships even if there is no compensation.
- D. An employee or official, in most instances, may not have financial interests in, or be employed by, an entity having or negotiating a contract with the agency with which he or she is affiliated. In some situations, spousal interest may be attributed to the employee or official.
- E. An employee or official may not hold any employment relationships that would impair his or her impartiality and independence of judgment.
- F. An employee or official may not intentionally use the prestige of his or her office for personal gain or that of another.
- G. An employee or official whose duties include matters substantially relating to the subject matter of any contract with the State may not be or become, while a State employee, an employee of the party contracting with the State.
- H. An employee or official may not assist or represent any party for contingent compensation in any matter involving any State agency or political subdivision other than in a judicial or quasi-judicial proceeding. Employees in the judicial branch are also prohibited from representing any party before a court or agency of the Judicial Branch.
- I. A former employee or official may not assist or represent any one other than the State for compensation in a case, contract, or other specific matter involving the State if that matter is one in which he or she significantly participated as an official or employee.
- J. An employee or official may not solicit any gifts. Subject to certain exceptions, officials and employees may not knowingly accept any gift directly or indirectly from any person whom they know or have reason to know:
  - (1) Is doing or seeking to do business of any kind with his or her agency;
  - (2) Is engaged in activities that are regulated or controlled by his or her agency;
  - (3) Has financial interests which may be substantially affected in a specific way by the employee, or;
  - (4) Is a lobbyist with respect to the matters within the employee's functional jurisdiction.(NOTE: Exceptions to this prohibition are specifically outlined in SG § 15-505.)
- K. An employee or official may not disclose or use for personal economic benefit, or that of another, confidential information acquired by reason of his or her public position.
- L. Persons, entities, employees or officials that assist the State in procurement specifications, in most instances, may not be involved in bidding or assisting a bidder in that procurement or be employed by the bidder at the time of the bid.

#### **1.1.4 Discretion**

- A. Discretion is the most critical aspect in the use of police authority. Proper discretion can be a highly successful tool to resolve problems and conflicts.
- B. The use of discretion involves a giving of trust and confidence which cannot be violated.
- C. Discretion becomes necessary for many reasons. Among the most predominant reasons for exercising discretion is the lack of resources to deal with violations of many laws. Police must differentiate between ambiguous and obsolete laws, the effects of enforcement on community relations, the effectiveness and efficiency of the overall police operation, and the role of the police in our community.
- D. The agency recognizes limitations to discretion. As such, officers must obtain the approval of superiors for many enforcement related decisions. Employees do not have any discretion when given lawful orders, or when dealing with compliance of directives, laws, rules, regulations, policies, or procedures mandating courses of conduct or action.
- E. Officers are allowed the use of discretion in many areas, such as to arrest or release, arrest or refer to the [Office of Student Judicial Programs](#), cite or issue a written or verbal warning, make referrals to other university components or to other organizations better suited to address and resolve problems, etc.

#### **1.1.5 Calls For Service**

- A. The UMBC Police Department encourages members of the community to call when they witness an event that they deem to be suspicious or dangerous.
- B. The community, in return, expects the police to respond to requests for police service within a reasonable time and to satisfactorily perform the necessary service. A person calling for police assistance expects to be provided with a service. As a practical matter, the extent of the service may necessarily be limited, but, regardless of its extent, a professional quality of service must be rendered in all cases.
- C. Because it is not always possible for the agency to respond to every call for service, the agency must organize available resources to give the highest possible level of efficient service.

#### **1.1.6 Openness Of Operations**

Agency activities must not be shrouded in secrecy. It is essential that there be a full and public disclosure of policies and openness in matters of public interest. This, though, is not in conflict with the need of the agency to protect sensitive investigations, material, and individual rights.

### **1.1.7            Diversion & Referral Services**

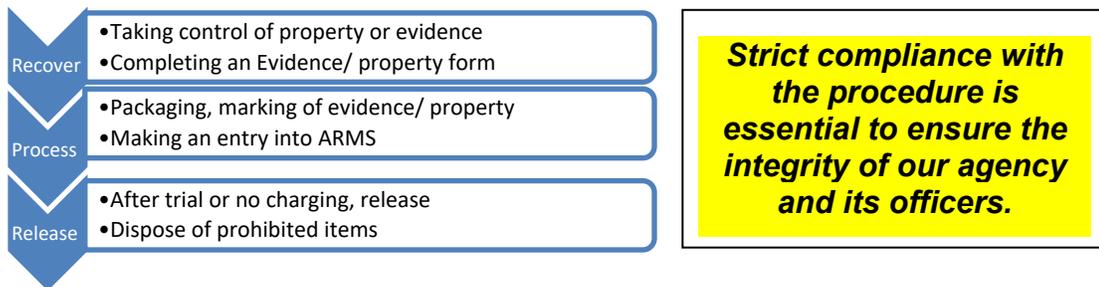
A. Agency employees are responsible for referring persons in need of assistance to proper criminal justice or social service agencies or organizations when this agency's resources are insufficient or not available.

B. Listings of contacts for counseling and housing can be found in the following Manual sections:

1. 2.4.3            Dealing with mentally Challenged Persons
2. 2.5.7            Resources to address potential campus threats
3. 2.7.8.3        Acquaintance Rape Prevention
4. 2.10            Victim Witness Services

### 1.10.1 Policies for handling property & evidence:

1. **General Statement of Intent:** All employees of the University Police Department will properly secure and process **any** property (i.e.: found property) or evidence which has come into their care.
2. **Our system:** The handling and disposition of property involves several phases:



3. **Only One Evidence Room:** No other permanent or temporary storage location may be substituted unless specifically authorized by the Evidence Custodian.
4. **Timely submission:** Members coming into possession of any: (1) evidence, (2) controlled dangerous substances (CDS), and (3) found or recovered property will, before the end of their duty hours, submit the property for storage and complete a Property/Evidence Record [UPD Form 16A](#) or [Property Form 16B](#).
5. **Found Property:**
  - a. Reasonable attempts will be made and documented to locate the property's owner.
  - b. Items may be transported to the Lost and Found Desk in the Commons.
  - c. **Discretion must be used in cases where the found property has significant value.**
  - d. When property is held at the station, it will be packaged and a Form 16 completed.
  - e. Unclaimed Property will be disposed of according to the Retention Schedule Table.
  - f. **Known owner:** Must attempt notification within three days of receiving the property. Serialized property or property with owner applied numbers will be checked through NCIC, METERS and other available databases for law enforcement. Members will note the efforts they take to return property in the ARMS / CAD system.
  - g. **Abandoned property:** (unknown owner) the receiving employee will obtain the name, address, and telephone number of the person turning in that property, in addition to the circumstances surrounding the recovery on a CAD card. Again, discretion must be used in cases where the abandoned property has significant value.

<b>Rules We Live by:</b>		
1	Safety first	Weapons must be packaged in a safe manner: firearms unloaded; knives wrapped, needles in "Sharps" container, etc.
2	Marking	There should be permanent marker used on evidence, along with a tag with this info: CCN, date and Officer name.
3	Right of Refusal	The Evidence Manager can refuse to accept improperly packaged evidence, requiring the member to re-package.
4	Document	ALL property and evidence must be documented with the name of responsible member, ID# and date submitted.
5	Chain of Custody	Refers to the chronological documentation of the seizure, custody, control transfer and disposition of evidence, either physical or electronic.
6	Release	We do <b>NOT</b> accept verbal orders to release or destroy evidence/ property. The order to release <b>MUST</b> be in writing ( <a href="#">Form 17</a> ).
7	Rule of Two	Two members are present whenever property evidence is destroyed.

## 1.10.2 The Evidence / Property Control System

### 1.10.2.1 Evidence Custodian

1. **The Chief will designate one person as the agency's Property Custodian.**
2. The Evidence Custodian ensures that all evidence, found and recovered property, are controlled, documented, and secured upon receipt from recovering members.
3. The Evidence Custodian's Section Commander serves in short term capacity as the **alternate Evidence Custodian**. Extended absences of the primary Evidence Custodian will result in the Chief appointing a replacement Evidence Custodian.

### 1.10.2.2 Officers' Role in the Property / Evidence Process

1. **Recover** the evidence;
2. **Fill out** the Property/ Evidence UPD Form 16A or Property Form 16B;
3. **Package** the Evidence / Found Property;
4. **Make entries** into the ARMS system;
5. **Locate owners**: Attempt to locate & notify owners- document efforts;
6. **Store**: Place evidence / found property into temporary storage lockers.

### 1.10.2.3 Supervisors' Role in the Property / Evidence Process

- **Inspect**: Officer's work;
- **Approve**: Sign at the bottom of the report that property evidence is correct.

### 1.10.2.4 Evidence Custodian' Role in the Evidence Process

- Inspects** evidence and property for procedural compliance.
- Notifies** the submitting officer of any procedural non-compliance discrepancies
- Signs** the Chain of Custody portion on the UPD Form 16A or Property Form 16B.
- Makes** entries into ARMS system to track evidence
- Stores**: Enters evidence into the Evidence Room
- Transport**: Transport and retrieves CDS/ other evidence at the MSP lab.
- Valuables**: Responds to the station for immediate reception of highly valuable property that needs to be in the Evidence Storage Room.
- Notifies** officers of when to dispose of evidence (Evidence Retention Schedule)

### **1.10.3 Storage & Security**

- A. The Evidence Locker is designated a limited access area.
- B. The Evidence Locker is the agency's only permanent evidence storage area.
- C. Personnel permitted to be present in the Evidence Room are:
  - 1. Evidence Custodian and personnel who are escorted by the Evidence Custodian;
  - 2. Support Services Commander for inspectional purposes;
  - 3. Deputy Chief of Police for inspectional purposes;
- D. Other designated, securable agency facilities, e.g. the bicycle storage room and the rear alarmed room, may be utilized to store non-critical property that includes:
  - 1. Recovered bicycles;
  - 2. Large or bulky articles of recovered property with no evidentiary value.
- E. The CDS vault inside the Evidence Locker is a separately secured room that is utilized to store and secure all:
  - 1. Money and negotiable instruments;
  - 2. Precious metals;
  - 3. Jewelry and gemstones;
  - 4. Weapons;
  - 5. CDS; and
  - 6. Articles constituting increased security risks.
- F. The property vault door will remain closed and locked whenever the Evidence Custodian is not actively engaged in adding, removing, or inventorying articles stored in the vault.

### **1.10.4 Temporary Security evidence storage areas:**

The lockers outside of the Evidence Room are used for temporary storage. Non-evidentiary property will be stored in the Temporary evidence lockers; or the Rear Equipment Room, with the alarm set after placing the property. Note: the Evidence Custodian needs to be notified of the property or large evidence placed in the rear equipment room.

## **1.10.5 Records and Evidence Inspections:**

### **1.10.5.1 *New Property Custodian Inventory***

1. Documented inventories of property, evidence, records under control of the Evidence Custodian will be conducted whenever a new Evidence Custodian is designated.
2. 100% of all evidence will be subject to inventory.
3. Inventories will be conducted by the new and outgoing Property Custodians and another employee designated by the Support Services commander.
4. All discrepancies will be recorded in inventory reports and investigated prior to the assumption of property accountability by the new property custodian.

### **1.10.5.2 *Semi-Annual Inspections***

Documented inspections of the Evidence Unit will be conducted semi-annually by the Commander of the Support Services Section.

### **1.10.5.3 *Yearly Audits***

- Audits documenting evidence under control of the Evidence Custodian will be conducted yearly to determine if related property and evidence directives are being followed.
- Audits will be conducted by an administrative ranked officer specifically designated by the chief who is not routinely or directly connected with control of property.

### **1.10.5.4 *Unannounced Inspections***

- Unannounced inspections of the Evidence Unit will be conducted and documented as directed by the Chief annually.
- Inspections will randomly examine property, evidence, and records thereof under control of the Evidence Unit.

### **1.10.5.5 *Reports***

- Reports will be reviewed, commented on, and approved by the Commander of the Support Services Section prior to being submitted to the Chief.
- Inspection reports will be retained in the Office of the Chief for at least three years.

### **1.10.6 Evidence Custodian:**

1. The Evidence Custodian will maintain a master Inventory of Property/Record Forms.
2. The Comptroller's Office (UMBC) maintains financial records regarding found and seized property in the Police Department's Lost/Abandoned Property Account.

### **1.10.7 Property Records File**

- An open property records file will be maintained by the Evidence Custodian (this is a computerized function in the ARMS system).
- Property/Evidence Records will remain in the open file until the property indicated on the record has been disposed of in accordance with established procedures.

### **1.10.8 Evidence Removed from Storage for Laboratory Examination**

- Evidence taken from the storage area to be analyzed at a laboratory or ballistics facility will be recorded on Maryland State Police (MSP) Form 67. The original copy of MSP Form 67 will be transmitted with the evidence to maintain chain of custody.
- Upon acceptance of evidence by the MSP Crime Laboratory Division, the receipt section of the Request for Laboratory Examination (MSP Form 67) will be issued. This receipt will be returned to the Department and filed with the applicable Property/Evidence Record.
- After the analysis has been completed and the evidence returned to storage, the original Request for Laboratory Examination (MSP Form 67) and the Examination/Analysis Results will remain with the evidence.
- After final disposition of the property, the original form (MSP Form 67) showing the chain of custody and the Examination/Analysis Results will be filed with the appropriate investigative report.

### **1.10.9 Court Exhibits**

- When evidence is used as an exhibit in court and is retained by the court, a Court Evidence Receipt will be obtained and filed with the Property/Evidence Record;
- The Court Evidence Receipt is not a final disposition of property held procedures;
- When the case has been adjudicated, personnel are to obtain the property and return it to the Evidence Custodian.

### 1.10.10 Disposition of Property and Evidence

**General:** *Once the legal requirements have been met for holding evidence, it is no longer evidence, and becomes storage.* To prevent the overload of the Evidence / Property Management system, and to reduce the amount of space needed for storing necessary evidence, the Evidence Manager is charged with making a determination as to the disposition of evidence and property. This section of the manual is used to guide those decisions, along with applicable Maryland law and the advice of the University Counsel.

At least every six months, the Evidence Manager will seek to determine a final disposition of found, recovered and evidentiary property held in the UMBC Police Evidence Room. The Evidence Manager will send a notice to each individual member to dispose of evidence. A disposal memo will be forwarded to the Support Services Commander.

Whenever possible, property should be returned as soon as possible and without delay. The efforts to return property should be documented, along with any Certified mail or e-mail exchanges to let a property owner know that their property can be retrieved. Whenever possible, property should be photographed and documented, and released to the property's owner. The Baltimore County State's Attorney's Office can be contacted to assist in making decisions as to whether photographs and testimony can suffice for courtroom presentation.

#### Releasing Property

- Police Department employees shall not convert to their own use or have any claim to any evidence or lost, mislaid or recovered property.
- The Police Department may only release property to the rightful owner, or the properly authorized representative of the identified owner.
- Property is considered to be abandoned if an owner has not been found, or if the property has **not** been released by the end of one (1) year following the date it was obtained by the Department. The finder who had delivered the property to the Department will be notified that they can claim the property within thirty (30) days. The notification will be sent to the last known address of the owner or person having delivered the property to the Department by certified mail. The notification lists the:
  - (1) Date stored;
  - (2) Property record number;
  - (3) Case number;
  - (4) Last date that the property may be claimed;
  - (5) Location and times where the property may be claimed; and
  - (6) Required identification and proof of ownership (may vary with types of property).
- Verbal authorization, under limited circumstances, may be the only form necessary, i.e., when the owner (in person) specifically identifies a party to accept. Proper identification (photo and government issued identification) will be shown at the time of release.
- The Records/Evidence Coordinator is responsible for the disposition of all evidence.

- **Resale Prohibitions:** Federal and State laws prohibit the sale of certain property, regardless of its condition. Certain items are REQUIRED to be on property records for control purposes. The following items are considered to fall within these guidelines:
  - (1) Firearms and Ammunition
  - (2) Commercially manufactured knives
  - (3) Law enforcement uniforms and insignia
  - (4) Military uniforms and insignia
  - (5) Electronic/mechanical gambling machines
  - (6) Electronic surveillance devices and related equipment
  - (7) Tobacco products (intended for large quantities of contraband)
  - (8) Recorded material such as "pirated tapes", computer programs, etc.
  - (9) Any vehicle part with altered serial numberNOTE: This does not affect the procedure for disposal of property.
  
- Third party releases will require substantial documentation; includes:
  - (1) A notarized letter from the owner.
  - (2) A court order; ie: divorced spouses, judgments, incarcerated individuals.
  - (3) Legal documents as in the case of wills, power of attorney, writs of replevin.
  - (4) The ability to specifically identify property. The right of possession may be established by the claimant's ability to specifically identify the item(s), i.e., engravings, identification markings, serial numbers, insurance photographs, etc. Identification of items should be established with as much specificity as possible prior to the party viewing the item(s).
  
- The UMBC Police Department Evidence Disposition Report Form [UPD Form 17](#) will be used when a final disposition for an article of property or evidence occurs. The form is submitted to the Property/Evidence Coordinator.

### 1.10.11 Release to Agency Use:

**General Rule:** Abandoned or seized property can be converted to **police agency** use. Examples:

1. **Currency:** abandoned (lost & found) funds will be deposited at the University Comptroller's Office. If no one comes forward for the funds, the abandoned funds can be converted to agency use, with permission from the University and the Chief of Police. **CDS Asset Seized Funds:** Maryland law allows for CDS related funds to be converted to law enforcement use. Maryland District Court [form DC24 Application for Forfeiture of Contraband Money](#) will be completed, and the Baltimore County State's Attorney's Office of Special Investigations will be contacted. Once the money is forfeited under a court-order, the Chief of Police will notify the University that the money can be used for agency use.
2. **Firearms:** once forfeited, firearms can be used for agency use, training (converted for training scenarios) or given to other agencies for such purpose (i.e.: we use the Maryland State Police to dispose of our firearms. They can also convert the weapons to their agency use for sting operations, training, etc.)
3. **CDS for Display, Demonstration and Investigative Purpose**

The Evidence Manager will be responsible for all controlled dangerous substances utilized for departmental training and investigative purposes. The Community Resource Sergeant will submit a Departmental Memorandum (UPD Form #3) to the Evidence Manager requesting the controlled dangerous substance, the date and time of the demonstration, and the department requesting a demonstration. The Evidence Manager will retain written requests and document the use of CDS. The Evidence manager will establish a record keeping system to monitor the use of CDS for training or investigative purposes.

**1.10.12 Property/ Evidence Retention Schedule**

<b>Offense Type</b>	<b>Condition</b>	<b>Length of Retention</b>
Found property	Known owner	Notify & note in report & Return
Found Property (Abandoned)	Owner not known	Minor value (under \$500)—to the University Commons Lost and found
Found Property (Abandoned)	Owner not known	Valuable- Evidence Custodian will determine
Misdemeanor Crime, includes CDS	Suspect Charged	After conviction, appeals are exhausted
CDS- Misdemeanor or other misdemeanor crimes	Suspect not known/ charged	Property can be photographed and released after one year.
Burglaries, first, second, third and fourth degree. Robbery with a Deadly Weapon.	Suspect NOT Known	Property can be photographed and released after three years.
Digital / Audio/ Video Recordings of interviews	Suspect Charged	Held until all appeals have concluded
Murder Rape, first and second degree. Sex offense, first and second degree	Baltimore County Police CID handles the case and all evidence	Indefinite
Fingerprint evidence and any blood or other body fluids are maintained separately.	Maryland State Police Lab	Indefinite
Physical evidence, containing biological material where DNA analysis has been performed and DNA profile(s) have been entered into CODIS, for the following crimes: Carjacking. Kidnapping. Armed robbery	Baltimore County Police CID handles the case and all evidence	Indefinite
Arson. <ul style="list-style-type: none"> <li>Assault in the first degree.</li> <li>Burglary in the first degree.</li> </ul> Auto manslaughter and homicide by vehicle while intoxicated. Felony CDS cases. Child Abuse cases Felony forgery, credit card misuse, and identity fraud. Felony theft over \$1,000. Handgun offenses. Kidnapping, Robbery, Sex offense third degree, Carjacking.	Suspect Charged	Ten years or until the convicted defendant is released from incarceration, whichever event s longer.

### 1.2.0 ORGANIZATIONAL STRUCTURE & AUTHORITY

- A. The Chief of Police establishes organizational units and assign functions as deemed necessary to support the effective and efficient accomplishment of the agency’s goals, objectives, responsibilities and functions.
- B. Individual positions are assigned functional responsibilities.
- C. When organizational changes are made, directives will instruct members as to changes.
- D. The agency’s organization is depicted on an organizational chart that is reviewed, updated as needed, and made accessible to all agency personnel by staff in the Office of the Chief.

### 1.2.1 Authority: General Police Authority Established

Authority	Reference	Authority	Reference	Authority	Reference
Adult Protective Custody-May take adults into protective custody & Transport them to medical facilities	<a href="#">Estates &amp; Trusts §13-709</a>	Emergency Psychiatric Services- May take people into custody & petition for emergency psychiatric evaluation	<a href="#">MD Health Code § 10-622</a>	Limited extra-jurisdictional Authority – may exercise	<a href="#">Criminal proceedings (CP) 2-102</a>
Armed Forces Deserters May arrest deserters from the armed forces.	<a href="#">10 USC 808</a>	Emergency Vehicles- May disregard specific traffic related laws in emergency vehicles	<a href="#">Transportation §21-106</a>	Parole Violators- May arrest parole violators.	<a href="#">Correctional Services §6-107</a>
Arrest- May make arrests & enforce the general criminal laws of the state.	<a href="#">Criminal Procedures §2-101 &amp; §2-202</a>	Escapees- May arrest escapees.	<a href="#">Correctional Services §3-214</a>	Safety Equipment Repair Orders- May issue for violations of motor vehicle safety & equipment regulations.	<a href="#">Transportation §23-105</a>
Arrest Warrants- May be served only by peace officers & deputy sheriffs	MD Rule 4-212	Firearms- May carry upon training & qualification	<a href="#">COMAR 12.04.01</a>	Search Warrants- May serve & execute.	<a href="#">Criminal Procedures §1-203 &amp; MD Rule 4-601</a>
Arrests- May make warrantless arrests & generally related to the laws of arrest.	<a href="#">Criminal Procedures §2-202</a> , et. seq.	Fresh Pursuit- May exercise authority during fresh pursuit.	<a href="#">Criminal Procedures §2-301</a> , & <a href="#">Education §13-601</a>	Traffic Arrests- May arrest without warrants for certain violations of the Maryland Vehicle Law.	<a href="#">Transportation §26-202</a>
Civil Citations- May issue civil citations for certain alcohol related violations.	<a href="#">Criminal Law §10-119</a>	Fugitive Arrests- May arrest wanted fugitives, including for NCIC terrorist warrant hits.	<a href="#">Criminal Procedures §9-109 &amp; §9-114</a>	Traffic Citations- May issue for certain violations of the Maryland Vehicle Law.	<a href="#">Transportation §26-201</a>
Criminal Citations- May issue criminal citations in lieu of custodial arrests for applicable violations.	<a href="#">Criminal Procedures §4-101 &amp; MD Rule 4-201</a>	Handguns- Active & retired law enforcement officers may carry concealed weapons in specified circumstances.	<a href="#">18 USC 926B &amp; 18 USC 296C</a>	Traffic Enforcement- May enforce provisions of the Maryland Vehicle Law.	<a href="#">Transportation §26-202 &amp; Following</a>
Custody of Defendants- May transport & maintain custody of defendants outside agency’s jurisdiction to Commissioner.	<a href="#">Criminal Procedures §2-106</a>	Jurisdictional Limits- Geographical limits established.	<a href="#">Criminal Procedures §2-102 &amp; Education §13-601</a>		
Direct & Regulate Traffic- May direct & regulate traffic.	<a href="#">Education §13-601 &amp; Transportation §25-102</a>	Juveniles- May take juveniles into custody in specified situations.	<a href="#">Courts &amp; Judicial Proceedings §3-814 &amp; §3-8A-15</a>		

### **1.2.2 Oath of Office**

A. All officers hired by the agency will, upon completion of mandated training or appointment as lateral transfer officers, achieve sworn status only after being certified by MPTC and executing an oath of office administered by the Chief of Police.

The Chief of Police attains sworn status executing an oath of office administered by the university president or designate. The Oath is found in the [Maryland Constitution](#).

B. Officers will abide by the oath of office to:

1. Bear true faith and allegiance to the United States of America and to the State of Maryland;
2. Uphold and defend the Constitution of the United States and the Constitution of Maryland;
3. Serve the University of Maryland, protect life and property, and enforce the law; and
4. Obey orders of the Governor, the Board of Regents, and superior officers according to the rules and regulations of the agency.

C. Oaths of office will be signed by all officers and the chief. Originals will be presented to the affiant officers with copies maintained in officers' personnel files.

### **1.2.3 Limitations on authority**

These directives related to limitations on authority are not intended to be exhaustive on the subject matter. Where laws, either included or excluded in these directives, are more permissive or restrictive, the laws are controlling.

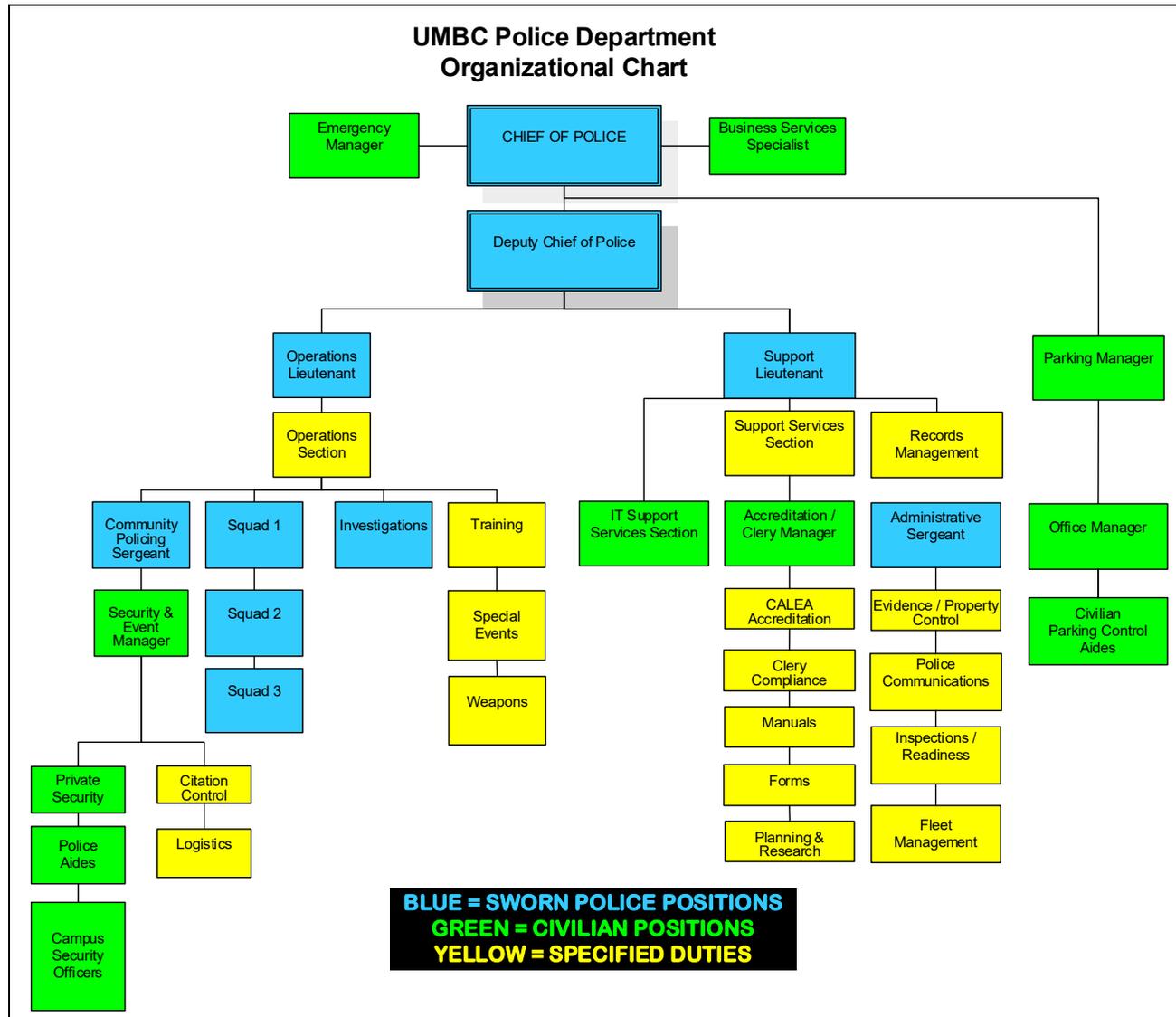
### **1.2.4 Jurisdictional Limitations**

- A. The Education article 13-601 and CP 2-102 contain controlling language that describes when Officers may exercise police powers subject to jurisdictional permissions and limitations. The UMBC Police Department has the primary agency responsibility for policing property owned, operated, leased by, or under the control of the University of Maryland System.
- B. Official maps detailing jurisdictional boundaries are maintained in the following locations: (1) Office of the Chief, (2) Roll Call Room, (3) Lobby of Headquarters, (4) Supervisors' Room, Help Section of the Police Department's internal website.
- C. Copies of concurrent jurisdictional agreements are available on the Police Department's internal drive and are available to all UMBC Police employees.
- D. The limitations of jurisdiction are defined by the [Memorandum of Understanding](#) with the Baltimore County Police Department.
- E. The UMBC Police Department's main mission and focus is concentrated on UMBC property and within the UMBC community.

### 1.2.5 Authority and Responsibility

- A. Each organizational unit is supervised or administered by a supervisory or administrative ranked officer. Organizational units report to their respective superiors as detailed in agency directives and on the agency organizational chart.
- B. Authority to execute the required activities of agency units or functions is delegated by the chief through the command structure in order for responsibilities to be accompanied by commensurate authority.
  - 1. Employees must recognize and accept the need for individual accountability for actions resulting from delegated authority.
  - 2. Accountability extends to employees' delegated authority who fail to use the responsibility where warranted and/or expected or when such actions can be construed to constitute misfeasance, malfeasance, or nonfeasance.
  - 3. Supervisory and administrative personnel are accountable for the activities of employees under their immediate control.
  - 4. In the absence of higher ranking officers, supervisors have the authority to act according to Maryland law and the training that they have received.
- C. Employees are directly accountable to their respective unit commanders during their work periods, and they are accountable for the delegated authority that they use.
- D. For payroll and other purposes, employees working overlapping shifts or assignments will be under the control of the on-duty supervisor.
- E. Field operations /emergencies are under the direction of the Operations Commander.
- F. During temporary absence of unit commanders, when no other provision is made by competent authority, command automatically devolves upon the senior ranking officer.
- G. A sergeant is assigned to each patrol squad. Patrol squad commanders are responsible for ensuring a continuous presence of supervisory personnel on their patrol squads every day of the year.
- H. The investigator carries the authority of the Operations Commander when performing duties assigned by the Operations Commander or Major.
- I. The Deputy Chief of Police, of their designee, serves as the acting chief whenever there is a planned, expected, or anticipated absence of the chief.
  - 1. When the chief is absent and unable to manage the operations of the agency without having appointed an acting chief, the position of acting chief devolves first by rank, then by time-in-grade.
  - 2. Acting chiefs are authorized to carry out provisions of LEOBR, as well as other powers, authority, and duties conferred upon the chief, except;
    - a. Promoting or demoting any member of the agency without the authorization of the chief; and
    - b. Making all but temporary transfers. Temporary transfers will be considered permanent only if or when approved by the chief.
- J. The rank order of the sworn members of the agency in descending order is:
  - 1. Chief of Police,
  - 2. Major,
  - 3. Lieutenant,
  - 4. Sergeant,
  - 5. Master Patrol Officer,
  - 6. Private First Class.

### 1.2.6 Table of Organization



### 1.2.7 Functional Communication, Coordination, & Cooperation

- A. Effective communications, coordination, and cooperation are absolutely essential to the administration and operations of the agency so that information, notifications, suggestions, problems, and concerns are conveyed and addressed.
- B. Personnel are encouraged to participate in the reasonable and prudent exchange of information between agency personnel and functions. We communicate with each other by:
1. Electronic mail accessible to all agency personnel;
  2. Patrol briefings;
  3. Investigators periodically attending patrol squad briefings;
  4. Command Information Summaries;
  5. Structured staff meetings;
  6. Staffing of draft directives throughout the agency;
  7. Incident, special event, or ICS briefings;
  8. Organizational and individual memberships in professional organizations;
  9. Access to on-line records, reports, and summaries; and

10. Direct communications between employees.

- C. The Chief maintains an "open door" policy as scheduling permits. Subordinates who wish to meet with the Chief, but do not have immediate chain of command access to the Chief, may do so by providing an agenda and scheduling an appointment with the Chief.
- D. Executive Corps meetings are separate and apart from the Strategic Management Program, and are conducted at various levels within the agency as formalized methods for problem solving and enhancing intra agency communications.
- E. Section staff meetings are scheduled and chaired by section commanders for personnel within their commands and others as deemed appropriate.

### **1.2.8 Office of the Chief**

The Chief of Police answers directly to the Office of the Vice President for Administration and Finance Affairs. The chief is responsible for the overall management and administration of the agency, including operational efficiency, budgeting, planning, responding to the needs and inquiries of the public, and maintaining interactions with county, state, and federal agencies. The Chief coordinates the annual setting and updating of Goals and Objectives for the agency, along with the command staff.

#### **Goals and Objectives:**

Strategic Goals are long-term solutions to problems, opportunities or contingencies. Goals and Objectives are set annually by the Command Staff in a retreat setting. The committee performs these tasks:

- 1) Analyze the problems, opportunities or contingencies the agency faces;
- 2) Develop the plan to accomplish the stated goals and objectives we select;
- 3) Develop an evaluation system towards achieving the stated goals and objectives;
- 4) Publish a Progress report;
- 5) Make the report available to all agency personnel.

#### **1.2.8.1 Fiscal Management**

The Chief has the authority and responsibility:

- A. For the overall fiscal management of the agency; and
- B. To review and coordinate any law enforcement related expenses accounted for within the budgets of other campus operating units.
- C. Certain fiscal management duties and responsibilities have been delegated to the Business Services Specialist. These duties and responsibilities include:
  1. Purchasing and expenditure control;
  2. Liaison with vendors and university fiscal related units and departments; and
  3. Coordinating the annual budget development and submission process consistent with procedures established by the university; and
  4. Ensuring prioritized budget recommendations are prepared and submitted for the Chief's consideration by commanders of major agency components.

#### **1.2.8.2 Purchasing & Procurement**

- A. The agency's purchasing of equipment and supplies conform to procedures established by and administered through UMBC's Procurement Department.
- B. Purchasing procedures include:
  1. Specifications for items requiring standardized purchases;
  2. Bidding procedures;
  3. Criteria for the selection of vendors and bidders;
  4. Procedures for the emergency purchasing or rental agreements for equipment; and
  5. Procedures for requesting supplemental or emergency appropriations and fund transfers.

- C. All agency purchases must be made:
  - 1. Only by employees who have been designated as purchasers by the Chief; and
  - 2. Consistent with procedures established by UMBC Procurement rules.
- D. An adequate and authorized number of credit cards will be distributed to commanders and certain supervisors to make emergency purchases.

#### **1.2.8.3      Accounting & Auditing**

- A. All agency fiscal records are accounted for in the University's PeopleSoft Financials System as administered by Financial Services. This system provides automated, up-to-date status and details of all accounts, state funding, revenues, and expenditures.
- B. Any cash account used by the agency must be managed and accounted for consistent with PeopleSoft Financials and accompanied with internal directives that establish oversight criteria. Internal directives address:
  - a. A bookkeeping system showing initial balance, credits, debits, and on-hand balance;
  - b. Documented receipts for cash received and disbursed or spent;
  - c. Authorizations for each disbursement, including expenses over predetermined limits;
  - d. Records, documentation and/or invoice requirements for cash expenditures;
  - e. Listings of employees authorized to disburse or accept cash; and
  - f. At least quarterly, written accountings of cash activities.

#### **1.2.8.4      Auditing**

- A. The agency is covered in the annual, consolidated financial audit of institutions and components consistent with [USM 289.0 VIII-7.20 Policy on External Audits](#),
- B. The USM Office of Internal Audit conducts various types of audits on behalf of the USM to review financial and operating activities, analyze internal control structures and procedures, and recommend corrective measures to both administrators and operating managers.
- C. The Maryland Department of Legislative Services, Office of Legislative Audits conducts audits of each USM institution every three years.
- D. The University's Management Advisory and Compliance Services Department conducts compliance and process audits and reviews in order to detect fraud, loss, errors, inefficiency, non-compliance with laws, regulations and ineffective operations.
- E. Employees will assist and cooperate with any duly appointed or designated auditor.

### **1.2.8.5 Inventory Control**

The agency conforms to property inventory and control processes established and maintained by UMBC. The system is developed by the USM Office of Internal Audit, the Support Services Lieutenant and managed by the Quarter Master. This system is responsible for maintaining and auditing the Police Department's inventory.

### **1.2.8.6 Investigative Cash Fund Management**

This section has been deleted due to a lack of a need for an on-site cash fund account. If investigative funds are needed, the Criminal Investigator will attempt to seek a cooperative investigative effort with a larger law enforcement agency (i.e.: the Baltimore County Police Department, the Maryland State Police, etc.).

### **1.2.8.7 Procedures for Accepting Cash**

#### **[General Order 2016 – 01 Procedures for Accepting Cash](#)**

Members of the UMBC Police Department have to accept cash, checks or money orders (referred to as "the funds") for payment of UMBC fees or fines. All members will adhere to the procedures set forth by the UMBC Student Business Services Office.

#### **I. Procedures:**

When collecting monies from citizens / employees for fingerprints, smoking fines, cell phone bills, or other miscellaneous collections; the following procedures will be followed:

#### **The member accepting the funds:**

1. **Receipt:** The member will collect the funds and fill out a receipt from the ledger book kept in the Communications Center.
2. **Record the Check #:** If the person is paying by check or money order the member will log the check or money order # on the receipt.
3. **Return:** The white copy of the receipt will be given to the citizen / employee.
4. **The yellow copy of the receipt**, along with the funds, will be placed in an envelope, sealed, and placed in the drop box in the front lobby.
5. **Only one receipt** per envelope.

#### **Deposit Procedures**

1. **Limited access:** Only three employees are authorized to access the funds in the drop box, The Business Services Specialist, the Deputy Chief and the Chief of Police.
2. **Business Days:** On business days, one of these employees will remove the envelopes from the drop box in the presence of another employee.

3. **CAD card:** The member assigned to the Communications Center will generate a Computer Aided Dispatch (CAD) record for the removal of the funds. The CAD card should contain the name of the employee removing the funds, the witness, and the number of envelopes being removed.
4. **Stamp checks:** Collections should be recorded and restrictively endorsed (i.e., stamped) immediately upon receipt. Examine checks prior to deposit to ensure endorsement does not create a legal responsibility for UMBC (i.e., read any small print on the check).
5. **Deposit form:** The authorized employee will prepare a deposit form which will be approved and submitted to Student Business Services. Deposits must be made timely (i.e., within one business day for receipts totaling \$25 or more).
6. **Separate duties:** There should be an adequate separation of duties between receipt, deposit and verification functions (i.e., separation requires three people)
7. **Record retention:** A copy of the deposit form will be kept with the appropriate receipts and the return receipt from business services.
8. **Internal Audit:** There should be a timely (monthly), documented (initialed and dated), independent (didn't touch the cash) verification of each deposit to ensure all receipts were deposited intact (i.e., trace the amount on the "regular deposit entry" cashier's receipt to the department's original cash receipt record).
9. **Financial Review Audit:** There should be a monthly, documented (initialed and dated) review of PS financial reports to ensure each deposit (i.e., "regular deposit entry" cashier's receipt amount) was properly credited to the department's chart string.
10. **Cash Receipts - Segregation of Duties**

Procedure	Person #1 is allowed to:	Person #2 Is allowed to:	Person #3 Is allowed to:
Receive cash/checks	✓		
Prepare receipts	✓		
Prepare the deposit slip	✓*	✓*	
Take the deposit to the Student Business Services Office		✓	
Reconcile the validated deposit slip to the original cash receipt record			✓
Reconcile bank account			✓

**Note: person #3 never has access to the cash receipts even if the receipts are maintained overnight they should be in a locked area where person #3 never has access.**

✓ - the person is allowed to perform this function

\* - depending on staffing, either person #1 or #2 could perform this function

## 1.2.9 Major / Deputy Chief of Police

- A. **Internal Affairs:** responsibilities to coordinate and administer the agency's internal affairs function to ensure that complaints against agency personnel are received and investigated.
- B. **Public Information/ Media Relations:** to inform the agency, the public, and the media of information on agency operations.
- C. **Parking Services:** the Major coordinates this service at UMBC.
- D. **Crime Prevention:** develops programs on campus to target harden our community against crime by reducing opportunities.

### 1.2.10 **Business Services Specialist;** responsibilities include:

- Provides secretarial services,
- Exercises independent judgment to resolve administrative problems.
- Purchases, accounts, handles budget processes, disbursement of agency funds, billing for services, employee payroll management,
- Handles the Cash Fund and Accounts Maintenance; and
- Serves as the liaison to University Human Resources.
- Handles payroll processing according to UMBC: [Payroll Processing Manual](#)
- Handles Time entry & Leave processing according to UMBC rules: [Time Entry & Leave Processing Manual](#).

#### 1.2.10.1 **Petty Cash Procedures**

1. **Purpose:** UMBC allows for the use of a petty case fund to provide cash for routine operations and emergency procedures, which by their nature, cannot be handled through the Visa Purchasing Card, Purchase Order or invoice procedures.
2. **Examples:** employees may be reimbursed for expenses incurred while performing assigned duties, i.e. parking, meals, telephone calls and minor emergency vehicle repairs.
3. **Accountability:** The Petty Cash Fund is administered by the Business Services Specialist.
4. **Limits:** generally for purchases under \$50. For an emergency purchase over \$50, prior to the purchase, approval must be received from the Business Services Specialist or the Chief of Police. For example, emergency repairs to motor vehicles.
5. **Tax:** Sales tax will not be reimbursed. Use the UMBC Tax Exempt No. 30002563.
6. **Receipts :** required for all purchases and repairs.
7. **Meals for prisoners:** detained at the Police Department past meal time are limited to the University per diem rates as set out by Board of Regents Policy.
8. **Non-Reimbursable:** (a) Items stocked by the Department, (b) beverages and food for police staff and command meetings (i.e. coffee and donuts).
9. **Business expenses:** meals, business entertainment, travel expenses, other than parking or tolls and registration fees are covered by the University Travel Policy.
10. **Original signatures:** must be on the Petty Cash Receipt. At least two people must sign the Petty Cash Receipt. The person requesting reimbursement and a person designated by the Chief.

**1.2.10.2 Business Services Specialist Procedures:**

1. The original petty cash voucher, with receipt, is forwarded to Accounting, on the last day of the month (unless there are insufficient funds on hand).
2. A memo to the Accounting Department, explaining briefly the items bought and amount paid.
3. Each voucher will have the original receipt attached, signed by the Chief or designate; i.e.: PFC Jones, parking- court on back of receipt. The employee requesting the reimbursement will sign the receipt.
4. One copy of the memo, Petty Cash Voucher(s) and receipt will be filed in the ACM file for audit purposes.

**1.2.11 Emergency Manager Responsibilities**

1. Maintain and update the University's Emergency Operations Plan
2. Coordinator and Chair the University's Emergency Preparedness Committee (EPC)
3. Advise the University's Crisis Management Executive Team (CMET)
4. Develop, administer, and track training exercises (tabletop, functional, full-scale)
5. Serve as the liaison between the University and other agencies in reference to emergency preparedness, emergency management, and Homeland Security

### 1.2.11 Operations Section functions:

The Operations Commander is responsible for the operational readiness for the agency. The section consists of these functions:

#### A. Patrol Squads:

- Provide continual police services to the community.
- Sergeants have supervisory responsibilities for the efficiency, discipline, appearance and general good conduct of their personnel, in addition to general police duties.
- Patrol officers duties and responsibilities: uniformed patrol, maintenance of public order, discovery of hazards, responding to calls for services, investigating crimes and incidents, arresting offenders, directing traffic and traffic control, providing emergency services, and reporting information to appropriate organizational units.

B. **Criminal Investigations Unit:** conducts criminal investigations, criminal intelligence, and victim / witness assistance coordination. The Criminal Investigations Unit is available 24 hour-a-day, every day. When the investigator is unavailable, the Commander of the Operations Section will assign an officer to serve in the investigative capacity.

#### C. Homeland Security:

1. **Liaison:** The Operations Section Commander coordinates the agency's Homeland Security function. The agency maintains liaison with other organizations for the exchange of information relating to terrorism (all information is coordinated via the Maryland fusion center (MCAC), who include these agencies:
  - a. Maryland Coordination and Analysis Center (MCAC);
  - b. Joint Terrorism Task Force (JTTF);
  - c. Maryland Emergency Management Agency (MEMA); and
  - d. Department of Homeland Security (DHS).
2. **Coordination:**
  - A. **The Operations Section Commander** coordinates with other campus departments and jurisdictions to exercise plans and procedures related to Homeland Security.
  - B. **The Support Services Commander** is responsible for Emergency Management and Planning.
  - C. **Both Commanders** coordinate annual rehearsals to test our awareness of procedures in an emergency, as required by the UMBC Emergency Plan.
3. **Shared responsibilities:** All agency employees are responsible for reporting and relaying terrorism related intelligence information. Any agency employee can relay terrorism related intelligence to MCAC.

- D. **Traffic Functions:** are conducted by all uniformed sworn personnel.
- Reducing violations through preventive patrol and active enforcement;
  - Activities connected with, or related to traffic accidents;
  - Providing general and emergency assistance, providing public information and directions, identifying and reporting roadway and roadside hazards, checking abandoned vehicles, and locating and recovering stolen vehicles.
- E. **Training Committee:** The Operations Commander chairs the Training Committee. They coordinate training for sworn and full-time civilian employees, and maintain records for the Maryland Police Training Commission.
- F. **Crime Analysis:** the Operations Commander handles the function of analyzing crime trends. This occurs from analyzing police reports and interviews with officers and the agency's investigator. The results are shared with officers at roll-call, operational plans and meetings with the Chief and Deputy Chief of Police.

## 1.2.12 Support Services Section

### Lieutenant handles these functions:

- A. **Emergency Management and Planning:** coordinates emergency equipment needs and liaison with the Emergency Manager.
- B. **Facilities Management:** maintains and improves the facility. Conducts a weekly sanitation inspection of the facility and contacts Facility Management for abatement of vermin and pests.
- C. **Inspections:** The inspections function identifies conditions that contribute to the success or failure of the agency's operations and administration; by monitoring compliance with established policies, directives, regulations, and procedures.
- D. **Records:** serves as the agency's central repository of all criminal and civil records, storage, control, retrieval, routing, review, and maintenance of agency police related records and reports. This also includes expungement orders to remove records, the monthly Uniform Crime Report (UCR) completion and submission to the Maryland State Police.

### The Technology Specialists handles these functions:

- E. **Information Technology Services:** primary computer network administration, software application development, hardware assistance, and user assistance

### The Security & Event Services Program handles these functions:

- F. **Security & Event Services:** Coordinates the activities of the security officers, and the Student Marshall Program. This Unit is supervised by a Program Specialist, who handles requests for security services and schedules officers and marshals accordingly.

Security officers are full-time University employees who provide a variety of security services not requiring police authority.

Student marshals are (a) part-time employees, (b) who are UMBC students, who assist security officers or officers in law enforcement activities that do not require police authority.

- G. **Quarter Master:** Handles storage, control, and retrieval of agency equipment.
- H. **Citation Control:** Orders and tracks citations. Also handles the entry of information on Traffic Stop Data Collection (TSDC) for the State of Maryland.
- I. **Smoking Enforcement Officers:** These are security officers under contract to UMBC to provide enforcement for enforcement of UMBC's smoke-free policy.

**The Administrative Sergeant handles these functions:**

- J. **Police Communications:** provides continual police communications services to the agency and the community.
- Terminal Access Coordinator liaison to CJIS
  - Site Security Coordinator liaison to CJIS
  - Handles NCIC Validations
  - LiveScan Coordinator
- K. **Evidence Custodian:** maintains strict compliance with the receipt, handling, security and disposition of property. This includes transport to and from the Maryland State Police Crime Laboratory.

**The Accreditation Manager & Clery Compliance Coordinator handles these functions:**

- L. **Accreditation (CALEA):** The accreditation manager coordinates the agency's active, on-going participation in the accreditation process through the Commission on Accreditation for Law Enforcement Agencies, Inc. This includes coordinating the collection of periodic reports and reviews and other applicable materials to demonstrate that accreditation standards have been accomplished.
- M. **Clery Compliance:** Maintains compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act by reviewing incidents for Clery classifications, identifying and training Campus Security Authorities (CSAs), compiling Clery crime and fire data to submit to the Department of Education, publishing the Annual Security Report, publishing the Daily Crime Log, coordinating with the Office of Equity and Inclusion (OEI) and the Title IX Coordinator to ensure the rights of sexual assault victims are established, meeting other requirements stipulated by the Department of Education regarding the Clery Act, and providing guidance to agency and campus community members as needed.
- N. **Planning & Research:** The planning process and its end products are essential to the effective management of our agency. It is divided between the Deputy Chief of Police, the Support Services and Operations Commanders and the Accreditation Manager (the Accreditation Manager handles these tasks):
- **Manuals:** Creates and updates manuals and procedures, in accordance with UMBC [Policy on Policy Formation and Management](#).
  - **Peer meetings:** Participates in the Maryland Association of Police Planners,
  - **Strategic Plans:**
    - ✓ Assists the Chief of Police with the creation of a multi-year plan, which includes long-term goals and operational objectives.
    - ✓ Participates in evaluating equipment needs and technology.
  - **Forms Control:** Creates and maintains departmental forms. This includes

evaluating forms to be discontinued, updated or developed. Departmental forms will be reviewed and approved through the chain of command, and be given a UMBC forms control number. Departmental Manuals will be updated to reflect changes to Departmental forms.

### 1.2.13 **DIRECTIVE SYSTEM / The Manual of Rules & Procedures**

- A. **Our Rule Book:** The manual of the UMBC Police Department is hereby established and will be referred to as the Manual of Rules and Procedures.
- B. **Manual directives** constitute a consolidated system of policies, procedures, rules and regulations.
  - 1. **Policies:** are broad statements of agency principles.
  - 2. **Procedures:** establish step-by-step guidelines for carrying out agency activities;
  - 3. **Rules and regulations:** are directives to which all applicable employees must adhere.
- C. **Authority:** The Chief of Police has the authority to issue, modify and/ or approve written directives for the UMBC Police Department. In the Chief's absence, the Deputy Chief of Police can issue orders for the agency.
- D. **Temporary Orders:** a Commander can issue Special Orders and Standard Operations Procedures for their commands. These orders are specific to the members of that command, and are temporary until (a) the operation or need is completed (i.e.: new semester move-in; a large scale sporting event, etc.). If an order, rule or procedure is to become permanent, than it will be submitted for inclusion in the Manual of Rules, Regulations and Procedures Manual.
- E. **Applicable to Everyone:** Directives contained in this Manual are applicable to all agency employees during the conduct of their duties and responsibilities.
- F. **Duty to comply:** Agency employees will comply with all applicable agency directives even though they are off-duty or outside jurisdiction if they;
  - 1. Are in uniform;
  - 2. Identify themselves as employees of the agency; or
  - 3. Take police action.
- G. **Seek Clarification:** Employees are personally responsible for seeking clarification from their immediate superiors when agency directives are not clearly understood.

#### 1.2.13.1 **Specialized Manuals**

- A. Specialized manuals containing standard operating procedures may be developed by unit commanders or administrators in order to guide operations of specialized units or functions. Examples of these specialized manuals include, but are not limited to the Emergency Operations Manual and the Communications Manual.
- B. Specialized manuals and SOPs must be staffed through the Accreditation Manager to ensure compliance with existing laws, directives, and CALEA standards.

### **1.2.13.2 Precedence over Prior Manuals**

Portions of preceding manuals, orders, or directives which are in conflict with the contents of the Manual are rescinded.

### **1.2.13.3 Signatures of Approving Authorities**

- A. Original signatures of approval by the chief or other approving authorities are maintained on file by the Accreditation Manager.
- B. Directives as they are distributed to agency personnel need not contain reproduced signatures of approval in order to be in effect.
- C. Directives that are distributed via e-mail are considered to be signed and authorized by message senders unless otherwise specified.

### **1.2.13.4 Severability (Savings Clause)**

If any part of a manual or directive issued by this agency is found to be incorrect or inapplicable, it will not affect the validity of remaining portions of manuals or directives.

### **1.2.13.5 Manuals for Internal Standards Only**

This Manual, SOPs, and other agency directives are for agency use only and do not apply in any criminal or civil proceedings. Agency directives should not be construed as creating higher legal standards of safety or care in an evidentiary sense with respect to third party claims. Violations of agency directives will only form the basis for agency administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in recognized judicial settings.

### **1.2.13.6 Organization of the Manual**

- A. The Manual format is composed of ten units that are:
  - UNIT 1: Administration and Management Directives; and
  - UNIT 2: Line & Operational Directives; and
  - UNIT 3: Investigative Protocols; and
  - UNIT 4: Report Writing Manual; and
  - UNIT 5: Criminal, Civil and Juvenile Citations.
  - UNIT 6: FTO Manual
  - UNIT 7: Criminal Investigations SOP Manual
  - UNIT 8: Emergency Plans Manual
  - UNIT 9: Communications Standard Operating Procedures Manual
  - UNIT 10: Public Information Standard Operating Procedures Manual
- B. All Manual and SOP directives will be prepared in a standard outline with the contents of each unit are indexed sequentially in ascending numerical order.

### **1.2.13.7 Directive Staffing**

- A. Proposed Manual changes will be given to the Accreditation Manager for review to ensure conformity with CALEA standards and existing directives and laws.
- B. The chief will ensure that draft directives are distributed to appropriate agency personnel for review and comment for at least five business days.
- A. If materials are not approved for implementation, the Accreditation Manager will maintain copies of the material with the reasons for terminating the staffing process.
- B. The Accreditation Manager will ensure that fully staffed directives are prepared in final format and forward same to the chief for final approval prior to distribution.

### **1.2.13.8 Manual Distribution, Maintenance, & Revisions**

- A. **Distribution:** Electronic copies of all Manual directives will be accessible to all members of the agency. Printed copies will be kept with the Accreditation Manager; who will maintain an up-to-date copy.
- B. **No dissemination without permission:** Manual materials will not be circulated or disseminated outside the agency without the authorization the Deputy Chief.
- C. **Maintenance:** A printed copy of all issued Manual material and Special Orders will be maintained by the Accreditation Manager.
- D. **Computer access:** Approved Manual and Orders will be maintained on the agency's computer network by the Accreditation Manager for access by all agency employees.

### **1.2.13.9 Receipt & Review of Additions & Revisions**

- A. The Accreditation Manager administers the distribution of Manual directives and Orders, and maintains records of acknowledgment reflecting directive review.
  - 1. Directives distributed in electronic format will be accompanied by document receipt records which will be signed by personnel receiving the directives once they have received and have been familiarized with the directives.
  - 2. Directives distributed electronically will be sent so as to generate return receipts.
  - 3. [UPD Form 1- Receipt of Orders, Memorandums and Manual Revisions](#)
- B. All agency employees are responsible for familiarizing themselves, and complying with Manual directives. The directive familiarization process will be facilitated, as necessary, by the Operations Commander through roll-call training programs.
- C. Manual directives will be labeled with effective dates and most recent revision dates.

### **1.2.13.10** Indexes & Lists

The Accreditation Manager will update and distribute electronic Manual indexes as necessary.

### **1.2.13.11** Additions or Changes to the Manual

- A. Commanders desiring modifications of materials will forward their observations, comments, or concerns to the Chief for staffing.
- B. The Accreditation Manager is responsible for managing a system of directive reviews. All agency directives will be reviewed and revised as necessary, mandated, or at least once every three years.
- C. All agency employees are encouraged to bring Manual discrepancies, inconsistencies, or proposed changes to the attention of the Accreditation Manager.

## **1.2.14** NON-MANUAL DIRECTIVES

The agency's non-manual directive system is comprised of:

- 1. Special Orders; temporary policy to address an immediate, limited need.
- 2. Personnel Orders; i.e.: Promotion, re-assignment.
- 3. Training Orders; i.e.: Range schedule

### **1.2.14.1** Numbering & Indexing

- A. A single system of sequential numbers will be used for agency Special Orders, Personnel Orders, Training Orders, and Notices to facilitate indexing by date, type, and subject.
- B. The Office of the Chief or designee will assign directive numbers to all Special Orders, Personnel Orders, and Training Orders. Directive numbers will consist of the calendar year of issue and a sequencing number.
  - Example: 92-001
  - 92 - issued calendar year 1992
  - 001 - first directive issued in calendar year 1992.
  - Addendums, amendments, revisions, and cancellations will be referred to as "Addendums," will carry original directive numbers, and will be numbered sequentially (e.g., 92-001 Addendum 1).
- C. Special Orders, Personnel Orders, and Training Orders will remain in effect until rescinded, amended by subsequent written directives, or until any given expiration dates have occurred. All addendums to written directives are rescinded when original directives are rescinded.
- D. Special Orders, Personnel Orders, Training Orders, and Notices may be amended or rescinded only at, or above, the supervisory or administrative level that initiated the directives.

### **1.2.14.2 Special Orders**

- A. Special Orders are directives that are temporary and intended to address special activities, supersede other directives, and are issued only by the Lieutenant for their section.



### **1.2.14.3 Personnel Orders**

- A. Personnel Orders are directives that are issued by the Office of the Chief concerning appointment of new personnel, assignment or transfer of employees from one organizational component to another, promotion or demotion of members, suspension, dismissal, restoration to duty, termination, resignation or retirement.
- B. Personnel Orders will be electronically distributed to all agency personnel and as hard copies to affected employee's personnel files.
- C. File copies of Personnel Orders are maintained and retained in master Personnel Order files by the Executive Administrative Aide.

### **1.2.14.4 Operational Orders**

- A. **Authority:** Operations Orders are authorized by the section commanders assigning employees to specified operations or special event activities.
- B. **Distribution:** Operations Orders will be electronically distributed to all agency personnel and as hard copies to employees as necessary.
- C. **Self-cancelling:** Operations Orders automatically cancel after the event ends which they were created.

#### **1.2.14.5      Training Orders**

- A. **Authority:** Training Orders are directives authorized by the Operations Commander, and assigns employees to training courses.
- B. **Distribution:** Training Orders will be electronically distributed to all agency personnel and as hard copies to affected employees' training files.
- C. **Self-cancelling** Training Orders automatically cancel after the event ends.

#### **1.2.14.6      Notices**

These are memos placed onto Blackboard for roll-call. These are not policies, and are generally time –sensitive information to assist members.

#### **1.2.14.7      Memorandums**

These are agreement between UMBC and an outside group. It includes the Fraternal Order of Police, other law enforcement agencies, etc. These are posted onto the Departmental drive, and accessible to all agency member.

### **1.3.0 STANDARDS OF CONDUCT**

The UMBC Police Department is committed to the concept of Constitutional Policing.

Members of the UMBC Police Department are responsible for performing their various roles and responsibilities in a way that protects everyone's constitutional rights. At its most basic level, constitutional policing can be described as "legal policing." This means that policing must be conducted in accordance with the parameters set by the U.S. Constitution, state constitutions, and the many court decisions that have defined in greater detail what the text of the Constitution means in terms of the everyday practices of policing.

The public conduct of our members is a direct reflection on the UMBC Police Department. No written policy can address every incident, but this section offers guiding principles.

- A. Members may not conduct personal business while on duty, for example: sleeping on duty, ignoring incoming phone calls or citizens while conducting personal phone calls or text messages.
- B. Members are a visual representative of the agency. Member conduct is closely watched by the public and may be criticized far more severely for comparable conduct than other university employees.
- C. A member shall not speak in a critical or discriminatory manner regarding different nationalities, races, creeds, religions, or sexes.

#### **1.3.1 Applicability of Directives**

- A. The Chief of Police has the authority to issue, modify and/or approve written directives for the UMBC Police Department. In the Chief's absence, the Deputy Chief of Police can issue orders for the agency.
- B. Commanders may issue Special Orders and Standard Operations Procedures for their commands. These orders are specific to the members of that command and are temporary until the operation or need is completed (i.e.: new semester move-in; a large-scale sporting event, etc.). If an order, rule, or procedure is to become permanent, then it will be included in the Rules and Regulations Manual.
- C. Directives contained in this Manual are applicable to all agency employees during the conduct of their duties and responsibilities.
- D. Agency employees will comply with all applicable agency directives while off-duty or outside jurisdiction if the member:
  1. Is in uniform;
  2. Identifies themselves as agency employees; or
  3. Takes police action.
- E. Off-duty Police Action
  1. The standards of conduct put forth in this chapter apply whenever a member exercises police authority. Off-duty conduct must adhere to the same standard of conduct as on-duty conduct.
  2. Members should be mindful that when off-duty, they may not have the authority to act, and members may not be identifiable as an off-duty police officer.
  3. When members take police action off-duty, they must identify themselves and

- purpose to responding police officers.
4. Members should restrict off-duty enforcement of the law to instances where such action is necessary to protect life or to prevent bodily injury.
  5. Members may call 911 when they witness a crime and render themselves as a witness rather than a participant.
  6. Members must notify the law enforcement agency where the incident occurred about the event and request that they write a police report.
  7. Members must notify the on-duty UMBC Police supervisor so that UMBC Police notifications can be made.
  8. The same legal standards for arrest, search and seizure, evidence collection, etc. still apply when enforcement action is taken.
  9. Members will not investigate or enforce laws where there is a conflict of interest.

### **1.3.2 Courtesy & Conduct Unbecoming an Officer**

- A. The practice of courtesy in all official contacts encourages understanding and appreciation. Some situations of urgency might preclude ordinary social amenities, but discourtesy under any circumstance is indefensible.
- B. Officers will be referred to by rank when on duty and particularly in the presence of community members.
- C. Conduct Unbecoming an Officer includes any violation of law, breach of the peace, neglect of duty, misconduct, or any conduct on the part of any employee which undermines, or is prejudicial to, the good order, efficiency, or discipline of the agency, or which reflects discredit upon the agency or its employees, even though these offenses may not be specifically enumerated, is conduct unbecoming of an employee.

The leadership of the UMBC Police Department has been entrusted to ensure that members conduct is professional and reflects the image that we seek to project to our community. We will hold our members to a high standard of conduct.

### **1.3.3 Compliance with Orders & Agency Directives**

- A. The agency is an organization has a military structure with a clearly defined hierarchy of authority. This is necessary because the obedience of lawful commands issued by superiors is essential for the safe and prompt performance of police operations. All employees will perform their duties as required or directed by law, rule, regulation, policy, or by order of superiors.
- B. Employees are insubordinate when they deliberately fail or refuse to obey lawful orders given by superiors.
- C. Orders from superiors to subordinates must be clear, understandable, civil, and issued in pursuit of agency business. Orders relayed from superiors, including orders relayed from superiors by employees of the same or lesser rank, will be followed as if issued by superiors directly.
- D. Superiors will not knowingly issue unlawful orders.

- E. Employees are not required to obey unlawful orders. The responsibility for refusing to obey orders rests with the employee, who will justify their action of refusal. Employees receiving unlawful orders will ask for relief from such orders.
- F. Upon receipt of orders conflicting with previous orders, employees affected will advise persons issuing second orders of these facts. Responsibility for countermanding original orders rests with individual issuing second orders. If so directed, latter commands will be obeyed first. Orders will be countermanded, or conflicting orders will be issued only when reasonably necessary for the good of the agency. The person who countermands the original order is responsible for explaining their reason for countermanding the original order.
- G. Employees in doubt as to the nature or details of orders or assignments will seek clarification from supervisors by going through the chain of command. Questions will receive a timely response.

#### **1.3.4 Abuse of Position**

Employees will not seek or accept personal advantages which might reasonably be interpreted as attempts to influence them in the conduct of their university duties. Such personal advantages may be gifts, personal loans, advances or accommodations, financial or other, not readily available to other persons on similar terms.

Members are prohibited from using police records and information systems for personal or private use. Police records and information systems are for official use only. Any violation of CJIS policies may result in administrative sanctions, which can include termination of employment. Serious violations may be prosecuted as criminal violations if the acts are knowing and intentional.

#### **1.3.5 Improper Transactions**

Employees are prohibited from buying or selling anything from or to complainants, suspects, witnesses, defendants, detainees, or other persons involved in cases which have come to their attention or which arose out of their agency employment except as may be specifically authorized in writing by the chief.

#### **1.3.6 Acceptance of Gifts, Gratuities, Loans, Fees, Rewards, Bribes, etc.**

- A. Agency employees will not solicit or accept any gifts, gratuities, loans, fees, rewards, or other considerations benefiting employees or the agency, if it may be reasonably inferred that the actions were made to:
  - 1. Influence actions of an official nature;
  - 2. Affect the performance or non-performance of official duties; or
- B. Bribery, as described in [CR 9-201b](#) is prohibited conduct for agency employees.

#### **1.3.7 Disposition of Unauthorized Gratuities, Rewards, etc.**

Unauthorized gifts, gratuities, loans, fees, rewards or other things falling into these categories will be forwarded to the Chief with written reports explaining the circumstances of the gift.

#### **1.3.8 Personal Preferment**

Employees will not seek the influence or intervention of persons outside the agency for purposes of personal preferment, advantage, transfer, or advancement.

### **1.3.9 Testimonials and Endorsements**

- A. Employees will not use their official positions, official identification cards, or badges for identification as agency employees in connection with testimonials or advertisements of commodities or commercial enterprises without prior approval of the chief or specific designee.
- B. Agency uniforms, vehicles, equipment, facilities, and on-duty personnel will not be used for commercial purposes without approval of the chief or specific designee.

### **1.3.10 Associations**

Employees will avoid regular or continuous associations or dealings with persons that would bring discredit upon the agency or with persons involved in criminal behavior, except as may be necessary in connection with official duties or where unavoidable because of other personal relationships.

### **1.3.11 Salutes for the National Colors and Anthem**

All employees will render a salute to the national colors and anthem at appropriate times, regardless of whether they are in uniform or civilian attire. Members in uniform with a police hat shall salute during the Pledge of Allegiance or when the National Anthem is played. Members shall place their right hand over their heart if in civilian clothes or if no police hat is on.

### **1.3.12 Relief**

Employees are to remain on duty and at their assignments until properly relieved by other employees or until dismissed by competent authority.

### **1.3.13 Substance Abuse Policy: Prohibited Conduct**

- A. Consistent with the [University's Drug And Alcohol Free Workplace Policy](#), employees are prohibited from:
  - 1. Abusing alcohol or drugs;
  - 2. Committing a controlled dangerous substance offense;
  - 3. Committing an alcohol driving offense;
  - 4. Working under the influence of alcohol;
  - 5. Working under the inappropriate influence of prescription drugs or over-the-counter drugs; and
  - 6. Working under the influence of a controlled dangerous substance.
- B. Definitions  
Abuse:
  - 1. Use of an illegal substance as defined by Maryland law.
  - 2. Use of prescription drugs in a manner other than that prescribed by a licensed physician, or in a manner inconsistent with its medically prescribed or intended use, or when use is not permitted.
  - 3. Use of non-prescription drugs in a manner other than that suggested by the manufacturer, or physician, which impairs job performance,
  - 4. Use of alcohol while performing one's duties or use of alcohol which impairs job performance.

5. Use or possession of alcohol contrary to the Laws of Maryland.
6. The intentional use of any substance, legal or illegal, which impairs job performance.

Drugs:

1. All substances (narcotic and non-narcotic) which are subject to control under the Maryland Uniform Controlled Dangerous Substances Act (Schedule I-V) and those non-controlled substances, inclusive, for which enforcement remedies are available pursuant to the Ann. Code of Maryland, Criminal Law Article, Title 5, sections 5-402 through 5-406; and
2. Any substance other than alcohol, which may impair one's mental faculties, mood and/or physical performance.

**Reasonable Suspicion:** the existence of facts and the rational inferences which may be drawn from such facts or an objective base of knowledge sufficient to induce an ordinary, prudent and cautious person under the same circumstances to believe that a person may be selling, purchasing, transferring, possessing, using, or abusing alcohol or drugs in any way that is illegal or a violation of this policy, or that a drug abuse test of a member will produce evidence of illegal use of drugs.

**1.3.13.1 Alcohol Use affecting members**

Under UMBC and USM policies, employees shall not:

- A. Consume intoxicating beverages on-duty except in performance of police duties and only with specific consent from administratively ranked officers.
- B. Be under the influence of intoxicating beverages while on-duty without specific consent from administratively ranked officers.
- C. Consume intoxicating beverages on-duty or off-duty while in uniform or recognizable parts of issued uniforms.
- D. Store or bring intoxicating beverages into any police facility or vehicle on-duty or off-duty unless authorize by the chief or in performance of police duties.
- E. Operate agency vehicles on-duty or off-duty after consuming alcoholic beverages to the point of impairment or intoxication.
- F. Use intoxicating beverages on UMBC property unless consistent with agency directives and university regulations.

**1.3.13.2 Drug/ Medication use Affecting Members**

- A. Department members:
  1. Will not abuse or possess any illegal drug/substance, except in the lawful performance of duty.
  2. Found to be in violation of the law or this policy will be disciplined
  3. Taking prescription medication under a physician's care will inform their immediate supervisor if the possibility exists that the medication will impair performance while on duty. It will be the member's responsibility to obtain information regarding possible side effects of the medication.
  4. **Note:** If the medication has a warning that states that the patient taking the medicine should NOT drive while taking the medicine, then the employee cannot come to work.
- B. The Department will:

1. Protect the public and its members by striving to ensure that members are free from drug/substance abuse and dependence.
2. Inform members that drug/substance testing may, under specified conditions and circumstances, be required for continuous employment.
3. Ensure the rights of members in testing.
4. Provide assessment, counseling, and referral services to members for drug/substance abuse and dependence problems when appropriate.
5. Supervisors are responsible for notifying their bureau commanders or the chief if employees are not physically or mentally fit for duty.

#### 1.3.14 Impaired Employees

- A. Employees under the influence of intoxicating beverages or controlled substances, whether on-duty or off-duty, will not utilize agency equipment **or exercise police powers**. Impairment will not be a defense of employees' actions.
- B. University employees learning of or suspecting that other employees have violated laws, policies, or directives relating to controlled dangerous substances or alcohol will refer the matter to supervisory ranked employees for appropriate actions.
  1. Employees may voluntarily submit to breath or blood analysis for administrative investigation purposes.
  2. Consistent with LEOBR, supervisory ranked officers may order officers to submit to breath or blood analysis for administrative investigation purposes.

#### 1.3.15 Evidentiary Presumptions

Evidentiary presumptions are consistent with [CJ 10-307](#).

- A. BAC < .02%
  1. Not under the influence of alcohol
- B. BAC = .02% - .05%
  1. Possibly under the influence. Other facts, circumstances, or observations may be considered to support allegations of being under the influence.
- C. BAC > .05%
  1. Under the influence of alcohol

#### 1.3.16 Address & Telephone Numbers

Employees are required to ensure their notification information is updated within 24 hours of changes in addresses, telephone numbers, or emergency information.

#### 1.3.17 Use of Agency Address

Employees will **NOT** use the agency mailing address as: their private mailing addresses, address for motor vehicle registrations, or on their driver's licenses.

#### 1.3.18 Reporting for Duty

- A. Employees will report for duty at times and places designated by assignments or orders and will be physically and mentally fit to perform their duties.
- B. Employees reporting for duty will be properly equipped to perform their duties.
- C. Judicial subpoenas and administrative notices constitute orders to report for duty.

### **1.3.19 Identification**

- A. All agency personnel are provided with official agency photo identification and shall carry their photo identification cards when on duty.
- B. Officers will carry their badges and MPCTC cards in addition to their photo identification cards when they are armed and/or on duty.
- C. All agency personnel will provide their photo agency-issued identification card when requested **when on duty**. If in uniform, members will supply their photo identification when it is reasonable and prudent.

### **1.3.20 Providing Name and Identification**

When requested, employees will politely give their name, rank, identification number, and supervisor's name to persons. This includes in telephone calls when conducting police business, all members of the agency will appropriately identify themselves.

### **1.3.21 Unauthorized use of Identification**

For the security of our identification and badges of authority, members will:

- A. Secure and safe-keep their police identification and badge.
- B. Not lend their identification card, badge, or other forms of police identification to other persons, or
- C. Not permit the identification card or badge to be photographed / reproduced without the approval of the chief.

### **1.3.22 Recommending Attorneys & Bail Bondsmen**

Police employees will not suggest or recommend a specific attorney or bail bondsman to persons coming to their attention as a result of agency business.

### **1.3.23 Neglect of Duty**

- A. Officers who fail to perform required actions of a law enforcement officer are considered to be neglectful of their duty.
- B. Employees will not engage in any activities or personal business which would cause them to neglect or be inattentive to their duties.
- C. Employees will stay awake while on duty. If unable to do so, they will contact supervisors who will determine proper courses of action.

### **1.3.24 Injury or Illness Report**

- A. All employees will immediately report to their supervisors any health conditions which might adversely affect their ability to perform their duties. This includes notifications of prescription or over-the-counter medications which affect employees' performance.
- B. Employees will not feign illness or injury, falsely report themselves as ill or injured, or otherwise deceive or attempt to deceive the agency as to the condition of their health.

### **1.3.25 Performance Level**

- A. Employees will maintain competence performance of their duties and assume the responsibilities of their assignments.
- B. Unsatisfactory performance is demonstrated by lack of knowledge, unwillingness, or inability to perform assigned tasks, failure to conform to established requirements for positions or ranks, or by failure to take appropriate actions when required. Unsatisfactory

evaluations or a record of repeated infractions of agency orders or directives will be *prima facie* evidence of unsatisfactory performance.

### 1.3.26 Public Statements & Appearances

- A. **Approval required:** Employees need the approval of the chief or a designee prior to addressing public gatherings, appearing on radio or television, preparing articles for publication, or otherwise presenting themselves as representing the agency.
- B. **False Representation Prohibited:** Employees are prohibited from using their official capacities, titles, or positions to endorse products, organizations, programs, services, or before hearing or licensing boards, without the permission of the chief or a designee.
- C. **Social Networking:** prohibitions on using UMBC Police Department photos or investigative materials or unauthorized use of agency logos. [General Order 2013 – 2 Social Networking Policy](#)

### 1.3.27 Political Activity

- A. Employees retain all rights and obligations of citizenship provided in the Constitution and laws of the State of Maryland, and the United States of America.
- B. Participation in politics or political campaigns and free expression of political opinions by employees of this agency is not prohibited. However, with respect to political activities, employees will **NOT**:
  - 1. Engage in political activities while on-duty;
  - 2. Advocate overthrow of the government by unconstitutional and violent means;
  - 3. Be obligated to contribute or render political services; or
  - 4. Indicate they are representing the agency, the university, or the state.

### 1.3.28 Civil Actions

Our employment is a public duty and is not intended to benefit private entities. Employees will:

- A. Not volunteer to testify in civil actions relating to their employment and will not testify unless properly subpoenaed, or when directed to do so by the Chief.
- B. Notify the Chief if employees are informed that they are parties to civil actions arising out of agency employment.
- C. Employees will not enter into financial agreements to appear as witnesses except when authorized by the Chief of Police.
- D. Employees will confer with the Office of the Chief before giving depositions or affidavits in civil matters arising from job performance.
- E. Employees will inform the Office of the Chief when filing civil actions arising out of job performance or affiliation with the agency or the university.

### 1.3.29 Truthfulness

- A. Employees will be truthful when answering questions relating to their duties or employment which are asked of them, except in the furtherance of a bona fide police duty, as authorized.
- B. Employees will not knowingly or deceptively make any false statements, reports, or records relating to their employment.
- C. Employees will not misrepresent facts by submitting inaccurate or improper statements,

reports, or records relating to their duties or employment.

### 1.3.30 Conflict of Interest

- A. Conflicts of interest arise when employees' private interests, whether of financial nature or otherwise, conflict with employees' impartial conduct of official duties.
- B. Personal activities or associations of officers that create apparent or real conflicts of interest with conduct of official duties are prohibited.
- C. Employees will notify superiors when they receive assignments involving persons or groups with whom employees have had social, business, or other relationships that might impair or give appearances of impairing employees' impartiality or independence in the conduct of assignments.

### 1.3.31 Agency Information

- A. Employees will treat official business, evidence, records, documents, and photographs of the agency as confidential. Information regarding official business will be disseminated in accordance with directives.
- B. Employees will not divulge identities of persons giving confidential information except as authorized by proper authorities or release items of evidence, documents, photographs, etc., to news media or others outside the criminal justice system without the expressed permission of the Deputy Chief of Police.

### 1.3.32 Harassment

- A. Policy  
The Department is committed to providing and maintaining a working environment free from harassment through training, education, and policies and procedures that promote prompt reporting, prohibit retaliation, and promote timely, fair, and impartial investigation and resolution in a manner that eliminates harassment, prevents its recurrence, and addresses its effects.

All Department employees are subject to University System of Maryland Policies [VI-1.60 Sexual Harassment](#) and [VI-1.00 Non-Discrimination and Equal Opportunity](#) and UMBC Policy [VI-1.60.01 Sexual Misconduct, Sexual Harassment, and Gender Discrimination](#), which prohibits harassment, discrimination, and retaliation.

- B. Reporting  
Any Department employee may report harassment, sexual misconduct, or discrimination to their supervisor, the Title IX Coordinator, or the Office of Equity and Inclusion (OEI), whether or not the person reporting is the person alleged to be the victim of conduct.

Reports may be made in person, by mail, by telephone, by electronic mail, or online ([oei.umbc.edu](http://oei.umbc.edu)) to OEI or the Title IX Coordinator. Reports may also be made verbally to the Title IX Coordinator.

Reporting does not require that a person file a formal complaint, or request that the University take any action or investigate the conduct. Persons reporting to the Title IX

Coordinator and/or OEI are entitled to Supportive Measures, whether or not they chose to file a formal complaint. The University recognizes that the decision whether or not to make a report of prohibited conduct is personal, and that there are many factors that may impact someone's decision to report, both individual and societal, to reporting. If a person who reports wants to file a formal complaint they must agree to have the University provide the accused with a notice of complaint. The University may not proceed with a formal complaint without issuing a notice of investigation to the accused.

1. Anonymous Reporting

Conduct may also be reported to the University anonymously by submitting a report in writing or online without disclosing one's name, the identity of the accused, or without requesting any further action.

Based upon the amount of information provided about the incident and the UMBC community members involved, the University's response to an anonymous report may be limited.

2. Confidentiality

The University must keep confidential the identity of anyone who has made a report or filed a Formal Complaint of sexual harassment, anyone who has been reported as perpetrator, any Respondent, and any witness, except as required by law or to carry out the purposes of this policy and Title IX. The University must maintain as confidential any Supportive Measures provided to the parties, to the extent that maintaining confidentiality would not impair the ability to provide measures.

Confidentiality restrictions imposed during the investigation must not restrict a party's ability to (i) discuss the allegations under investigation, for example with a parent, friend, or other source of emotional support, or with an advocacy organization; or to (ii) gather and present evidence.

The University may require non-disclosure or confidentiality from complainants and respondents where no formal complaint is filed, and no investigation takes place. The University may also require the Complainant, Respondent, Support Person, Advisor, Advocate or Attorney to agree not to further disseminate or disclose evidence, reports or documents shared as part of the investigation process.

3. Mandatory Reporting Obligations

All Department employees are Responsible Employees; therefore, all Department employees have an obligation to report alleged harassment or prohibited conduct to the Title IX Coordinator if alleged harassment or prohibited conduct was previously disclosed to them. Any Responsible Employee who is found to have knowingly failed to make a report to the Title IX Coordinator regarding alleged harassment or prohibited conduct, may be subject to sanctions.

4. Other Reporting Methods

- i. Equal Employment Opportunity Commission (EEOC)  
10 Howard Street, Third Floor  
Baltimore, Maryland 21201
- ii. Maryland Commission on Human Relations  
20 East Franklin Street

- Baltimore, Maryland 21202  
iii. United States Department of Education  
Office of Civil Rights  
3535 Market Street, Room 6300  
Philadelphia, Pennsylvania 19104-3326

C. Training

All Department employees will complete mandatory annual Title IX and Sexual Harassment Prevention for Employees training and Office of Equity and Inclusion Supplemental Training, which is provided by OEI.

### 1.3.33 Compliance with Laws

- A. Employees will obey laws of the United States and local, state and foreign jurisdictions in which they are present.
- B. Misdemeanor or felony convictions adversely affecting performance of employees' official duties will be *prima facie* evidence of violations of this section.

#### 1.3.33.1 Complaints of Police Officer Perpetrated Crimes

The UMBC Police Department has zero tolerance for officers engaged in sexual or relationship violence, whether on-duty or off-duty. Examples include: sexual violence, domestic violence, sexual assault and stalking.

- A. **Notification:** Whether the incident occurs on UMBC property or not, whether on-duty or off-duty, the on-duty Supervisor will be **immediately** notified, and the Chief of Police or Deputy Chief of Police will be immediately notified.
- B. **Victim support:** The assigned investigator from UMBC will offer support, assistance and safety to any victim in such an incident. Any discretion used will be checked with the Baltimore County State's Attorney's Office.
- C. **Weapons:** Maryland and Federal law requires that weapons be relinquished in some cases. Members who are under investigations will relinquish their firearms to a designee of the Chief of Police, until a hearing is held. Nothing in this policy supersedes state and federal laws as they relate to firearms possession by persons charged with certain offenses.
- D. **Administrative Leave / Suspension:** The Deputy Chief of Police will determine if an emergency order of Administrative Leave or Suspension will be issued for the member. The member will be notified, and a hearing will follow pursuant to LEOBR and established administrative guidelines outlined in this Manual.
- E. **Supervisor responsibilities:**
1. Notification of Commanders.
  2. Obtain agency reports from other law enforcement agencies.
  3. Do NOT interview the member, however, write down any statements that they make about the matter.
  4. Assist the Operations Commander or Administratively-ranked personnel with the gathering of investigative facts and statements. The supervisor acts at the direction of senior members of the agency.

5. Secure any possible crime scene; treat any possible evidence by the rules established in Section 2.3 for Evidence. Contact the Baltimore County Police or MSP Crime Lab for any technical assistance needed.
  6. Report: write an administrative report detailing the following issues:
    - a. Synopsis of the event
    - b. Names of victims
    - c. Names of witnesses
    - d. Agency handling the investigation/ Name of principal investigator
    - e. Create a timeline of activities. Include in the timeline who was notified and when. Timelines are a helpful method of capturing information and creating an understandable presentation of facts and events.
  7. Keep an open mind. The investigation is not intended to prove or disprove the allegations of a victim. An investigation is solely conducted to collect facts, photographs, statements and other information to support the decisions and conclusions that the Deputy Chief will make. A detailed and comprehensive initial investigation demonstrates our agency's integrity and skill.
- F. Our agency will collect facts and prepare a Report of Investigation that will be presented to the appropriate prosecutor's office. If the investigation occurs outside of our primary jurisdiction, we will fully cooperate with the prosecutor's office to ensure that they are supplied with all of the information that we have collected.
- G. Our criminal investigative personnel, supervisors and administratively ranked members will train and review their roles and responsibilities in this policy to ensure compliance. The training will occur within a three year rotation, and can occur at another agency.

#### **1.3.34 Supervisory & Administrative Responsibilities**

- A. Supervisors and administrators are responsible for their subordinates' job performance and adherence to agency rules, regulations, policies, orders, directives, and procedures.
- B. Supervisors and administrators are responsible and accountable for the maintenance of discipline and will provide leadership, supervision, and example to ensure efficiency of agency operations.
- C. Authority and functions may be delegated to subordinates, but responsibilities remain with supervisors or administrators who make assignments. Supervisory and administrative personnel remain answerable and accountable for all job related failures on the part of their subordinates when they were aware of potential failures and did not take appropriate actions to correct deficiencies.

#### **1.3.35 Timeliness**

- A. Agency employees are expected to complete tasks for which they are responsible in reasonable and prudent time frames or as otherwise specifically directed by orders, laws, regulations, or directives.
- B. Agency employees will seek the assistance and guidance of supervisory or administrative ranked personnel as necessary to clarify time frame performance expectations.

#### **1.3.36 Impartial Policing**

- A. Consistent with Respect for Constitutional Rights and Equality of Services, the agency:
  - 1. Affirms our commitment to impartial and unbiased policing.
  - 2. Clarifies the circumstances in which race, ethnicity, gender, or other potentially improper criteria can legitimately be used as factors establishing reasonable suspicion or probable cause.
  - 3. Reinforces procedures that serve to assure the public the agency is providing services and enforcing laws fairly, equitably, and impartially.
  
- B. All enforcement actions, such as investigative detentions, traffic stops, arrests, searches, and seizures, etc., will be based on reasonable suspicion or probable cause as required by statutes and the 4<sup>th</sup> Amendment of the US Constitution.
  - 1. Officers must be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for all enforcement actions.
  - 2. Officers may take into account the reported race, ethnicity, gender, or other potentially improper criteria of suspects when it is based on credible, reliable, information that links persons of specific description criteria to particular criminal incidents; i.e., a description of a white male is given as a suspect in a bank robbery. In such an instance, the use of race and gender become relevant.
  - 3. Nothing in this directive alters officers' authority to conduct enforcement actions or otherwise fulfill officers' enforcement obligations.
  - 4. Officers will not consider race, ethnicity, gender, or other improper criteria in establishing either reasonable suspicion or probable cause.
  - 5. Persons will not be singled out or otherwise treated differently because of their race, ethnicity, gender, or other improper criteria.
  
- C. Officers will, as necessary and professionally appropriate, use techniques and strategies to advance the reality of impartial policing. This includes:
  - 1. Be polite, courteous, and professional.
  - 2. Provide officer's name and agency information.
  - 3. Explain reasons for stop as soon as practical, unless doing so compromises the safety of officers or others.
  - 4. Ensure that the length of traffic stops, investigative detentions, field contacts, etc., are no longer than necessary to take appropriate actions.
  - 5. Answer questions citizens may have, including any options for dispositions of related enforcement actions.
  - 6. Follow Eyewitness Identification procedures set forth in General Order 2013-03.
  - 7. Explain the credible, reliable, or locally-relevant information that lead to stops or contacts when no enforcement actions was taken.
  - 8. Request the presence of a supervisor to allow citizens to voice their field contact or enforcement concerns. Explain the agency's complaint process.
  
- D. Agency officers will receive initial and periodic training in subjects that promote and encourage impartial policing. Applicable training subjects may include, but are not limited to officer safety, courtesy, cultural diversity, search and seizure, asset seizure and forfeiture, interview techniques, interpersonal communication skills, and constitutional and case law.
  
- E. Complaints that agency officers conducted policing activities based on any improper criteria will be investigated.

- F. Corrective measures if bias-based profiling occurs, includes:
  - 1. Informal counseling and informal monitoring by employees' supervisors
  - 2. Counseling or corrective actions as appropriate
  - 3. Formal monitoring for a 12-week period, with monthly formal reviews and reports;
  - 4. Mandatory remedial or additional training designed to improve employee skills.
  - 5. Voluntary or mandatory referral to the university's Human Resources Department for counseling or referral assistance, etc.
  - 6. Moving the employee to another assignment to reduce their ability to interact with the public while other measures are evaluated.
  
- G. The Deputy Chief of Police will include bias-based complaint information in the agency's yearly Internal Affairs statistical summaries.
  
- H. The chief will ensure yearly administrative reviews are conducted to examine this agency's commitment to impartial policing. Dynamics that are to be included in these reviews include related agency directives, practices, and citizen concerns.

### **1.3.37 Traffic Stop Data Collection**

- A. The agency complies with the requirements of TR 25-113.
  
- B. Agency officers will collect and submit, in the format adopted by this agency, required information for all traffic stops consistent with TR 25-113. The required information includes:
  - 1. Dates, times, and locations of traffic stops
  - 2. Approximate duration of traffic stops
  - 3. Violations alleged to have been committed leading to stops
  - 4. Searches conducted as a result of stops
  - 5. If searches were conducted, reasons for searches, whether searches were consensual or nonconsensual, whether persons were searched, whether property was seized.
  - 6. Whether contraband or other property was seized during searches
  - 7. Whether warnings, SEROs, or citations were issued as result from stops
  - 8. If warnings, SEROs, or citations were issued, the basis for issuing warnings, SEROs, or citations
  - 9. Whether arrests were made from stops or resulting searches
  - 10. Crimes charged from arrests
  - 11. Registration of stopped vehicles
  - 12. Drivers' sex and gender
  - 13. Driver's date of birth
  - 14. Driver's state and county of residence
  - 15. Driver's race and ethnicity
  
- C. The Security Manager is responsible for ensuring collected data is submitted as required in TR 25-113 and is available for review by the chief and others as the chief may designate.
  
- D. The chief is responsible for periodically reviewing data collected by this agency and annual reports from the Maryland Justice Analysis Center as a management tool to promote impartial policing and in the training and counseling of agency officers.

### **1.3.38 Citizen Recording of Police Activity**

Reference: [General Order 2013 - 04](#)

A. Purpose

This policy directs members of this agency with respect to the proper law enforcement response to citizens who are filming (video / audio recording) officers.

B. Policy

Maryland's Courts and Attorney General have opined that citizens have the right to record officers engaged in police duties, by video and audio means.

1. Every person has a First Amendment right to observe and record law enforcement officers in the discharge of their public duties.
2. Recording law enforcement action from an area where the subject is lawfully present does not constitute an offense.
3. Members of this agency shall not prohibit the recording of law enforcement activity or take enforcement action under circumstances where the person making the recording has legal presence in the area where they are standing.
4. Officers shall not use intimidation or coercion to end the recording; either by obstructing the ability to record from an area of lawful presence; or by discouraging the person from continuing the recording.
5. It is the policy of this agency to uphold the Constitutional Rights of all persons.

C. Definitions

1. **Legal Presence/Lawful Presence:** Any area where a person has the legal right to be present, including private property owned or occupied with permission of the property owner; public buildings such as stores, malls etc. and public areas such as streets, sidewalks etc.
2. **Recording Device:** Any device capable of recording audio or video to include but not limited to cameras (still and video); recorders; cellular devices, PDAs, tablets, or any other device capable of such recording.
3. **Enforcement Action:** includes but is not limited to arrest; detention; seizure of recording equipment; deletion of video/audio; damaging the equipment; threatening, intimidating, discouraging, or coercive conduct aimed at ending the recording; blocking or otherwise obstructing the ability to record without a proper law enforcement objective such as an open air crime scene where it is necessary to block the view for the integrity of the investigation.

D. Procedure:

1. Obstruction/Hindering/Interference type charges against a person recording are generally inappropriate; except:
  - a. When the person puts the public's safety at risk (includes the officer).
  - b. The recorder enters a clearly marked crime scene without authorization.
  - c. The recorder enters an area which is closed to the public and clearly marked due to an ongoing emergency i.e. SWAT scene; fire scene etc.

- d. The recorder enters private property without the authorization of the property owner. The officer should determine the wishes of the owner before taking enforcement action, for example; a required warning in a trespass case.
  2. When confronting a person who is bordering on an obstruction or hindering charge, the officer shall inform the subject that their actions are interfering with the officer's duties. Officers will ask them to move to a less-intrusive position, where they can continue to record, but will not interfere with the officer.
  3. Officers shall not erase, delete, or otherwise corrupt a recording held by an individual. If our agency seizes any device as evidence, it will be handled according to our Evidence policy.
    - a. There is a heightened reasonableness requirement when officers seek to seize items protected by the First Amendment, as is the case when dealing with recordings under this policy.
    - b. Subjects who record officers often try to bait the officers into making angry responses; whether in words or actions. These subjects can later edit these recordings through readily available software. Therefore, officers must be more careful in their public conduct.
    - c. Officers should also be aware that a person who is baiting our members may have a confederate who is secretly recording the event.
    - d. Therefore, officers and supervisors should consider obtaining more facts before conducting a seizure of recording equipment. They must consider how they will legally document the grounds for seizure of equipment, which the courts consider to be lawful conduct.
    - e. The seizure of a recording device or the recording itself constitutes a seizure under the Fourth Amendment and the seizure must be supported by a warrant, unless a warrant exception applies, i.e.; consent or exigency.
    - f. In all cases prior to a lawful seizure, officers should consider seeking the consensual cooperation of the individual in possession of the recording.
      - i. Consent must be voluntary and not be the result of duress or coercion.
      - ii. Officers should attempt to record the consent exchange, even if it is done on the recording device at issue.
    - g. Officers shall notify a supervisor to respond to one of these incidents.
    - h. Exigency, for purposes of this section, would include:
      - i. Recordings of violent criminal acts where the recording is essential to the identification and apprehension of the criminals **and** law enforcement has no other immediate means of making the identification,
      - ii. The officer reasonably believes that a failure to immediately view or preserve the recording will lead to the destruction or loss of this evidence; and
      - iii. Cooperation through consent cannot be obtained from the subject in possession of the recording.
  4. A supervisor shall respond to the scene where an officer is considering taking enforcement action against a person who is recording a law enforcement event.
    - a. The supervisor shall also seek the voluntary cooperation of the person to move to a location where they will not interfere with officers, but still allowing them to record the event.

- b. The supervisor will seek the consent of the person holding the device to allow law enforcement to preserve and / or obtain a copy of the recording.
  - c. In cases where consent cannot be obtained and no life-threatening emergency is on-going, the supervisor will contact a prosecutor for advice.
  - d. A search warrant shall be obtained to view the contents of a device, unless an exception to the warrant requirement can be met.
5. Where a seizure of the device or recording is authorized by law the agency shall:
- a. Maintain custody of the device only as long as necessary to seize the necessary recording from the device.
  - b. Only a trained member, who has the technical certifications to support the admissibility of the recording into evidence, can handle the device.
  - c. The items shall be returned to its lawful possessor within 72 hours, unless otherwise ordered by the prosecutor's office and authorized by the court.
  - d. Upon return of the device to its owner, the recording itself shall be left intact.

**Exception:** This policy does not impact the ability of officers to seize recordings of evidentiary value when conducting investigations of criminal activities. For example: A subject is arrested for rape where the victim indicates the crime was filmed and when arrested the suspect has a video camera in his backpack. The rules of search incident to arrest or warrant related searches of this camera are unaffected by this policy.

### 1.3.13 Substance Abuse Policy: Prohibited Conduct

A. Consistent with the [University's Drug And Alcohol Free Workplace Policy](#), employees are prohibited from:

1. Abusing alcohol or drugs;
2. Committing a controlled dangerous substance offense;
3. Committing an alcohol driving offense;
4. Working under the influence of alcohol;
5. Working under the inappropriate influence of prescription drugs or over-the-counter drugs; and
6. Working under the influence of a controlled dangerous substance.

#### B. **DEFINITIONS**

In this Substance Abuse Policy, the following definitions apply:

##### **Abuse:**

1. Use of an illegal substance as defined by Maryland law.
2. Use of prescription drugs in a manner other than that prescribed by a licensed physician, or in a manner inconsistent with its medically prescribed or intended use, or when use is not permitted.
3. Use of non-prescription drugs in a manner other than that suggested by the manufacturer, or physician, which impairs job performance.
4. Use of alcohol while performing one's duties, or use of alcohol which impairs job performance.
5. Use or possession of alcohol contrary to the Laws of Maryland.
6. The intentional use of any substance, legal or illegal, which impairs job performance.

##### **Drugs:**

7. All substances (narcotic and non-narcotic) which are subject to control under the Maryland Uniform Controlled Dangerous Substances Act (Schedule I-V) and those non-controlled substances, inclusive, for which enforcement remedies are available pursuant to the Ann. Code of Maryland, Criminal Law Article, Title 5, sections 5-402 through 5-406; and
8. Any substance other than alcohol, which may impair one's mental faculties, mood and/or physical performance.

**Reasonable Suspicion:** the existence of facts and the rational inferences which may be drawn from such facts or an objective base of knowledge sufficient to induce an ordinary, prudent and cautious person under the same circumstances to believe that a person may be selling, purchasing, transferring, possessing, using, or abusing alcohol or drugs in any way that is illegal or a violation of this policy, or that a drug abuse test of a member will produce evidence of illegal use of drugs.

**1.3.13.1 Alcohol Use affecting members**

Under UMBC and USM policies; **employees will NOT:**

<b>Drink</b> intoxicating beverages	on-duty	except in performance of police duties, and only with specific consent from administratively-ranked officers
<b>be under the influence</b> of intoxicating beverages	while on-duty	without specific consent of administratively-ranked officers
<b>consume</b> intoxicating beverages	on-duty or off-duty	while in uniform, or recognizable parts of issued uniforms
<b>store or bring</b> into any police facility or vehicle intoxicating beverages	on-duty or off-duty	Unless authorized by the chief
<b>operate agency vehicles</b>	on-duty or off-duty	after consuming alcoholic beverages to the point of impairment or intoxication
<b>Use</b> intoxicating beverages	on UMBC property	Unless consistent with agency directives and university regulations

**1.3.13.2 Drug/ Medication use affecting members**

A. Department members:

1. Will not abuse or possess any illegal drug/substance, except in the lawful performance of duty.
2. Found to be in violation of the law or this policy will be disciplined.
3. Taking prescription medication under a physician's care will inform their immediate supervisor if the possibility exists that the medication will impair performance while on duty. It will be the member's responsibility to obtain information regarding possible side effects of the medication.
4. **Note:** If the medication has a warning that states that the patient taking the medicine should NOT drive while taking the medicine, then the employee cannot come to work.

B. The Department will:

1. Protect the public and its members by striving to ensure that members are free from drug/substance abuse and dependence.
2. Inform members that drug/substance testing may, under specified conditions and circumstances, be required for continuous employment.
3. Ensure the rights of members in testing.
4. Provide assessment, counseling, and referral services to members for drug/substance abuse and dependence problems when appropriate.
5. Supervisors are responsible for notifying their bureau commanders or the chief if employees are not physically or mentally fit for duty.

### 1.3.14 Impaired Employees

- A. Employees under the influence of intoxicating beverages or controlled substances, **whether on-duty or off-duty**, will not utilize agency equipment **or exercise police powers**. Impairment will not be a defense of employees' actions.
- B. University employees learning of or suspecting that other employees have violated laws, policies, or directives relating to controlled dangerous substances or alcohol will refer the matter to supervisory ranked employees for appropriate actions.
1. Employees may voluntarily submit to breath or blood analysis for administrative investigation purposes.
  2. Consistent with LEOBR, supervisory ranked officers may order officers to submit to breath or blood analysis for administrative investigation purposes.

### 1.3.15 Evidentiary Presumptions

Evidentiary presumptions are consistent with [CJ 10-307](#).

<b>Blood Alcohol Content level</b>	<b>Presumption</b>	<b>Other considerations</b>
less than 0.02%	<b>NOT</b> under the influence	
0.02% - 0.05% BAC	<b>May or may not</b> be under the influence of alcohol	However, other facts, circumstances, or observations may be considered along with BAC results to support allegations of being under the influence of alcohol.
Over 0.05% BAC	<b>Under the influence</b> of alcohol	

### 1.3.32 **HARASSMENT**

#### **A. Policy**

The Department is committed to providing and maintaining a working environment free from harassment through training, education, and policies and procedures that promote prompt reporting, prohibit retaliation, and promote timely, fair, and impartial investigation and resolution in a manner that eliminates harassment, prevents its recurrence, and addresses its effects.

All Department employees are subject to University System of Maryland Policies [VI-1.60 Sexual Harassment](#) and [VI-1.00 Non-Discrimination and Equal Opportunity](#) and UMBC Policy [VI-1.60.01 Sexual Misconduct, Sexual Harassment, and Gender Discrimination](#), which prohibits harassment, discrimination, and retaliation.

#### **B. Reporting**

Any Department employee may report harassment, sexual misconduct, or discrimination to their supervisor, the Title IX Coordinator, or the Office of Equity and Inclusion (OEI), whether or not the person reporting is the person alleged to be the victim of conduct.

Reports may be made in person, by mail, by telephone, by electronic mail, or online ([oei.umbc.edu](http://oei.umbc.edu)) to OEI or the Title IX Coordinator. Reports may also be made verbally to the Title IX Coordinator.

Reporting does not require that a person file a formal complaint, or request that the University take any action or investigate the conduct. Persons reporting to the Title IX Coordinator and/or OEI are entitled to Supportive Measures, whether or not they chose to file a formal complaint. The University recognizes that the decision whether or not to make a report of prohibited conduct is personal, and that there are many factors that may impact someone's decision to report, both individual and societal, to reporting. If a person who reports wants to file a formal complaint they must agree to have the University provide the accused with a notice of complaint. The University may not proceed with a formal complaint without issuing a notice of investigation to the accused.

##### **1. Anonymous Reporting**

Conduct may also be reported to the University anonymously by submitting a report in writing or online without disclosing one's name, the identity of the accused, or without requesting any further action.

Based upon the amount of information provided about the incident and the UMBC community members involved, the University's response to an anonymous report may be limited.

##### **2. Confidentiality**

The University must keep confidential the identity of anyone who has made a report or filed a Formal Complaint of sexual harassment, anyone who has been reported as perpetrator, any Respondent, and any witness, except as required by law or to carry out the purposes of this policy and Title IX. The University must maintain as confidential any Supportive Measures provided to the parties, to the extent that maintaining confidentiality would not impair

the ability to provide measures.

Confidentiality restrictions imposed during the investigation must not restrict a party's ability to (i) discuss the allegations under investigation, for example with a parent, friend, or other source of emotional support, or with an advocacy organization; or to (ii) gather and present evidence.

The University may require non-disclosure or confidentiality from complainants and respondents where no formal complaint is filed, and no investigation takes place. The University may also require the Complainant, Respondent, Support Person, Advisor, Advocate or Attorney to agree not to further disseminate or disclose evidence, reports or documents shared as part of the investigation process.

### **3. Mandatory Reporting Obligations**

All Department employees are Responsible Employees; therefore, all Department employees have an obligation to report alleged harassment or prohibited conduct to the Title IX Coordinator if alleged harassment or prohibited conduct was previously disclosed to them. Any Responsible Employee who is found to have knowingly failed to make a report to the Title IX Coordinator regarding alleged harassment or prohibited conduct, may be subject to sanctions.

### **4. Other Reporting Methods**

- i. Equal Employment Opportunity Commission (EEOC)  
10 Howard Street, Third Floor  
Baltimore, Maryland 21201
- ii. Maryland Commission on Human Relations  
20 East Franklin Street  
Baltimore, Maryland 21202
- iii. United States Department of Education  
Office of Civil Rights  
3535 Market Street, Room 6300  
Philadelphia, Pennsylvania 19104-3326

### **C. Training**

All Department employees will complete mandatory annual Title IX and Sexual Harassment Prevention for Employees training and Office of Equity and Inclusion Supplemental Training, which is provided by OEI.

### 1.3.33 Compliance with Laws

- A. Employees will obey laws of the United States and local, state and foreign jurisdictions in which they are present.
- B. Misdemeanor or felony convictions adversely affecting performance of employees' official duties will be *prima facie* evidence of violations of this section.

#### 1.3.33.1 Complaints of police officer perpetrated crimes

Policy: The UMBC Police Department has zero tolerance for officers engaged in sexual or relationship violence, whether on-duty or off-duty. Examples include: sexual violence, domestic violence, sexual assault and stalking.

- a. **Notification:** Whether the incident occurs on UMBC property or not, whether on-duty or off-duty, the on-duty Supervisor will be **immediately** notified, and the Chief of Police or Deputy Chief of Police will be immediately notified.
- b. **Victim support:** The assigned investigator from UMBC will offer support, assistance and safety to any victim in such an incident. Any discretion used will be checked with the Baltimore County State's Attorney's Office.
- c. **Weapons:** Maryland and Federal law requires that weapons be relinquished in some cases. Members who are under investigations will relinquish their firearms to a designee of the Chief of Police, until a hearing is held. Nothing in this policy supersedes state and federal laws as they relate to firearms possession by persons charged with certain offenses.
- d. **Administrative Leave / Suspension:** The Deputy Chief of Police will determine if an emergency order of Administrative Leave or Suspension will be issued for the member. The member will be notified, and a hearing will follow pursuant to LEOBR and established administrative guidelines outlined in this Manual.

**e. Supervisor responsibilities:**

1. Notification of Commanders.
2. Obtain agency reports from other law enforcement agencies.
3. Do NOT interview the member, however, write down any statements that they make about the matter.
4. Assist the Operations Commander or Administratively-ranked personnel with the gathering of investigative facts and statements. The supervisor acts at the direction of senior members of the agency.
5. Secure any possible crime scene; treat any possible evidence by the rules established in Section 2.3 for Evidence. Contact the Baltimore County Police or MSP Crime Lab for any technical assistance needed.
6. Report: write an administrative report detailing the following issues:
  - Synopsis of the event
  - Names of victims
  - Names of witnesses
  - Agency handling the investigation/ Name of principal investigator
  - Create a timeline of activities. Include in the timeline who was notified and when. Timelines are a helpful method of capturing information and creating an understandable presentation of facts and events.
7. Keep an open mind. The investigation is not intended to prove or disprove the allegations of a victim. An investigation is solely conducted to collect facts, photographs, statements and other information to support the decisions and conclusions that the Deputy Chief will make. A detailed and comprehensive initial investigation demonstrates our agency's integrity and skill.
- f. Our agency will collect facts and prepare a Report of Investigation that will be presented to the appropriate prosecutor's office. If the investigation occurs outside of our primary jurisdiction, we will fully cooperate with the prosecutor's office to ensure that they are supplied with all of the information that we have collected.
- g. Our criminal investigative personnel, supervisors and administratively ranked members will train and review their roles and responsibilities in this policy to ensure compliance. The training will occur within a three year rotation, and can occur at another agency.

### 1.3.36 Impartial Policing

A. Consistent with Respect for Constitutional Rights and Equality of Services, we:

1	<b>Affirms</b>	Our commitment to impartial and unbiased policing.
2	<b>Clarifies</b>	The circumstances in which race, ethnicity, gender, or other potentially improper criteria can legitimately be used as factors establishing reasonable suspicion or probable cause.
3	<b>Reinforces procedures</b>	That serves to assure the public that we are providing services and enforcing laws fairly, equitably, and impartially.

B. All enforcement actions, such as investigative detentions, traffic stops, arrests, searches and seizures, etc., will be based on reasonable suspicion or probable cause as required by statutes and the 4<sup>th</sup> Amendment of the US Constitution.

1	<b>Need a reason</b>	Officers must be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for all enforcement actions.
2	<b>Race must be relevant</b>	Officers may take into account the reported race, ethnicity, gender, or other potentially improper criteria of suspects when it is based on credible, reliable, information that links persons of specific description criteria to particular criminal incidents; i.e., a description of a white male is given as a suspect in a bank robbery. In such an instance, the use of race and gender become relevant.
3	<b>Can enforce the law</b>	Nothing in this directive alters officers' authority to conduct enforcement actions or otherwise fulfill officers' enforcement obligations.
4	<b>Race not used as an enforcement factor</b>	Officers will not consider race, ethnicity, gender, or other improper criteria in establishing either reasonable suspicion or probable cause
5		Persons will not be singled out or otherwise treated differently because of their race, ethnicity, gender, or other improper criteria.

C. Officers will, as necessary and professionally appropriate, use techniques and strategies to advance the reality of impartial policing:

1	<b>Be polite</b>	Be courteous, polite, and professional.
2	<b>Identify</b>	Provide officer's name and agency information.
3	<b>Explain</b>	Explain reasons for stop as soon as practical, unless doing so compromises the safety of officers or others.
4	<b>Be timely</b>	Ensure that the length of traffic stops, investigative detentions, field contacts, etc., are no longer than necessary to take appropriate actions.
5	<b>Explain process</b>	Answer questions citizens may have, including any options for dispositions of related enforcement actions.
6	<b>Follow ID procedures</b>	Consistent with 7.0 Criminal Investigations Manual 3.2.15 <b>Identification</b> ; <a href="#">UPD General Order 2013 – 3 Eyewitness Identification</a>
7	<b>Explain follow-up</b>	Explain the credible, reliable, or locally-relevant information that lead to stops or contacts when no enforcement actions was taken.
8	<b>Allow people to complain</b>	Request the presence of a supervisor to allow citizens to voice their field contact or enforcement concerns. Explain the agency's complaint process.

D. **Training:** Agency officers will receive initial and periodic training in subjects that promote and encourage impartial policing. Applicable training subjects may include, but are not limited to officer safety, courtesy, cultural diversity, search and seizure, asset seizure and forfeiture, interview techniques, interpersonal communication skills, and constitutional and case law.

E. **We investigate:** Complaints that agency officers conducted policing activities based on any improper criteria will be investigated.

F. **Corrective measures:** if bias-based profiling occurs, includes:

1	<b>Informal</b>	Informal counseling and informal monitoring by employees' supervisors
2	<b>Formal</b>	Counseling or corrective actions as appropriate
3	<b>Monitoring</b>	Formal monitoring for a <b>12 week period</b> , with monthly formal reviews and reports;
4	<b>Training</b>	<b>Mandatory</b> remedial or additional training designed to improve employee skills.
5	<b>Referral</b>	Voluntary or mandatory referral to the university's <a href="#">Human Resources</a> Department for counseling or referral assistance, etc.
6	<b>Reassignment</b>	Moving the employee to another assignment to reduce their ability to interact with the public while other measures are evaluated.

G. **Annual Report:** The Deputy Chief of Police will include bias-based complaint information in the agency's yearly Internal Affairs statistical summaries.

H. **Review & Action:** The chief will ensure yearly administrative reviews are conducted to examine this agency's commitment to impartial policing. Dynamics that are to be included in these reviews include related agency directives, practices, and citizen concerns.

### 1.3.38 **Citizen Recording of Police Activity**

**Reference:** [General Order 2013 - 04](#)

- I. **Purpose:** This policy directs members of this agency with respect to the proper law enforcement response to citizens who are filming (video / audio recording) officers.
- II. **Policy:** Maryland's Courts and Attorney General have opined that citizens have the right to record officers engaged in police duties, by video and audio means.
  - A. Every person has a First Amendment right to observe and record law enforcement officers in the discharge of their public duties.
  - B. Recording law enforcement action from an area where the subject is lawfully present does not constitute an offense.
  - C. Members of this agency shall not prohibit the recording of law enforcement activity or take enforcement action under circumstances where the person making the recording has legal presence in the area where they are standing.
  - D. Officers shall not use intimidation or coercion to end the recording; either by obstructing the ability to record from an area of lawful presence; or by discouraging the person from continuing the recording.
  - E. It is the policy of this agency to uphold the Constitutional Rights of all persons.
- III. **Definitions:**
  - A. **Legal Presence/Lawful Presence:** Any area where a person has the legal right to be present, including private property owned or occupied with permission of the property owner; public buildings such as stores, malls etc. and public areas such as streets, sidewalks etc.
  - B. **Recording Device:** Any device capable of recording audio or video to include but not limited to cameras (still and video); recorders; cellular devices, PDAs, tablets, or any other device capable of such recording.
  - C. **Enforcement Action:** includes but is not limited to arrest; detention; seizure of recording equipment; deletion of video/audio; damaging the equipment; threatening, intimidating, discouraging, or coercive conduct aimed at ending the recording; blocking or otherwise obstructing the ability to record without a proper law enforcement objective such as an open air crime scene where it is necessary to block the view for the integrity of the investigation.

#### IV. Procedure:

**A. Obstruction/Hindering/Interference type charges against a person recording are generally inappropriate; except:**

1. When the person puts the public's safety at risk (includes the officer).
2. The recorder enters a clearly marked crime scene without authorization.
3. The recorder enters an area which is closed to the public and clearly marked due to an ongoing emergency i.e. SWAT scene; fire scene etc.
4. The recorder enters private property without the authorization of the property owner. The officer should determine the wishes of the owner before taking enforcement action, for example; a required warning in a trespass case.

**B. When confronting a person who is bordering on an obstruction or hindering charge, the officer shall inform the subject that their actions are interfering with the officer's duties. Officers will ask them to move to a less-intrusive position, where they can continue to record, but will not interfere with the officer.**

**C. Officers shall not erase, delete, or otherwise corrupt a recording held by an individual. If our agency seizes any device as evidence, it will be handled according to our Evidence policy.**

1. There is a heightened reasonableness requirement when officers seek to seize items protected by the First Amendment, as is the case when dealing with recordings under this policy.
  2. Subjects who record officers often try to bait the officers into making angry responses; whether in words or actions. These subjects can later edit these recordings through readily available software. Therefore, officers must be more careful in their public conduct.
  3. Officers should also be aware that a person who is baiting our members may have a confederate who is secretly recording the event.
  4. Therefore, officers and supervisors should consider obtaining more facts before conducting a seizure of recording equipment. They must consider how they will legally document the grounds for seizure of equipment, which the courts consider to be lawful conduct.
  5. The seizure of a recording device or the recording itself constitutes a seizure under the Fourth Amendment and the seizure must be supported by a warrant, unless a warrant exception applies, i.e.; consent or exigency.
  6. In all cases prior to a lawful seizure, officers should consider seeking the consensual cooperation of the individual in possession of the recording.
    - (a) Consent must be voluntary and not be the result of duress or coercion.
    - (b) Officers should attempt to record the consent exchange, even if it is done on the recording device at issue.
- a. Officers shall notify a supervisor to respond to one of these incidents.
- b. Exigency, for purposes of this section, would include:
1. Recordings of violent criminal acts where the recording is essential to the identification and apprehension of the criminals **and** law enforcement has no other immediate means of making the identification,
  2. The officer reasonably believes that a failure to immediately view or preserve the recording will lead to the destruction or loss of this evidence; and
  3. Cooperation through consent cannot be obtained from the subject in possession of the recording.

**D. Supervisory Responsibility:** a supervisor shall respond to the scene where an officer is considering taking enforcement action against a person who is recording a law enforcement event.

1. The supervisor shall also seek the voluntary cooperation of the person to move to a location where they will not interfere with officers, but still allowing them to record the event.
2. The supervisor will seek the consent of the person holding the device to allow law enforcement to preserve and / or obtain a copy of the recording.
3. In cases where consent cannot be obtained and no life-threatening emergency is on-going, the supervisor will contact a prosecutor for advice.
4. A search warrant shall be obtained to view the contents of a device, unless an exception to the warrant requirement can be met.

**E. Where a seizure of the device or recording is authorized by law the agency shall:**

1. Maintain custody of the device only as long as necessary to seize the necessary recording from the device.
2. Only a trained member, who has the technical certifications to support the admissibility of the recording into evidence, can handle the device.
3. The items shall be returned to its lawful possessor within 72 hours, unless otherwise ordered by the prosecutor's office and authorized by the court.
4. Upon return of the device to its owner, the recording itself shall be left intact.

**Exception: Crimes Unrelated to Filming a Law Enforcement Event:** This policy does not impact the ability of officers to seize recordings of evidentiary value when conducting investigations of criminal activities. For example: A subject is arrested for rape where the victim indicates the crime was filmed and when arrested the suspect has a video camera in his backpack. **The rules of search incident to arrest or warrant related searches of this camera are unaffected by this policy.**

**Commentary:** Few people are comfortable with being recorded, especially when they are under stress. Technology has given most people the ability to make video / audio recordings, and many people want to post dramatic events to social networking sites.

Some people wish to annoy officers, within the limits of the law, and hope to capture our members in the worse possible light. Our best protection is to use good judgment, control our emotions and use calming but command language. We should never use our authority to address people who annoy and bait us. Ultimately, when we conduct ourselves in a professional manner, most citizens will recognize the efforts of the recorders towards antagonizing police officers.

## 1.4.0 COMPLAINTS AND DISCIPLINE

### 1.4.1 **Disciplinary System**

- A. The agency will exercise disciplinary action fairly and equitably regardless of rank or assignment and will promote uniformity in the imposition of disciplinary actions.
- B. The disciplinary system of the agency contains components that include rewards, counseling, training, and punishment.
  - 1. **Rewards:** *Section 1.5 Awards and Commendations* sets the procedures and criteria for recognizing exemplary employee performance and to establish high morale among members.
  - 2. **Remedial Training:** *Section 1.7.7 Training* contains procedures and criteria for using training as a function of discipline.
  - 3. **Counseling:** *Section 1.15 of Personnel: Goal Setting and Evaluation* contains procedures and criteria for using counseling as a function of discipline.
  - 4. **Punishment:** *Section 1.4 Discipline & Internal Affairs* sets the procedures for addressing conduct that requires a punitive response from agency.
- C. **Prohibited Acts:** Agency employees will not maliciously or negligently interfere with, hinder, or delay the initiation, documentation, or investigation of complaints.
- D. **Confidentiality:** When aware of unethical or unlawful conduct, or a violation of directives, employees will report the conduct to the offenders' section commander. In confidential matters, the report may be made directly to the Deputy Chief of Police.
- E. **Annual Discipline Report:** The Deputy Chief of Police will prepare an annual report, which will be put onto the Annual Security Report, compiling statistical summaries of internal affair investigations. These will not include names of accused members, only the types of complaints and how they were resolved. This report will be available to agency members and the public.

### 1.4.2 **Supervisor's Role in Discipline**

- A. Supervisors will participate in the development of rules, policies, and procedures defining misconduct and unacceptable performance.
- B. Supervisors and administrators set the example for proper performance of employees. Supervisors who set a poor example for conduct and performance establish an atmosphere of low morale and poor performance. Supervisors and administratively ranked members are charged with setting a professional example for our members' performance and conduct.
- C. Supervisors will train subordinates in proper conduct and acceptable performance.
- D. Oversee the operations the supervisor or administrator has been assigned. This person has been given the responsibility to ensure that operations are conducted in the best possible manner.
- E. A failure or problem can occur because of a lack of equipment, defective equipment, weak policy, inadequate training or poor discipline. The supervisor or administrator's job is to identify weaknesses in the agency and take steps to correct those issues. If the problem is a disciplinary matter, the supervisor/ administrator must take the appropriate steps to correct the employee. This section sets the procedures for the supervisor/ administrator to take.
- F. Supervisors may be assigned investigations to perform, and upon completion will recommend disciplinary action to the chief.

### 1.4.3 Authority to Take Disciplinary Action

- A. Where not in conflict with Law Enforcement Officers' Bill of Rights ([LEOBR](#)), other applicable state laws, or executive orders, the USM Policies and Procedures Manual is applicable to agency employees with respect to taking punitive actions in the interest of discipline. The agency and its employees are bound by LEOBR provisions in disciplinary matters regarding sworn personnel.
- B. The Chief is authorized to initiate and administer discipline within the agency and to authorize certain subordinates to initiate, administer, or recommend disciplinary action against employees.
  - 1. Sergeants or higher may recommend, initiate, or administer discipline for sworn personnel.
  - 2. Supervisory non-sworn civilian employees may recommend, initiate, or administer discipline for non-sworn personnel.
  - 3. The Police Aide Supervisor coordinates, controls, and administers disciplinary matters as they relate to Police Aides. Disciplinary matters concerning suspected violations of law will be coordinated through the Deputy Chief of Police.
- C. **All complaints, including anonymous complaints, against the agency or employees will be investigated.** On occasion, malicious and deliberate false accusations are made against the agency or its employees. These accusations should be investigated to protect the integrity of the agency or the employees, thereby instilling public confidence in the agency. In some cases, the extent of the investigation may be limited to substantiating the falsity of the accusation.

### 1.4.4 Receiving Complaints

To ensure the integrity of our operations and personnel, the UMBC Police Department investigates all complaints and allegations of misconduct.

#### **Confidentiality**

Complaints must be treated as confidential information. Personnel who receive the complaint must notify the Deputy Chief of Police. To ensure the integrity of the investigation, personnel who receive the initial complaint may only discuss the matter with the investigator assigned to the case by the Deputy Chief of Police. Personnel are prohibited from discussing the complaint with other agency personnel. Failure to maintain confidentiality constitutes a violation of the Rules and Regulations Manual. This includes cases where the complaint is dismissed. Any member who violates this clause shall be disciplined, which may include dismissal from the agency.

#### **Complaint & Compliment Form**

Anyone may make a complaint in person, by telephone, via email, or by U.S. mail. Complainants may remain anonymous; however, they will be unable to receive complaint updates without contact information.

#### ***Walk-In or Telephone Complaints***

The Complaint & Compliment Form (Form #89) must be provided to walk-in complainants. Agency employees accepting telephone complaints shall complete the Complaint & Compliment Form on behalf of the complainant.

- If a walk-in or telephone complainant requests to speak to an officer about the complaint, an available supervisor must speak to the complainant. If no police officer is available to speak to the complainant, the agency employee speaking with the complainant shall offer to accept the complaint.
- If a walk-in or telephone complainant does not wish to speak to an officer, the complaint shall be accepted by any agency employee.
- If a walk-in complaint refuses to complete the Complaint & Compliment Form, the agency employee accepting the complaint will complete the form on behalf of the complainant.
- Employees shall not attempt to influence the complainant in any matter.
- Agency employees accepting the complaint must sign the form, provide a copy for the complainant, and provide the original to the Deputy Chief of Police

### ***Email Complaints***

Complainants may access the Complaint & Compliment Form on the UMBC Police Department website and email the completed form. Complaints via email must only be directed to the Deputy Chief of Police.

### **Complaint Process**

Complainants must receive an initial response to their complaint within 72 hours. The Deputy Chief will provide the name and email address of the investigator assigned to the case as a point of contact to whom the complainant may direct their questions. Until the investigation is resolved, the investigator shall attempt to contact the complainant at least monthly to provide updates. Each attempt to contact the complainant must be documented. The complainant will be notified of the outcome of the complaint within 72 hours of the disposition, including any discipline imposed in accordance with established confidentiality policies and any applicable law.

#### **1.4.5 Processing Complaints**

- A. Minor Complaints of Discourtesy:** Citizens verbally reporting what they perceive as improper police conduct will be referred to supervisory or administrative ranked officers. Supervisory or administrative ranked officers will attempt to resolve the matters if complaints are relative to differences of opinion between officers and citizens over the issuance of traffic, criminal, or parking citations.
- B. Reporting Complaints:** If complaints are not filed, supervisors or administrators will prepare memos or email messages to the Chief or Deputy Chief containing allegation synopses.
- C. Advise of the Process:** If matters cannot be resolved, citizens should be advised of proper procedures to file written complaints.

#### **1.4.6 Allegations of Criminal Misconduct by Employees**

Employees receiving complaints alleging criminal misconduct by other employees will immediately arrange for complainants to speak with supervisory or administrative ranked officers. Interviewing officers will document the information and contact the Deputy Chief of Police, as necessary and prudent, for guidance. Original reports will be forwarded to the Deputy Chief of Police prior to the end of the interviewing officers' shifts. ***Such an allegation will be immediately reported to the Deputy Chief of Police or designee.***

### 1.4.7 Internal Complaint Assignment and Report Flow

- A. Complaints will be forwarded to the Deputy Chief of Police. Based on the seriousness of the alleged conduct, follow-up investigation will be assigned to:
  - 1. **A Sergeant:** Squad level investigations involve allegations of minor violations.
  - 2. **A Lieutenant:** Command level investigations involve allegations of minor violations against supervisory ranked employees or against employees from other squads.
  - 3. **The Deputy Chief of Police:** Departmental level investigations usually involve allegations of violations against administrative ranked officers or major violations against any agency personnel.
- B. The Deputy Chief of Police will notify the Chief of Police of all complaints.
- C. Liaison may also be maintained with university legal staff and/or the Baltimore County State's Attorney's Office during criminal investigations involving employees.

### 1.4.8 Complainant Notifications

- A. After the Deputy Chief receives and logs complaints, the Deputy Chief is responsible for notifying complainants that their complaints have been received for processing.
  - 1. Notifications will be in the form of dated letters or emails of receipt that contain a description of the investigative process. [Form # 215 Investigations Status Letter](#)
  - 2. Notification receipt letters or emails are not sent out in anonymous complaints.
  - 3. If possible, without jeopardizing the integrity of an internal investigation, a periodic status report will be sent to a complainant. This can be done in a phone call or meeting with the complainant.
- B. Employees named in complaints will be notified in writing of complaints consistent with LEOBR. [Form # 201 Notification of Complaint](#)
- C. Officers will be issued written statements of allegations as well as their rights and responsibilities when they are notified that they have become subjects of investigations. [Form #211 Explanation of LEOBR](#)

### 1.4.8 Violation Classifications

- A. **Minor Violations** are those violations for which summary punishment may be imposed. Summary punishments maximums are three days suspension without pay or fines.
- B. **Major Violations** are those violations for which maximum sanctions exceed summary punishment or when cumulative minor violations would indicate the need for exceeding summary punishment maximums.
- C. With the agreement of respondent officers, the agency may impose sanctions beyond summary punishment in lieu of convening hearing boards to review charges.
- D. Respondent officers may waive any or all of their LEOBR rights.
  - 1. Respondent officers waiving their LEOBR rights may do so to accept sanctions imposed by the agency or to request allegations be processed, investigated, and disposed of in accordance with applicable university employee disciplinary systems. [Form #210 Waiver of Hearing](#)
  - 2. Respondent officers waiving their LEOBR rights and electing to have complaints processed, investigated, and disposed of in accordance with applicable university employee disciplinary systems do so irrevocably for

those complaints.

3. Respondent officers will not be pressured, coerced, threatened, or intimidated into waiving any or all of their LEOBR rights.

#### **1.4.10 Suspension Roles & Authority**

**Chief of Police** has the authority to:

1. Place an employee on emergency suspension with or without pay depending on the allegation.
2. Reassign an officer to administrative duties with or without police powers.
3. Appoint a hearing board to adjudicate charges against an officer when requested by the officer.
4. Issue a written, final endorsement for every punitive disciplinary action.

**Deputy Chief of Police** has the authority to:

1. Place an employee on emergency suspension with or without pay when acting as the Chief's designee. Emergency suspension requires immediate written notification to the employee.
2. Reassign an officer to administrative duties with or without police powers.
3. Impose or authorize summary punishment.
4. Complete the final endorsement for employees within the command.
5. Recommend and administer approved punitive discipline for the command.
6. Assign investigations to the command or department level.
7. Review all complaints and IA investigative reports.
8. Review all punitive discipline recommendations with respondent employees' commanders.
9. Ensures written notifications are made to complainants and respondents.
10. Brief the chief and others as necessary, not later than the first business day after complaints are filed.

**Lieutenants** have the authority to:

1. Place an employee on emergency suspension with or without pay when acting as the Chief's designee. Emergency suspension requires immediate written notification to the employee.
2. Reassign an officer to administrative duties.
3. Complete final endorsement for employees within the command.
4. Conduct and document IA investigations as assigned and identify violations.
5. Recommend and administer approved punitive discipline for subordinates.

**Sergeants or Officers in Charge** have the authority to:

1. Receive and document complaints against employees or the department.
2. Place an employee on emergency suspension with pay when acting as the designee of the Chief or a commander. Emergency suspension requires immediate written notice to the employee.
3. Conduct and document IA investigations as assigned and identify violations.
4. Recommend punitive discipline for subordinates.

**Non-Sworn Supervisors** have the authority to:

1. Receive and document complaints against employees or the department.
2. Investigate and document complaints against assigned staff and identify violations.
3. Recommend punitive discipline for subordinates.
4. Implement approved punitive discipline.

**Any Employee** has the authority to:

1. Receive and document complaints against employees or the department.

2. Ensure complainant is advised of the complaint process.
3. Ensure complainant is referred to supervisor or commander.
4. Obtain as much information as possible and submits complaint forms.

#### **1.4.11 Disciplinary Action Recommendation Guide**

- A. The Disciplinary Action Recommendation Guide is used to promote uniformity in the imposition of certain disciplinary actions. Commanders should adhere to the penalties or actions listed for each offense. However, disciplinary recommendations do not abrogate the disciplinary authority of the Chief as granted by LEOBR.
- B. The guide is structured to take into account factors such as offense seriousness and repeat or frequent offenses.
- C. If violations are not listed in the guide, section commanders will select disciplinary recommendations based on violation severity in comparison with violations listed in the guide.

#### **1.4.12 Penalty Selection**

- A. Investigators will consult the Disciplinary Action Recommendation Guide when complaints have been sustained in order to make penalty recommendations to the chief.
- B. Once the chief has reviewed investigation files, written notifications of decisions and recommendations will be presented to accused officers.
- C. Disciplinary actions will be imposed consistent with LEOBR.

#### **1.4.13 Authority to Suspend**

- A. Officers holding the rank of sergeant or above are authorized to suspend sworn and non-sworn subordinates.
- B. The Deputy Chief of Police is delegated the authority to suspend officers below the rank of chief.

##### **1.4.13.1 Suspension Situations**

The need for suspensions will be determined by weighing the gravity of alleged offenses against the effects of members' continued duty status pending internal investigations.

Members may be suspended for:

1. The best interest of the public, the officer, or the agency.
2. Reporting for work under the influence of alcohol *or* consuming alcohol on the job without authorization.
3. Reporting for duty unfit or unprepared for work.
4. On-duty or off-duty conduct determined to be detrimental to the performance of police duties.
5. Unsatisfactory performance.
6. Being convicted of crimes.
7. Being AWOL.
8. Mishandling, abusing, or stealing university or state property.
9. Knowingly being untruthful when answering questions relating to their employment which are asked of them except in the furtherance of a bona fide police duty.

10. Any immoral or unethical conduct reflecting unfavorably on the State as an employer.
11. Membership in any organization advocating the overthrow of the U.S. Government by force.
12. Failure to maintain any mandated license or certification.

Officers will be suspended when they are:

1. Alleged to have engaged in conduct of such nature that the Chief determines that suspension is an appropriate course; or
2. Charged via statement of charges, criminal charging document, indictment or information from any competent judicial authority with:
  - a. Crimes classified as felonies within this state or within jurisdictions placing charges; or
  - b. Crimes of moral turpitude.

#### **1.4.14 Emergency Suspension & Hearing Procedures**

- A. Suspending officers will:
  1. Contact and inform the Deputy Chief of suspensions and obtain names of suspension hearing officers;
  2. Suspend officers by taking possession of their issued firearms, badges, ID and MPCTC certification cards;
  3. Complete Report of Investigations including all relevant facts and supplementary documents supporting the suspensions; and
  4. Provide the suspended officers and their unit commanders with letters containing:
    - a. Reasons for suspensions;
    - b. Dates and times of suspension hearings; and
    - c. Notification that suspension hearings will be held on the first working day following suspension.
- B. Suspension hearings will be conducted consistent with LEOBR.
- C. Only matters dealing directly with the determination of suspensions will be heard at suspension hearings.
- D. Emergency suspension hearing officers will be appointed by the chief and must hold the rank of Lieutenant or above.
- E. Suspension hearings will be electronically recorded.
- F. Suspended officers may be represented by legal counsel or other representatives.
- G. Suspending officers and suspended officers' sergeants may be required to attend the hearings. Suspended officers need not be present, but may attend and present testimony on their behalf.
- H. Hearing officers may request university legal staff or the Baltimore County State's Attorney's Office to be present or provide assistance.
- I. The public and news media are excluded from hearings unless called to testify. Evidence presented at suspension hearings is confidential.
- J. Hearing officers will determine whether officers' alleged conduct was serious enough to order continued suspensions.
- K. Hearing officers must determine if continued suspensions will be with or without pay.
  1. Suspensions without pay may be imposed only when allegations constitute felonies.
  2. Allegations that constitute administrative or misdemeanor criminal charges

may result in suspensions continuing with pay.

- L. Hearing officers will inform respondent officers of their decisions and promptly submit written reports to the Chief with copies to: (1) the Deputy Chief of Police; (2) Respondent officers; (3) Respondent officers' section commander; (4) and Fiscal Services with information as to the suspension being with or without pay.

#### **1.4.14 Special Action Appeals for Classified Employees**

- A. The [USM Policy on Grievances for Nonexempt and Exempt Staff Employees](#) establishes appeal processes for classified employees against whom adverse personnel actions have been taken. These personnel actions include charges for removal, disciplinary suspensions, involuntary demotions, and rejection on probation.
- B. Officers may elect to waive their LEOBR rights and appeal adverse personnel actions consistent with the USM Policy on Grievances for Nonexempt and Exempt Staff Employees.

#### **1.4.16 Suspension from Duty – Classified Personnel Policies and Rules**

- A. These procedures must be followed in suspension actions dealing with non-sworn, classified employees.
- B. The chief or designee, ranked sergeant or above, may suspend employees without pay for incidents involving:
  - 1. Misconduct;
  - 2. Negligence;
  - 3. Inefficiency;
  - 4. Insubordination;
  - 5. Disloyalty; or
  - 6. A reason satisfactory to the Director of University Human Resources.
- C. Employees shall have the right to union representation during any meeting, hearing, formal or informal discussion pertaining to the investigation or imposition of discipline relating to conduct that may lead to disciplinary action against the employee.
- D. The University shall impose disciplinary action against non-exempt and exempt bargaining unit employees no later than 10 working days from the time it knew or should have known of the conduct giving rise to the disciplinary action. For cases involving suspension without pay, the University shall impose discipline within 3 (three) working days.
- E. Suspension actions will be consistent with the USM [Policy on Grievances for Nonexempt and Exempt Staff Employees](#).

#### **1.4.17 Investigation of Serious Injury or Death Inflicted by Members**

- A. Whenever persons are hospitalized because of injuries inflicted by any member (sworn or non-sworn) acting in their official capacities, on-duty patrol supervisors will obtain reports on the severity of injuries. If probability exists that injured persons will not survive, on-duty supervisors will notify Investigations and the Deputy Chief of Police. [Form # 87 Use of Force](#)
- B. Investigations will assume initial responsibilities for investigating the circumstances and determining the likelihood of patient death. Cases will be handled as investigations involving the use of deadly force. Investigators will maintain a working relationship with the Deputy Chief throughout investigations.
- C. Members will be placed on administrative leave with pay pending investigations to determine:

1. If violations of law were committed;
2. Compliance or non-compliance with agency directives;
3. Compliance with regulations regarding both equipment type and its proper use.

#### **1.4.18 Officer Status during Investigations**

- A. If an officer uses deadly force or causes serious physical injuries, the Operations Commander will remove the officer from line-duty assignments pending administrative reviews to determine if officer is to be placed on suspension, paid administrative leave, in non-contact assignments, or returned to full-duty status. The purpose of this action and review is to:
1. Protect the community's interest when officers may have exceeded the scope of their authority in the use of deadly force; and
  2. Shield officers who have not exceeded the scope of their authority from possible confrontations with the community.

Reviews will be structured and conducted according to procedures established in Emergency Suspension & Hearing Procedures.

- B. Officers may be placed on paid, administrative leave by the chief when:
1. Involved in shootings involving injury or death;
  2. Involved in actions which results in the death of individuals or the hospitalization of individuals who are expected to die;
  3. Involved in incidents where preliminary investigations reveal significant possibilities of serious misconduct by employees; or
  4. It is in the best interest of the public, officers, or the agency.
- C. Non-contact assignments may be employed as alternatives to administrative leave to enable employees to continue working while awaiting dispositions of internal or criminal investigations or disciplinary action recommendations sent to the chief. Officers working in non-contact assignments may retain police powers and will:
1. Attend job related training;
  2. Attend court;
  3. Perform administrative functions not requiring personal contact with the public; and
  4. Take police actions in emergency circumstances if still retaining police powers.

#### **1.4.19 Restoration to Duty**

When proximal reasons for officers' emergency suspensions no longer exist, the Chief will return respondent officers to full duty and inform the commander in writing of the decision.

#### **1.4.20 Deputy Chief of Police Responsibilities**

- A. Responsibilities include:
1. Registering all investigations of alleged or suspected misconduct within the agency
  2. Assigning Internal Affairs case numbers to complaints
  3. Informing the Chief of Police of all complaints received
  4. Assign investigations in consultation with the Chief of Police

5. Maintaining secure records of all complaints against the agency or employees and ensuring confidentiality of investigations
  6. Determining, with concurrence of the Chief, if criminal investigations are warranted
  7. Preparing and distributing yearly summary reports of all complaints filed against sworn and full-time civilian employees
- B. **Confidentiality:** Officers coordinating or conducting internal investigations will hold in strict confidence all information which may have any bearing whatsoever on the conduct and results of any investigation.

#### 1.4.21 Investigative Procedures / General Provisions

- A. Investigators will conduct thorough investigations and submit a completed Report of Investigation (ROI). [Form 101 Confidential Report of Investigation](#)
- B. Investigations will be conducted consistent with applicable provisions of the LEOBR.
- C. If a complaint is deemed to be false, a parallel investigation will be conducted to determine if any actions will be taken against the complainant. This information will be included in ROIs.
- D. Investigations will be completed within 60 days of assignment:
  1. Internal investigators will provide biweekly status reports to the Deputy Chief when investigations extend beyond 45 days. Status reports must also include justifications for delays when investigations extend beyond 60 days.
  2. Investigating officers will provide complainants with periodic status reports, providing that such notifications do not compromise the integrity of investigations. Updates should be provided at least every 14 calendar days. The degree of specificity is left to investigator discretion, subject to approval by the Deputy Chief.
- E. Reports of Investigations (ROI) will include:
  1. Pertinent statements or summaries of statements from all concerned parties;
  2. Summaries of incidents being investigated;
  3. Accountings of related evidence;
  4. Findings as to the legitimacy of allegations; and
  5. Investigative findings and recommendations.
- F. The agency will report to the Baltimore County State's Attorney's Office or Attorney General's Office, as appropriate, any attempts by complainants or their counsel to use the complaint or complaint process as items of discussion and consideration for plea bargaining or the filing of civil action against the agency, the university, or the state.

#### 1.4.22 Interview and Interrogation Procedures

- A. Employees alleged to have committed acts of misconduct will be interrogated or interviewed if necessary to establish a thorough understanding of the incidents.
- B. Sworn officers will be interrogated under the provisions of the [Maryland Law Enforcement Officer's Bill of Rights \(LEOBR\)](#). [Form #213 Order to Submit to Interrogation](#)
- C. Employees may be required to submit to various investigative techniques that may include, but are not limited to, polygraphs, breath test instruments, medical or laboratory examinations, photographs, digital recordings, financial disclosures, participation in line-ups and/or any other investigative technique as consistent with LEOBR and other applicable statutes and regulations.
- D. Officers ordered to make statements and who refuse to do so may be charged with

insubordination. In these situations, the Deputy Chief or officer responsible for the function will be contacted.

#### 1.4.23 Police Officer Witnesses

- A. Officers who are deemed witnesses to alleged acts of misconduct by other officers will be interviewed as necessary by case investigators. [Form # 214 Confidentiality Agreement](#)
- B. When practical, interviews will be documented on witness statement forms or electronically recorded. Duress statements are not necessary for witnesses, but investigators will order witnesses, if necessary, to provide statements.

#### 1.4.24 Investigative Findings

All investigative conclusions will be reported upon, and each alleged violation will be classified as:

- A. Unfounded
  - 1. The act(s) did *not* occur, or
  - 2. The act(s) did *not* involve members of this agency
- B. Not Sustained
  - 1. Investigations failed to discover sufficient evidence to clearly prove violations of directives
- C. Exonerated
  - 1. The alleged act(s) did occur, *and*
  - 2. The actions of the officer(s) was justified, lawful, and proper
- D. Sustained
  - 1. Sufficient evidence exists to clearly prove violations of directives
- E. Administrative Closure
  - 1. Complaints concerned matters of law or departmental policy and did not concern the employee's actions
  - 2. Complainants could not be contacted or refused to participate in inquiries and no other witnesses or evidence could be located
  - 3. Complainants do not want formal actions taken or pursued
  - 4. Closure is in the best interests of the agency and the community

#### 1.4.25 Uncooperative Complainants

- A. Personal contacts will be made with, or certified, return receipt requested letters will be sent to, uncooperative complainants by assigned investigators.
- B. Contacts or letters will set deadlines for cooperating with investigations and include notices that failure to do so may result in administrative closure of investigations.
- C. Letters notifying uncooperative complainants will be signed by investigating officers. If there are no responses and if cases cannot be adequately investigated without an interview, investigating officers may recommend in their ROIs that the cases be closed administratively. [Form # 215 Investigation Status Letter](#)
- D. ROIs recommending administrative closure of cases will detail the investigative steps that have been taken to justify administrative closure. The report may also include other appropriate recommendations.

#### 1.4.26 Recommendations

- A. Investigating officers will, as necessary and prudent, make:
  - 1. Recommendations to modify policy or procedures when policy, procedure, or directives are discovered to be inappropriate or insufficient; and
  - 2. Recommendations to improve the efficiency or effectiveness of the agency and its relationship with the community.
- B. Section commanders of respondent officers will make recommendations for disciplinary action based upon sustained complaint findings.

#### 1.4.27 False Reports

When investigators develop probable cause that false reports have been filed, they will bring that information to the attention of the Deputy Chief for consideration of filing criminal charges.

#### 1.4.28 Legal Actions against Employees

- A. Employees will immediately, or as soon as reasonably and prudently practical, notify their unit commanders upon being:
  - 1. Arrested or charged with crimes or any traffic violations mandating court appearances;
  - 2. Served with warrants, criminal summonses, statement of charges, criminal information or indictments naming them as defendants;
  - 3. Made aware that legal actions are pending or on file, but have yet to be served;
  - 4. Made aware of driver's license suspensions or revocations; or
  - 5. Made aware of the loss or pending loss of any critical job certifications.
- B. Unit commanders so notified will immediately, or as soon as reasonably and prudently practical, notify the Deputy Chief of Police.
- C. Internal investigations will be conducted to determine if alleged incidents constitute violations of agency directives.

#### 1.4.29 Right to Hearing Boards

- A. For sustained disciplinary infractions, respondent officers will be informed in writing of the:
  - 1. General nature of the charges; [Form #204 Notification of Charges](#)
  - 2. Proposed disciplinary actions; and
  - 3. Right to hearing boards as afforded by LEOBR. [Form # 202 Notification of Hearing](#)
- B. Hearing boards will be conducted in accordance with LEOBR in those cases where disciplinary action is not accepted by respondent officers.

#### 1.4.30 Administrative Hearing Boards

- A. Hearing boards will be conducted within the requirements of LEOBR and under the guidelines of the current edition of the MPCTC Manual of Procedures for Administrative Disciplinary Hearings. Full copies of that manual will be provided to respondent officers or their representatives by the Deputy Chief. [Form #208 Hearing Board Procedure](#)

- B. Summonses for employees to appear before hearing boards are orders. Unexcused failure to appear is insubordination. [Form # 206 UMBC PD Witness Summons](#)
- C. Employees who disobey orders to testify specifically, directly and narrowly to the facts at issue may be charged with insubordination and suspended.

#### 1.4.31 Chief's Decision

- A. The chief will render a final order consistent with LEOBR.
- B. If the chief orders termination of respondent officers, final written orders will contain:
  - 1. Statements citing reasons for termination;
  - 2. Effective dates of terminations;
  - 3. Status of fringe and retirement benefits after terminations; and
  - 4. Content of the officers' employment records relating to terminations.

#### 1.4.32 Appeals

- A. **Non-sworn employees** may appeal decisions of the Chief of Police:
  - 1. To the UMBC Office of Human Resources (OHR), pursuant to established policies of UMBC and the USM.
  - 2. Pursuant to procedures set forth in their established Memorandum of Understanding between their employees representative group and UMBC.
  - 3. The nature of their complaint may be appealed to the Circuit Court for Baltimore County or United States District Court.
- B. **Sworn Officers:** Appeals from decisions of the Chief of Police are governed by the Law Enforcement Officer's Bill of Rights (LEOBR), and may be taken by respondent officers to the Circuit Court for Baltimore County pursuant to Maryland Rule 7.202. Parties aggrieved by decisions of courts under LEOBR may appeal to the Court of Special Appeals. The time frames for these appeals are established in Maryland law.

#### 1.4.33 Disposition of Findings

- A. Notification letters will be sent by the chief to complainants and respondent officers if charges are not sustained or closed administratively.
- B. If charges are closed as sustained:
  - 1. Letters will be sent by the chief to complainants;
  - 2. The final order of the chief will be personally delivered by the chief or designee or sent by certified mail, return receipt requested, to the respondent and, if applicable, to the representative of record;
  - 3. Complaint records will remain in the Internal Affairs active files; and
  - 4. Any adverse materials placed in respondent officers' personnel files will be consistent with LEOBR.

#### 1.4.34 Disciplinary Record Maintenance

- A. All records of Internal Investigations are considered confidential and are maintained by the Deputy Chief of Police in separate, secure file cabinets and computer applications.
  - 1. All such records are maintained until such time as they are expunged pursuant to LEOBR or purged at least three years following the resignation, retirement, or termination of employees.
  - 2. Adverse materials pertaining to disciplinary actions will be permanently

- placed in respondent employees' personnel files consistent with LEOBR.
- B. Internal Affairs records will not be released or disclosed except to:
1. Comply with court orders to produce such records;
  2. Assist background investigators who present properly executed releases of information;
  3. Attorneys representing client officers to who specified records apply in accordance with LEOBR;
  4. Attorneys representing the agency, the university, or the state in relevant cases.

#### **1.4.35 Expungements**

- A. Will be consistent with LEOBR.
- B. Will be forwarded to the Chief of Police.
- C. The Deputy Chief will review all reports, documents, files, and records relating to requests and will forward recommendations on expungement requests to the Chief.
- D. If expungement requests are denied, the Chief will notify requesting officers in writing of the objective based reasons for that decision.
- E. Expungements can be made according to the Records retention Policy listed in the 1.9 Records Management section of the Administrative Manual.
- F. Expungements will be conducted by:
1. By shredding or burning all printed files, records, and documents that make reference to expunged cases
  2. By degaussing magnetic media containing files, records, and documents that make reference to expunged cases
  3. In the case of an Administrative Closure or multiple officers with multiple findings, obliterating references to respondent officers in case files, records, and documents
- G. Records expungements will be certified by the Deputy Chief of Police and an administrative ranked officer designated by the chief. Officers requesting expungements will be notified in writing of expungement completion.
1. Copies of expungement notifications will be retained by the Deputy Chief of Police, identifiable by case numbers only, and retained apart from other investigative files
  2. Data records will be retained, listing only:
    - i. IA case number
    - ii. Dates complaints were filed
    - iii. Investigative findings
    - iv. Date of finding
    - v. Date of expungement
- H. The Deputy Chief of Police may initiate expungement actions via letters to the chief and respondent officers (if still employed by the agency) for cases that meet expungement criteria and five years have elapsed since the determination of the case classification. However, the Deputy Chief may not initiate expungements for investigations involving officers who have been subject to numerous investigations involving misconduct or use of excessive force that could indicate a pattern of misconduct.
- I. Employees not wanting cases expunged will notify the Chief in writing at least 30 days prior to the date of eligibility for automatic expungement.

### 1.4.36 Disciplinary Action Recommendation Guide

The guide is structured to take into account factors such as offense seriousness, or repeat or frequent offenses. Multiple category I or II violations may result in referral of charges to administrative hearing boards.

### 1.4.37 Disciplinary Matrix



Category A	Category B	Category C	Category D	Category E
Verbal or Written <b><u>Reprimand</u></b> OR Training, Mediation, Restitution, Employee Assistance, Psych. Services, etc.	Written Reprimand <b>AND</b> 1 Day Loss of Leave or Suspension <b>OR</b> \$50 Maximum Fine	Written Reprimand <b>AND</b> 3 Day Maximum: Loss of Leave or Suspension <b>OR</b> \$150 Maximum Fine	Written Reprimand <b>AND</b> 4 - 15 Days: Loss of Leave or Suspension / Transfer	Written Reprimand <b>AND</b> 15+ Days Suspension <b>and/or Demotion</b> <b>OR Termination</b>
Three "A"s in 12 months = "B" Category violation	Second or similar "B" in 12 months = "C" Third separate "B" in 36 months = "C"	Second or similar "C" in 60 months = "D"	Same or similar "D" = "E"	Subsequent "E" = Termination

<b>ACCIDENTS (Departmental)</b>					
<b>VIOLATIONS</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
Failure to report accident					<b>x</b>
Fatality				<b>x</b>	
Personal injury			<b>x</b>		
Property damage	<b>x</b>				
<b>COMPLAINTS</b>					
Improper reporting or processing of complaint		<b>x</b>			
Interfering, hindering, etc. an investigation of complaint					<b>x</b>
<b>CONDUCT</b>					
AWOL (Absent Without Leave)		<b>x</b>			
Address/Telephone Number: Failure to advise of new	<b>x</b>				
Alcohol – Under influence, Impaired, Consuming on-duty					<b>x</b>
Associations – With persons of questionable character		<b>x</b>			
Conduct Unbecoming		<b>x</b>			
Discourtesy, obscene language, gestures, inappropriate comments, etc.	<b>x</b>				
Discourtesy, etc. – Hate / Bias Motivation					<b>x</b>
Discrimination & Harassment: Failure for respondent to cooperate with investigations					<b>x</b>
Discrimination & Harassment: Racial, religious, ethnic, sexual, sexual orientation, gender, age, disability, etc.					<b>x</b>
Discrimination & Harassment: Retaliation against complainant, witness, etc.					<b>x</b>
Failure to appear or report for court, hearing, assignment, etc.		<b>x</b>			
Failure to assist or back-up other employee			<b>x</b>		
Failure to furnish name & ID#		<b>x</b>			
Neglect of Duty / Failure to Act		<b>x</b>			
Off-post or leaving assignment w/o permission	<b>x</b>				
Orders – Failure to comply	<b>x</b>				
Orders – Insubordination			<b>x</b>		
Sick leave abuse		<b>x</b>			
Sleeping on duty		<b>x</b>			
Tardiness: Lack of punctuality	<b>x</b>				
Truthfulness: False statement, report, etc					<b>x</b>
Truthfulness: Misrepresentation of fact			<b>x</b>		
Uniform / Grooming violations	<b>x</b>				
Using official position for personal / financial gain			<b>x</b>		<b>x</b>
<b>FORCE</b>					
Unnecessary force			<b>x</b>		
Excessive force				<b>x</b>	
Brutal force					<b>x</b>
<b>INVESTIGATIONS</b>					
Compromising / hindering an investigation					<b>x</b>
Dissemination of information to unauthorized persons – unlawful			<b>x</b>		
Failure to conduct thorough preliminary or follow-up		<b>x</b>			
Improper dissemination of investigative information			<b>x</b>		
Improper interview or interrogation			<b>x</b>		
Improper search, seizure, entry			<b>x</b>		

<b>LAW VIOLATIONS</b>					
All criminal violations & attempts subject to prosecution by Baltimore County State's Attorney					X
Alcohol or CDS related offense					X
Flagrant traffic violation			X		
Knowingly driving while license is suspended or revoked					X
Minor motor vehicle violation	X				
<b>MISCELLANEOUS</b>					
METERS, NCIC, etc.: Unauthorized use / dissemination			X		
Medication: Failure to report taking medication that may effect Performance		X			
Pursuit: Failure to report motor vehicle pursuit			X		
Radio: Failure to maintain contact	X				
Radio: Unnecessary use of radio	X				
Ride along: Unauthorized or violation of procedures	X				
<b>POLICE ACTION</b>					
Inaccurate charging documents or testimony (not perjury)			X		
Failure to make arrest / issue citation / place charges			X		
Failure to take necessary police action		X			
Failure to take necessary supervisory or administrative action			X		
Police action lacking PC - willful			X		
<b>PRISONER RELATED</b>					
Allowing escape				X	
Failure to arrange necessary medical treatment			X		
Failure to search incident to arrest			X		
Improper Transportation	X				
Incomplete / improper search		X			
Personal property control / documentation		X			
Restraint violations	X				
Screening & observation		X			
<b>PROPERTY, EVIDENCE, &amp; EQUIPMENT</b>					
Damage to / loss of agency property		X			
Failure to document, submit, store, or release property / evidence		X			
Failure to secure, process, or send evidence for analysis		X			
Unauthorized / improper use of agency equipment		X			
Use of unauthorized equipment		X			
<b>REPORTS</b>					
Failure to submit required		X			
Inaccurate		X			
Submitting late	X				
<b>SECONDARY EMPLOYMENT</b>					
Engaged in secondary employment while on sick leave			X		
Unauthorized or expired permission		X			
Use of agency property or equipment		X			
Violation of restrictions		X			

<b>WEAPONS</b>					
Careless handling resulting in discharge		<b>X</b>			
Carrying unauthorized weapon or ammunition			<b>X</b>		
Discharge contrary to directives					<b>X</b>
Failure to secure - no injury			<b>X</b>		
Failure to secure - resulting in injury					<b>X</b>
Failure to properly maintain	<b>X</b>				
Unreported discharge					<b>X</b>

**Police records and information systems:** CJIS is for official use only. No personal or private messages or inquiries will be sent.

**Disciplinary:** Any violation of CJIS policies can result in administrative sanctions that can include termination of employment. Serious violations can be prosecuted as criminal violations if the acts are knowing and intentional.

## **1.4.4 Receiving Complaints**

To ensure the integrity of our operations and personnel, the UMBC Police Department investigates all complaints and allegations of misconduct.

### **Confidentiality**

Complaints must be treated as confidential information. Personnel who receive the complaint must notify the Deputy Chief of Police. To ensure the integrity of the investigation, personnel who receive the initial complaint may only discuss the matter with the investigator assigned to the case by the Deputy Chief of Police. Personnel are prohibited from discussing the complaint with other agency personnel. Failure to maintain confidentiality constitutes a violation of the Rules and Regulations Manual. This includes cases where the complaint is dismissed. Any member who violates this clause shall be disciplined, which may include dismissal from the agency.

### **Complaint & Compliment Form**

Anyone may make a complaint in person, by telephone, via email, or by U.S. mail. Complainants may remain anonymous; however, they will be unable to receive complaint updates without contact information.

#### ***Walk-In or Telephone Complaints***

The Complaint & Compliment Form (Form #89) must be provided to walk-in complainants. Agency employees accepting telephone complaints shall complete the Complaint & Compliment Form on behalf of the complainant.

- If a walk-in or telephone complainant requests to speak to an officer about the complaint, an available supervisor must speak to the complainant. If no police officer is available to speak to the complainant, the agency employee speaking with the complainant shall offer to accept the complaint.
- If a walk-in or telephone complainant does not wish to speak to an officer, the complaint shall be accepted by any agency employee.
- If a walk-in complaint refuses to complete the Complaint & Compliment Form, the agency employee accepting the complaint will complete the form on behalf of the complainant.
- Employees shall not attempt to influence the complainant in any matter.
- Agency employees accepting the complaint must sign the form, provide a copy for the complainant, and provide the original to the Deputy Chief of Police

#### ***Email Complaints***

Complainants may access the Complaint & Compliment Form on the UMBC Police Department website and email the completed form. Complaints via email must only be directed to the Deputy Chief of Police.

## **Complaint Process**

Complainants must receive an initial response to their complaint within 72 hours. The Deputy Chief will provide the name and email address of the investigator assigned to the case as a point of contact to whom the complainant may direct their questions. Until the investigation is resolved, the investigator shall attempt to contact the complainant at least monthly to provide updates. Each attempt to contact the complainant must be documented. The complainant will be notified of the outcome of the complaint within 72 hours of the disposition, including any discipline imposed in accordance with established confidentiality policies and any applicable law.

1.4.10

**Suspension Roles & Authority**

<b>Chief of Police</b>	<ol style="list-style-type: none"> <li>1. Can place an employee on emergency suspension with or without pay depending on the allegation. Can reassign an officer to administrative duties with or without police powers.</li> <li>2. Will appoint a suspension Hearing Officer for any officer placed on emergency suspension.</li> <li>3. Will appoint a hearing board to adjudicate charges against an officer when requested by the officer. Will issue a written, final endorsement for every punitive disciplinary action.</li> </ol>
<b>Deputy Chief of Police</b>	<ol style="list-style-type: none"> <li>1. Can place an employee on emergency suspension with or without pay when acting as the Chief's designee. Requires immediate written notification to the employee.</li> <li>2. Can reassign an officer to administrative duties with or without police powers.</li> <li>3. Can impose or authorize summary punishment.</li> <li>4. Completes final endorsement (conclusion of fact) for employees within the command.</li> <li>5. May recommend and administer approved <u>punitive discipline for the command.</u></li> <li>6. Assigns investigations to the command or departmental level.</li> <li>7. Reviews all complaints and IA investigation reports.</li> <li>8. Reviews all punitive discipline recommendations with respondent employees' commanders.</li> <li>9. Ensures written notifications are made to complainants and respondents.</li> <li>10. Briefs the Chief and others as necessary not later than the first business day after complaints are filed.</li> </ol>
<b>Lieutenant</b>	<ol style="list-style-type: none"> <li>1. Can place an employee on emergency suspension with or without pay when acting as the Chief's designee. Requires immediate written notification to the employee.</li> <li>2. Can reassign an officer to administrative duties.</li> <li>3. Completes final endorsement (conclusion of fact) for employees within the command.</li> <li>4. Conducts and documents IA investigations as assigned. Identifies any violations.</li> <li>5. May recommend and administer approved punitive discipline for their subordinates.</li> </ol>
<b>Supervisor or OIC</b>	<ol style="list-style-type: none"> <li>1. Receives and documents complaints against employees.</li> <li>2. Can place an employee on emergency suspension with pay when acting as the designee of the Chief or a commander. Requires immediate written notification to the employee.</li> <li>3. Conducts and documents IA investigations as assigned. Identifies any violations.</li> <li>4. May recommend punitive discipline for their subordinates.</li> </ol>
<b>Non –Sworn Supervisors</b>	<ol style="list-style-type: none"> <li>1. Receives and documents complaints against assigned staff.</li> <li>2. Investigates and documents complaints against assigned staff. Identifies violations.</li> <li>3. May recommend punitive discipline for their subordinates.</li> <li>4. Implements approved punitive discipline.</li> </ol>
<b>Any Employee</b>	<ol style="list-style-type: none"> <li>1. Initial point of contact with complainant.</li> <li>2. Ensures complainant is advised of the complaint process.</li> <li>3. Ensures complainant is referred to supervisor or commander.</li> <li>4. <u>Obtains as much information as possible and submits complaint forms</u></li> </ol>

### 1.4.36 Disciplinary Action Recommendation Guide

The guide is structured to take into account factors such as offense seriousness, or repeat or frequent offenses. Multiple category I or II violations may result in referral of charges to administrative hearing boards.

### 1.4.37 Disciplinary Matrix

<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; padding: 5px; background-color: #4a7ebb; color: white;">Progressive Discipline</div> <div style="border: 1px solid black; padding: 5px; background-color: #4a7ebb; color: white;">Repeated Violations</div> <div style="border: 1px solid black; padding: 5px; background-color: #4a7ebb; color: white;">Shows lack of learning or intentional misconduct</div> <div style="border: 1px solid black; padding: 5px; background-color: #4a7ebb; color: white;">Punishments increase with repeated rule-breaking</div> <div style="font-size: 2em; margin-left: 20px;">➔</div> </div>				
Category A	Category B	Category C	Category D	Category E
Verbal or Written <b>Reprimand</b> OR Training, Mediation, Restitution, Employee Assistance, Psych. Services, etc.	Written Reprimand <b>AND</b> 1 Day Loss of Leave or Suspension <b>OR</b> \$50 Maximum Fine	Written Reprimand <b>AND</b> 3 Day Maximum: Loss of Leave or Suspension <b>OR</b> \$150 Maximum Fine	Written Reprimand <b>AND</b> 4 - 15 Days: Loss of Leave or Suspension / Transfer	Written Reprimand <b>AND</b> 15 Days or More Suspension <b>and/or Demotion</b> <b>OR Termination</b>
Three "A"s in 12 months = "B" Category violation	Second or similar "B" in 12 months = "C" Third separate "B" in 36 months = "C"	Second or similar "C" in 60 months = "D"	Same or similar "D" = "E"	Subsequent "E" = Termination
<b>ACCIDENTS (Departmental)</b>				
<b>VIOLATION</b>				
Failure to report accident				X
Fatality			X	
Personal injury		X		
Property damage		X		
<b>COMPLAINTS</b>				
Improper reporting or processing of complaint	X			
Interfering, hindering, etc. an investigation of complaint				X
<b>CONDUCT</b>				
AWOL (Absent Without Leave)	X			
Address/Telephone Number: Failure to advise of new	X			
Alcohol - Under influence, Impaired, Consuming on-duty				X
Associations - With persons of questionable character	X			
Conduct Unbecoming	X			
Discourtesy, obscene language, gestures, inappropriate comments, etc.	X			
Discourtesy, etc. - Hate / Bias Motivation				X
Discrimination & Harassment: Failure to report: Failure for respondent to cooperate with investigations				X
Discrimination & Harassment: Racial, religious, ethnic, sexual, sexual orientation, gender, age, disability, etc.				X
Discrimination & Harassment: Retaliation against complainant, witness, etc.				X

Failure to appear or report for court, hearing, assignment, etc.		X			
Failure to assist or back-up other employee			X		
Failure to furnish name & ID#		X			
Neglect of Duty / Failure to Act		X			
Off-post or leaving assignment w/o permission	X				
Orders - Failure to comply	X				
Orders - Insubordination			X		
Sick leave abuse		X			
Sleeping on duty		X			
Tardiness: Lack of punctuality	X				
Truthfulness: False statement, report, etc					X
Truthfulness: Misrepresentation of fact			X		
Uniform / Grooming violations	X				
Using official position for personal / financial gain			X		X
<b>FORCE</b>					
Unnecessary force			X		
Excessive force				X	
Brutal force					X
<b>INVESTIGATIONS</b>					
Compromising / hindering an investigation					X
Dissemination of information to unauthorized persons - unlawful			X		
Failure to conduct thorough preliminary or follow-up		X			
Improper dissemination of investigative information			X		
Improper interview or interrogation			X		
Improper search, seizure, entry			X		
<b>LAW VIOLATIONS</b>					
All criminal violations & attempts subject to prosecution by Baltimore County State's Attorney					X
Alcohol or CDS related offense					X
Flagrant traffic violation			X		
Knowingly driving while license is suspended or revoked					X
Minor motor vehicle violation	X				
<b>MISCELLANEOUS</b>					
MILES, NCIC, etc.: Unauthorized use / dissemination			X		
Medication: Failure to report taking medication that may effect Performance		X			
Pursuit: Failure to report motor vehicle pursuit			X		
Radio: Failure to maintain contact	X				
Radio: Unnecessary use of radio	X				
Ride along: Unauthorized or violation of procedures	X				

POLICE ACTION					
Inaccurate charging documents or testimony (not perjury)			X		
Failure to make arrest / issue citation / place charges			X		
Failure to take necessary police action		X			
Failure to take necessary supervisory or administrative action			X		
Police action lacking PC - willful			X		
PRISONER RELATED					
Allowing escape				X	
Failure to arrange necessary medical treatment			X		
Failure to search incident to arrest			X		
Improper Transportation	X				
Incomplete / improper search		X			
Personal property control / documentation		X			
Restraint violations	X				
Screening & observation		X			
PROPERTY, EVIDENCE, EQUIPMENT					
Damage to / loss of agency property		X			
Failure to document, submit, store, or release property / evidence		X			
Failure to secure, process, or send evidence for analysis		X			
Unauthorized / improper use of agency equipment		X			
Use of unauthorized equipment		X			
REPORTS					
Failure to submit required		X			
Inaccurate		X			
Submitting late	X				
SECONDARY EMPLOYMENT					
Engaged in secondary employment while on sick leave			X		
Unauthorized or expired permission		X			
Use of agency property or equipment		X			
Violation of restrictions		X			
WEAPONS					
Careless handling resulting in discharge		X			
Carrying unauthorized weapon or ammunition			X		
Discharge contrary to directives					X
Failure to secure - no injury			X		
Failure to secure - resulting in injury					X
Failure to properly maintain	X				
Unreported discharge					X

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## **1.5.0      AWARDS & COMMENDATIONS**

The agency's awards and commendations program is established to honor individuals, units, groups, or other entities who make outstanding contributions toward fulfilling the mission of the agency through their acts of valor or merit and do so **at levels beyond that which is normally expected of employees or citizens.**

### **1.5.1      Awards Committee**

- A. The Awards Committee is established as an *ad hoc* committee of the agency.
1. The Commander of the Support Services Section will solicit volunteers for committee membership.
  2. The Committee ensures that all correspondence, programs, plaques, photographs, etc. are prepared and disseminated appropriately; and
  3. Ensures that documents corroborating awards and commendations are placed in employees' personnel files.
- B. Duties and responsibilities of the committee chair include:
1. **Set meetings:** Coordinate, schedule, and preside over committee meetings;
  2. **Seek nominations:** Ask for award and commendation nominations from the agency and the community;
  3. **Use criteria:** nominations are considered based on published award criteria;
  4. **Record results:** deliberations are accurately recorded and reported.
  5. **Use format:** nominations are submitted in appropriate form and through the chain of command in order to be considered for recognition by the committee;
  6. **Ceremony:** set date/ time, and location of award programs;

### **1.5.2      Submitting Nominations**

- A. In order to be considered by the committee, all award nominations submitted by agency personnel must be submitted on the agency's award nomination format.  
[Form #91 Commendation Award Request](#)
- B. All supervisory and administrative personnel, who have direct knowledge of meritorious actions, are responsible for submitting award nominations.
1. Employees with direct knowledge of meritorious actions may submit nominations.
  2. Employees may submit nominations on their own behalf.
  3. Nominations should contain information that includes:
    - a. Detailed statements of fact applicable to the acts, including those that may not be contained in original reports;
    - b. Diagrams, drawings, photographs, or other depictions if writers believe such additions would be useful to the committee;
    - c. Brief statements as to why persons submitting nominations believe nominees should earn awards; and
    - d. Attachments of any corroborating reports, newspaper articles, witness statements, or reports from other agencies.
  4. Incident reports must substantiate award criteria.
  5. Facts as stated in incident reports cannot be changed or altered by verbiage contained in award nominations.
  6. Excessive use of superlatives in award nominations is inappropriate.

C. Nominations must be submitted through the chain of command to the Office of the Chief **within one year of incidents**.

1. Unit supervisors are responsible for reviewing, commenting on, and endorsing either positively or negatively the nominations submitted to them prior to forwarding nominations through the chain of command.
2. Once nominations have been initiated, they should be endorsed and forwarded to the next level within five working days. When requested by superiors, endorsements will contain accurate, factual reasons for any delays.
3. Nomination endorsements will be submitted on the agency's format:
  - a. Endorsements will be attached to the front of original nominations.
  - b. Nominations received without endorsements are not acceptable.
  - c. Nominations marked "approved" are acceptable only if reviewing superiors are satisfied with the content and quality of nominations and are willing to accept the nominations as if they prepared it.
4. The Executive Administrative Assistant in the Office of the Chief is responsible for distributing award nominations to the committee chair.

D. Award nominations received from persons outside the agency may be referred to nominated employees' unit commanders for investigation, documentation, and submission to the committee.

E. A deadline for submitting award nominations will be established by the committee.

### **1.5.3 Committee Actions & Deliberations**

A. The Awards Committee is responsible for reviewing all award nominations and supporting documents and comparing information contained therein with award criteria in order to make award recommendations to the Chief of Police.

B. Committee members are the sole judges as to the meanings and interpretations of award criteria and the applicability of the criteria to particular award nominations.

C. The committee will consider duty assignments, assignment requirements, and nominees' specialties and expected or required performance when deliberating award nominations.

D. The committee will attempt to arrive at commendation recommendations on a consensus basis. However, if consensus cannot be arrived at, simple majority votes will ratify all commendation recommendations.

E. Committee members will be excused from discussions and votes when they are nominated parties. Committee members need not be excused from discussions and votes when they are nominating parties.

F. The committee will notify makers of nominations of the results of the nomination.

G. The actions, deliberations, and files of the Awards Committee are confidential.

#### **1.5.4 Authority of the Chief**

- The chief can recognize any officer, unit, or group with any agency award or commendation without the consultation or approval of the Awards Committee.
- Final authority to act on award committee recommendations is vested in the chief.

#### **1.5.5 Medal of Valor**

A. The Medal of Valor is given for valor, courage, and conduct above and beyond the normal person in a similar situation. The heroic placing of one's life in jeopardy, or saving another person's life at the member's own risk, will justify the award of this medal. The awarding of the Medal of Valor must be strictly limited in order to protect the integrity of the commendation.

B. Medals may be awarded posthumously if employees suffer death in the line of duty when:

1. Engaged in law enforcement activities or enforcing criminal laws;
2. Answering calls for service;
3. Attempting to rescue other persons from imminent death or great bodily harm; or
4. Directly enforcing criminal laws and suffer heart attacks, strokes, or other manners of death proximately related to their activities.

C. Medals will not be awarded posthumously if deaths result from:

1. Routine traffic accidents or accidents in police facilities;
2. Illness from heart attacks, strokes, or other illnesses not directly related to police activities; or
3. Personal disagreements with others.

D. Medals may be awarded to living employees who:

1. Unavoidably, and with knowledge of risks, find themselves in danger so extreme that death or serious injuries are predictable or reasonably expected;
2. Place themselves in danger or jeopardy, wherein any alternative courses of action would not have caused criticism for lack of courage or dedication to duty;
3. Commit themselves to action and were successful in completing their objectives; and
4. Act when there were no other reasonable, safer ways to accomplish their objectives.

#### **1.5.6 General Rule: Medals will not be awarded when**

1. Reports do not contain facts supporting nominations;
2. They deliberately violated safety procedures or directives by their conduct;
3. They expose themselves to danger without due care; or
4. They irresponsibly endanger the lives of others by their actions, or caused injuries to innocent, uninvolved persons.

#### **1.5.7 Meritorious Service Award**

- A. This is given to employees for the purpose of recognizing outstanding, meritorious achievement which reflects credit on the recipients or the agency.
- B. This is for non-routine, non-heroic actions of employees.
- C. This can be from an act of extraordinary diligence, above the ordinary requirements of the position.

#### **1.5.8 Letters of Commendation**

Recognizes excellence in performance, and is given by the Chief of Police; to a member of the Department, or to members of other law enforcement agencies.

### **1.5.9 Community Service Award**

- A. Awards may be presented to employees who, on-duty or off-duty, are involved in youth activities, crime prevention activities, victim-witness assistance, or social, religious, fraternal or other similar activities for the public good.
- B. Recipients will receive certificates.

### **1.5.10 Professional Service Award**

This award is given in recognition of exceptional service to the Department over a period of more than 3 years. It is not given for a single incident, but for a sustained effort of success that reflects upon the member's character, sustained effort, cooperation and dedication.

### **1.5.11 Departmental Service Ribbon**

This award is presented in five-year increments.

### **1.5.12 Certificate of Appreciation**

- Certificates of Appreciation may be awarded to employees and citizens to recognize exceptional efforts or who significantly contribute to the operations, administration, or support of the agency.
- Recipients will receive certificates.

### **1.5.13 Appurtenance**

- Stars affixed to citation bars will indicate multiple awards of medals. Each star will represent a successive award.
- A maximum of three stars may be affixed to each citation bar.

### 1.6.1 UNIFORMS & GROOMING / General Provisions

A. The agency will:

1	<b>Provide uniforms and equipment</b>	necessary to perform assigned tasks;
2	<b>Determine what will be worn</b>	to maintain specifications and authorize all personal equipment and apparel used or worn by officers to ensure uniformity and prevent use of unauthorized or substandard items
3	<b>Maintain records of equipment</b>	and apparel issued to each employee;
4	<b>Inspect:</b>	ensure that uniforms and accessories are kept clean, neat, and in proper states of repair. Require on-duty personnel to exhibit professional appearances, both individually and collectively;
5	<b>Utility:</b>	Use health, comfort, appearance, budget, and utility as the basis for design of uniforms and equipment.

B. **Official use only:** Uniforms will not be worn by agency employees summonsed to appear in judicial or administrative hearings if their roles are as defendants, respondents, witnesses, or plaintiffs, unless such cases result from actions arising from their official duties.

C. **Wear full uniform:** Uniformed patrol officers will wear complete uniforms of the day while on-duty.

D. **Wear only issued or authorized uniform items, accessories, and equipment.**

1. The wearing of additional clothing under uniform clothing, e.g., sweat shirts, t-shirts, sweaters, etc., is permissible providing such additional clothing is not exposed, does not present a bulging appearance, or interfere with equipment.
2. The Operations Commander must approve wearing special equipment or accessories.

E. **Readiness:** Whenever in uniform, officers wearing the uniform will be properly armed and equipped.

F. **Ownership:** Issued uniforms, equipment are the property of the agency.

G. **Inventory records:** the Quarter Master maintains records of issued uniforms and equipment.

H. Suspended officers or on unpaid administrative leave may be required return:

1. All issued weapons;
2. Agency Identification cards; and
3. Other issued items specifically requested.

**1.6.1.1 Agency ID Numbers and Issued Identification**

- A. A one-up, non-repeating identification (ID) numbering system is utilized for all full-time employees of the agency.
  1. ID numbers will be issued by Administrative Assistant to the Chief.
  2. Employees who resign from the agency, but are subsequently re-employed may have their former ID number issued to them.
- B. Employees are assigned ID numbers during new employee in-processing. ID numbers remain the same throughout employees' employment.
- C. Identification cards will bear a color photograph of the member.
- D. Sworn employees are permitted to purchase badges that bear their ID numbers as long as the badges are of identical style, design, and size of issued badges.
- E. *While working, or whenever a member identifies themselves as a police officer, employees will provide their name and ID number when requested.***

**1.6.1.2 Uniform Exchange**

- A. Issued uniform items and accessories are exchanged by the Quarter Master.
  1. Exchanges based on worn, torn, or otherwise unserviceable uniforms will be made on a demonstrated need basis without regard to amount of time uniform articles have been in service.
  2. Exchanges based on weight gain or loss, excepting pregnancies, will be on a demonstrated need basis.
    - a. Employees are authorized unlimited uniform exchanges so long as existing stock items are able to fulfill their needs.
    - b. Employees are authorized up to one not-from-stock reissue of uniforms, based on weight loss or gain, every three years. Employees needing additional weight based uniform reissues may be required to pay the agency for new uniform items that are not in stock and must be ordered.
- B. Unless otherwise unserviceable, uniform clothing articles will be appropriately laundered or dry-cleaned prior to exchange. Soiled items presented for exchange will not be accepted.
- C. Uniform exchanges must be scheduled with the Quarter Master.
- D. Final authority for exchanging uniform items and accessories by the Quarter Master is vested in the Support Services commander.

**1.6.1.3 Uniform Alterations/ Repair**

- Uniform alterations and repairs must be approved by the Quarter Master.
- Unauthorized alterations will result in the responsible employees being charged the costs of restoration from the unauthorized uniform alterations or replacement of the uniform.

#### **1.6.1.4 Uniform & Equipment Return**

- Employees leaving the service of the agency will return all agency issued uniforms and equipment to the Quarter Master.
- Officers who are promoted or reclassified above the rank of PFC will return their issued badges and rank insignias to the Quarter Master. Officers will then be issued appropriate badges and rank insignias.
- Retiring officers will be provided retirement badges and have their issued badges mounted for presentation to them. A retired officer in "Good standing" at the time of retirement will be issued a retired police identification card.

#### **1.6.2 Wearing Uniforms**

A. Agency citation bars may be worn on uniform shirts or dress blouses at the discretion of individual employees.

1. Citation bars will be centered above the name tag above the right breast pocket with the bottom edge touching the top seam of the pocket.
2. Multiple citation bars will be worn in rows of no more than three per row.
3. Citation bars will be worn in a sequential order of prominence from left to right and top to bottom as viewed by facing officers.

B. Medals awarded by other agencies may be worn on the formal dress uniform or uniform shirts upon approval by the Chief of Police. [Photo 1](#)

##### **1.6.2.1 Agency Badge**

Uniformed officers will wear their badges on their outermost garment. [Photo 2](#)

##### **1.6.2.2 Badge Shrouds** [Photo 2](#)

- Wearing badge shrouds is authorized only for police line of duty deaths occurring in this agency, other agencies in the state of Maryland.
  1. Badge shrouds will be worn for 30 days whenever officers of this agency die in the line of duty.
  2. Badge shrouds will be worn through funeral days whenever officers serving in Maryland die in the line of duty.
- Badge shrouds are required when attending police funeral memorial services.
- Badge shroud authorization will be put on Blackboard by the Operations CO.
- Badge shrouds may be worn during police memorial week.

##### **1.6.2.3 Body Armor**

All sworn personnel are issued body armor.

[Refer to 2.1.4](#) **BALLISTIC PROTECTIVE SOFT BODY ARMOR** for policy.

##### **1.6.2.4 Collar Ornaments**

[Photo 3](#)

[Photo 4](#)

[Photo 5](#)

[Photo 6](#)

### **1.6.2.5 Footwear**

- A. Shoes or boots must be worn with formal uniforms, winter dress uniforms. The shoes or boots will be:
1. Black, round toe, plain-tip style, smooth leather uppers, and free from writing on the outside; Military type or design, with no buckles, snaps, or Velcro;
  2. Free from perforations or holes in the uppers, other than arch vents; and
  3. Well-polished, shined, and in a good state of repair.
  4. Boots with side zipper closures are permissible when they otherwise conform to design requirements.
- B. Uniform pants, excepting bicycle and motorcycle pants, will be worn outside boots.
- C. Plain black pullover rubber boots may be worn during inclement weather.
- D. When tennis shoes are used in lieu of shoes or boots, they will be:
1. Solid black;
  2. With low quarter leather uppers;
  3. Conservatively styled;
  4. Free from overly large, garish writing; and
  5. Well-polished and in a good state of repair.

Note: The optional wearing of tennis shoes as part of the uniform of the day may be overruled for cause by unit or event commanders.

### **1.6.2.6 Gloves**

1. Conservatively colored gloves may be worn when cold.
2. Bicycle gloves may be worn for comfort while conducting bicycle patrol.
3. White gloves may be worn for ceremonial occasions, other special occasions, or for traffic direction during daylight hours.
4. Weighted gloves ("sap gloves") are prohibited.

### **1.6.2.7 Gun belt**

- A. The full, agency issued gun belt will be worn by all uniformed personnel. The gun-belt will be well polished, shined, and in a good state of repair.
- B. Required articles on the police gun-belt are:
1. Issued holster and handgun;
  2. Issued handcuff case and handcuffs;
  3. Issued or authorized OC case and OC spray; and
  4. Issued or authorized magazine holder with two fully loaded magazines.
  5. Issued expandable baton and holder.
  6. Portable radio holder or bracket;
  7. Single or double clip key ring;
  8. Belt keepers (not more than 4, not wider than 1");
  9. Knife or utility tool, e.g., "Leatherman;"
- C. Uniformed officers assigned to non-watch or communications duties can wear a garrison belt with a pancake holster in lieu of wearing the full gun-belt.

#### **1.6.2.8 Handcuffs**

Officers will carry only issued handcuffs or handcuffs authorized by the chief. Personally owned, non-issued handcuffs must be (1) approved by the Operations Commander, (2) keyed identically to departmentally-issued handcuffs.

#### **1.6.2.9 Handguns**

Officers will wear and carry only issued or departmentally-authorized handguns.

#### **1.6.2.10 Hats - Winter & Summer [Photo 7](#)**

A. Only hats authorized by the chief or issued by the agency are permitted to be worn by uniformed agency personnel.

B. The uniform hat is required when officers are:

1. In dress uniform;
2. Attending funeral/ memorial services;
3. Directing traffic; and
4. When directed by superiors, event commanders, or the chief.

#### **1.6.2.11 Knives**

Officers are permitted to wear and carry knives, **not as weapons**, but as multipurpose tools. Knives are NOT issued equipment and must be approved by the Operations Commander.

#### **1.6.2.12 Name Plate [Photo 8](#)**

Name plates will be worn on the outermost garment of the uniform of the day excepting rain wear and safety vests. Only name plates issued by the agency or those specifically authorized by the chief may be worn. Name plates will be maintained in a high state of luster with black contrasting lettering.

#### **1.6.2.13 Neck Wear**

1. Neckties are issued by the agency's Quarter Master.
2. Neckties with tie bars or the turtleneck are acceptable neck wear options when wearing long sleeved uniform shirts. Both are considered appropriate for court appearances.
3. The neckties and tie pins are the only acceptable neck wear for the dress uniform.
4. Solid black knit turtleneck sweaters are optional only with long sleeved uniform shirts.
5. Officers wearing neckties and tie pins or bars must have the neckwear properly affixed at the junction of buttoned collars when in the view of the public.
6. Officers wearing turtlenecks must have all side edges concealed from view under long sleeved uniform shirts and the top shirt button unbuttoned.
7. The wearing of turtlenecks or "dickies" may be overruled in favor of mandated necktie wear by event commanders or the Operations Commander.

#### **1.6.2.14 Police Patch [Photo 9](#)**

The agency patch will be worn on both sleeves of issued blouses, jackets, sweaters, long sleeve shirts, and short sleeve shirts. Permission to wear the agency patch elsewhere must be obtained from the chief.

#### **1.6.2.15 Portable Radio, Case, & Microphone**

Issued portable radios will be carried either in the issued case or an approved personally purchased radio holder on the weak side of the gun belt.

#### **1.6.2.16 Rank Insignia**

- A. Rank insignia will be worn on all shirts, coats, and other outer wear excepting raincoats.
- B. Officers holding the rank of lieutenant and above will wear their rank insignias on epaulets of dress blouses, winter jackets, and sweaters. Rank insignias will be worn on uniform shirt collars. [Photo 11](#)
- C. Officers holding the rank of sergeant and below will wear fabric chevrons on their uniform shirts, centered on the sleeves 0.5" below the agency patch. [Photo 12](#)
- D. Rank insignia chevrons will be worn on the epaulets of winter jackets and sweaters. [Photo 10](#)
- E. Chevrons and rank insignias must correspond to the rank/ classification that the member has reached (ie: PFC rank cannot display the MPO insignia).

#### **1.6.2.17 Scarves**

Solid black scarves that do not interfere with the performance of police duties or present safety hazards are permitted to be worn during cold weather.

#### **1.6.2.18 Socks**

- Solid black socks will be worn.
- Socks worn with boots may be other colors provided that they are not visible at boot tops when officers are seated.
- Socks worn while on bicycle patrol will be white.

#### **1.6.2.19 Specialized Pins**

- A. Officers are allowed to wear two specialized pins centered over the right breast pocket flap of the uniform shirt.
- B. Specialized pins that indicate level of training or certification may be worn only by those officers who are currently assigned to those positions, units or functions, **and** whose certifications are current.
- C. Specialized pins will not be worn on: winter jackets; utility uniform shirts; or sweaters.
- D. Some authorized specialized pins include, but are not limited to:
  - 1. Flag pins: American or Maryland State flags, and not greater than 1" wide;
  - 2. Issued FTO pins;
  - 3. EMT or First Responder pins, not greater than 0.75" diameter;
- E. Specialized pins not otherwise described in this directive must be approved for wear by the Support Services Section commander.

**1.6.2.20 Pullover Sweaters [Photo 13](#)**

- A. Issued pullover, V-necked sweaters are authorized components of the winter uniform as temperatures dictate. Sweaters may be worn in lieu of, or under issued jackets. Uniform shirts will be worn when the sweater is worn.
- B. Sweaters will have the agency patch attached to both shoulders, approximately 1" from the shoulder seam and centered.
  - 1. Badge and name tag holders are provided on sweaters and will be utilized for those purposes when sweaters are being worn as outer most garments.
  - 2. Issued small shoulder board rank insignias will be worn on sweater epaulets.
  - 3. Excepting badges, name tags, and shoulder board rank insignias, no pins, citation bars, tags, etc. will be worn on sweaters.
- C. When sweaters are worn, tails will be worn in such a manner that handguns are not covered and sweater materials do not bunch up around gun belts.

**1.6.2.21 T-Shirts, Undershirts, Thermal Shirts**

Undershirts may be worn with any uniform. No lettering or designs will be visible. No portion of T-shirts, undershirts, or thermal shirts will appear hanging below sleeves of uniform shirts or above buttoned collars of long sleeved shirts.

**1.6.2.22 Uniform of the Day**

- A. The winter uniform, i.e., long sleeve uniform shirt with necktie or "dickie," is the agency's year-round uniform of the day for sworn personnel.
- B. Between April 1<sup>st</sup> and November 1<sup>st</sup>, the summer uniform, i.e., short sleeve shirt without necktie, will be worn.
- C. Wearing of the uniform of the day is mandatory for officers assigned to patrol duties in marked police vehicles and while on foot patrol.
- D. Operations Orders will specify the uniform of the day. For major special events, all officers on duty during the hours of the special event will wear the designated uniform of the day.
- E. Training Orders will specify the uniform of the day for training activities.

**1.6.2.23 Writing Instruments**

All personnel must have immediate access to black ballpoint ink pens.

**1.6.2.24 Winter Jackets**

Except for: badge, name plates, rank insignia and optional whistle; no pins, citation bars, tags, etc. will be worn on winter jackets.

**1.6.2.25 Light weight jackets and vests**

Light weight jackets and vests are authorized for year-round wear as temperatures indicate. No pins, citation bars, tags, will be worn on lightweight jackets.

### **1.6.2.26 Dress Blouses**

- Dress blouses are authorized for year-round wear by lieutenant and above.
- Officers ranked sergeant and below can purchase dress blouses for formal occasions. The dress blouses conform to agency design standard.
- Rank insignias, badges, and name tags must be worn on dress blouses.
- Citation bars may be worn on dress blouses.
- When dress blouses are worn, the front buttons will be buttoned. [Photo 14](#)

### **1.6.2.27 Reflective Safety Vests**

Reflective safety vests are issued to all sworn personnel, and will be worn as outermost garments whenever officers are engaged in traffic direction. This requirement is waived for emergency, short-term situations.

### **1.6.2.28 Weapons Medals & Bars**

- Weapons qualification bars are considered optional uniform accessories for officers wearing the summer or winter uniform of the day or dress blouse.
- Qualification bars will be worn centered on left breast pocket flaps. [Photo 14](#)

### **1.6.2.29 Uniform Designations**

Special event commanders may mandate wearing particular uniform styles as reasonable and prudent responses to the type, nature, or events.

### **1.6.2.30 Communications Uniform**

The communications uniform is the uniform of the day for PCO and PCS personnel. The shirt is provided by the UMBC Police Department.

### **1.6.2.31 Security Officer Uniform**

The uniform of the day for Security officers is provided by the UMBC Police Department.

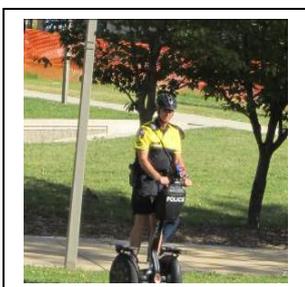


### **1.6.2.32 Bicycle Uniform**

The bicycle uniform is for officers assigned to conduct bicycle or Segway patrol.

Note: The bicycle uniform is comprised of:

1. Issued, specialized bicycle uniform parts;
2. Bicycle helmet;
3. Biking shoes of conservative style and color or black tennis shoes; and
4. Complete gun-belt with all issued items and firearm.



### **1.6.2.33 Business Attire**

- A. Agency employees who do not wear agency uniforms will dress in a manner which reflects a professional appearance.
- B. The business attire style of dress is mandated for officers who are:
  - 1. Assigned to the Investigations Unit;
  - 2. Working administrative assignments; or
  - 3. Attending training or functions where business attire is appropriate.
- C. Officers wearing business attire as an option, do so at their own expense.
- D. When on-duty, male officers will wear:
  - 1. A shirt and tie with a business suit; or
  - 2. A shirt and tie with an appropriate sport coat and dress slacks.
- E. When on-duty, female officers will wear:
  - 1. A blouse with a business suit;
  - 2. A blouse with an appropriate sport coat and dress pants or skirt; or a dress.

### **1.6.2.34 Plain/Casual Clothes**

- A. The wearing of plain or casual clothes is mandated for officers who are:
  - 1. Working non-uniformed surveillances; or
  - 2. Attending training where uniformed or business attire is not appropriate because of the nature of the training.
- B. Casual clothing is intended to allow employees to blend in with the general civilian population based on the nature of the assignment. Certain articles of clothing may either be mandated; such as: pants v. shorts, or forbidden; such as: sandals, based on the assignment or duty. These are personal clothes that are **NOT** provided by the agency.

### **1.6.2.35 Court and Hearing Appearances**

- A. Patrol officers and communications personnel will wear the uniform of the day when representing the agency in court or hearings. Officers attending court or hearings on days off have the option of wearing business attire or the uniform of the day.
- B. Investigators will wear business attire when representing the agency in court or hearings.
- C. Non-watch employees have the option of wearing the uniform of the day or business attire when representing the agency in court or hearings.
- D. Plain or casual clothes will **not** be worn by employees when representing the agency during court or hearings.

### **1.6.3 GROOMING STANDARDS**

1. All employees, regardless of rank or duty assignments, will adhere to grooming standards. They will wear only such uniforms, badges, rank insignia, equipment, etc. as prescribed in agency directives.
2. All employees will present a neat, clean, and professional appearance and demeanor excepting those officers specifically involved in covert or investigative activities wherein deviation is operationally necessary.
3. Unit commanders are responsible for monitoring their employees, inspecting them daily, and ensuring they adhere to grooming and appearance standards.

#### **1.6.3.1 Hair Style Standards (Male & Female)**

1. Hair will be neat, well groomed, clean, and a reasonable length.
2. The bulk or length of the hair will not interfere with normal wearing of uniform hats.
3. Hairpieces or wigs worn on duty must conform to the same standards as natural hair.
4. Hair coloring or frosting is permitted. Extreme or unnatural colors are prohibited.

#### **1.6.3.2 Hair Style Standards - Males**

- A. Sideburns will be neatly trimmed and will not extend below the part of the ear which joins the head at its lowest point.
- B. Moustaches are permitted provided that they are neatly trimmed. Extreme styles such as "handlebars" are prohibited.
- C. Officers must be clean shaven while on-duty with exceptions noted.
1. Officers being treated for facial skin disorders may, upon semi-annual certification by a dermatologist and/or private primary health care providers, request permission from the chief to wear beards. Beards permitted under this directive will be no longer than one-half inch.
  2. Officers may request permission from the chief to wear beards for *bona fide* religious reasons. Beards permitted under this directive will be no longer than one-half inch.
- D. No goatee or hair under the lip.

#### **1.6.3.3 Fingernails**

Fingernails will be clean, neatly trimmed, and present a professional appearance.

#### **1.6.3.4 Personal Accessories**

- A. Personal accessories may be worn at employees' own risk.
- B. Necklaces, medals, etc., may be worn so long as they do not pose safety hazards or interfere with the wearing or function of the uniform.
- C. Earrings are permitted.
1. Only one earring may be worn per ear, centered on the earlobe.
  2. The only earrings that are authorized are post or stud types and must not be greater than one quarter inch in diameter.
- D. Glasses may be worn by employees.
1. Prescription glasses will be worn according to prescribed needs.
  2. Sunglasses with green, gray, blue, or brown lenses may be worn when needed
  3. Mirrored or highly reflective glasses and sunglasses are prohibited.
  4. Dark colored elasticized glasses retainer straps are permitted except with dress uniforms.
- E. Bracelets such as ID or medic alert types are permitted.

## 1.6.4 RESOURCE CARE & MAINTENANCE

**Policy:** Due to the nature of law enforcement; agency property must be stored in a state of operational readiness. All members of the agency are responsible for maintaining their agency-issued equipment in a manner that protects the equipment and renders it available for emergency service. Supervisors are responsible for ensuring that agency equipment is properly cared for and accounted. Equipment that becomes expired or unusable must be replaced.

### 1.6.4.1 *Resources, General Provisions*

- A. Employees are provided certain resources to facilitate the performance of their jobs. These resources include:
1. **Issued:** All equipment and supplies issued to employees;
  2. **Vehicles** and the equipment or property contained on or within vehicles;
  3. **Facilities**, including office space and equipment or property contained therein;
  4. **Computers:** and information technology hardware, software, and services;
  5. **Miscellaneous:** All other property or equipment that comes into possession of agency employees as result of duty related custodial arrangements.
- B. Employees:
1. Are responsible for:
    - a. Properly caring for all resources that are issued to them or used during the course of their duties;
    - b. Using resources effectively, ethically, and lawfully;
    - c. Maintaining resources in good working condition, serviceable, as clean as reasonably possible, and without displaying excessive wear;
  2. Will **not** use resources carelessly, negligently, or in any other way that results in damage to, or improper alteration of resources through other than normal wear and tear;
  3. Will **not** use resources for personal gain;
  4. Will **not** loan resources to anyone or entity outside the agency unless emergency circumstances exist or under the direction of a commander;
  5. Will maintain the items in a state of operational readiness.
- C. Except for supplies used in the normal course of business, will not dispose of resources without permission of the commander responsible for the property or equipment, subject to the university's material management directives and approval of the Chief or specific designee.

### 1.6.4.2 *Administrative Searches*

- A. Nothing in this directive diminishes any protection guaranteed under the Fourth Amendment or as further described by statute and case law.
- B. The agency reserves the right to administratively inspect and search, without notice, any agency or university related physical or electronic resources and any and all items or information therein.
- C. The agency may require employees while in agency facilities to agree to reasonable administrative inspections of their personal property.
- D. Employees who are given keys to lock their desks, file cabinets, or other work spaces will ensure that their respective commanders maintain duplicate keys to access these resources.

- E. Employees may not change the locks for any of the agency's physical resources without the permission of their respective commanders and in compliance with related university procedures.
- F. Employees may use their own locks to secure their issued lockers.

#### **1.6.4.3 Reimbursement for Certain Losses**

The agency may reimburse employees to clean, repair, or replace certain personal property that is damaged, destroyed, or lost when directly related to employees' duties.

- A. Reimbursement will not be made:
  - 1. For items covered by employees' private insurance; or
  - 2. If the loss, damage, etc. occurred because of employees' negligence or intentionally damaging acts.
- B. To be eligible for reimbursement, employees must:
  - 1. Clearly document how the loss, damage, etc. was directly related to their duties;
  - 2. Submit an [Intra-Departmental correspondence](#) explaining the occurrence;
  - 3. Reasonably verify the value of the items and explain the relationship between the items and specific duties being performed and that the items were approved or authorized for use; and
  - 4. Submit required documentation within five business days of the incidents that caused the loss/damage. Employees' commanders may waive the time requirement for exigent circumstances such as employees not being physically capable of completing the required documentation.
- C. Employees may elect to file reimbursement claims through the Maryland State Treasurer under provisions of the Maryland Tort Claims Act.

### 1.6.4.4 Administrative Reporting

The processes in this section apply to all cases of loss, theft, or damage to resources, **except** departmental traffic accidents. This section applies to:

Incident	Condition	Action
Minor vehicle damage	<b>NOT</b> a vehicle accident	UMBC report-- notify supervisor
Equipment Malfunction	<b>NOT</b> normal wear and tear	Request repair/ replacement-notify supervisor
Lost equipment	<b>NOT</b> badge, ID or firearm	CAD card for Lost equipment
Damaged equipment		CAD card for damaged equipment
Weapon/ firearm, OC spray, expandable baton	<b>Police report</b> , entry into NCIC for serialized property, TTY to MCAC	Immediately notify Operations Commander, who may have Investigations handle the matter
Lost / stolen Badges, ID cards, portable radios, master keys, computers	<b>Police report</b> , entry into NCIC for serialized property, TTY to MCAC	Immediately notify Operations Commander, who may have Investigations handle the matter

- Employees who first become aware of such loss, damage:

Actions/ Reports collected	
1	<b>Police reports:</b> Loss / Damage Reports will be written by and according to whoever discovered the loss / damage first.
2	<b>UPD form 3 Departmental Memorandum</b> will be written by and according to whoever discovered the loss / damage first.
	The facts and circumstances surrounding the loss / damage
	Any steps that were taken to locate or recover lost or stolen items.
3	Report will detail: Who was responsible for the equipment?

- By supervisors:

Actions/ Reports collected	
1	Collect police reports and Departmental memorandum.
2	Initiate an investigation to determine if an illegal act occurred.
3	Determine who was responsible for the equipment. Obtain a statement from that member. If they are unable to return to campus, document and set up a time when an administrative report will be prepared by them.
4	Complete a <b>UPD form 3 Departmental Memorandum</b> detailing their investigation and recommendations / findings.
5	Ensure that teletypes are sent to MCAC, NCIC, etc.
6	Make any necessary notifications to command staff.

#### **1.6.4.5 Administrative Reviews**

- A. The Support Services Commander is responsible for:
1. Coordinating administrative reviews of incidents involving loss or damage to resources;
  2. Working with reviewing officers to ensure loss/damage reviews are conducted thoroughly, accurately, completely, and on a timely basis.
- B. The Loss /Damage Review process is established in order to:
1. Corroborate facts and circumstances surrounding the loss/damage of resources;
  2. Describe any further steps that were taken to locate or recover lost or stolen resources;
  3. Determine if the loss/damage occurred while employees were acting consistently or inconsistently with any controlling directives; and
  4. Make case disposition recommendations.
- C. The Support Services Commander will complete the Loss/ Damage Review and make recommendations as to whether or not the loss/damage occurred while employees were acting consistently or not with any controlling directives. Reviews are forwarded to the Deputy Chief within 24 hours.
- D. The Deputy Chief of Police will finalize investigative findings by considering the totality of circumstances. Investigative findings will be:
1. Non- Chargeable: Loss or damage resulted from normal wear and tear, malfunctions, accidents, or circumstances beyond the reasonable and prudent control of the employee.
  2. Chargeable : Loss or damage resulted from:
    - a. Failure to obey agency or other controlling directives;
    - b. Failure to use reasonable, prudent, or due care;
    - c. Indifferent or careless actions; or
    - d. Deliberate, willful, malicious, etc. actions.
- E. Incidents involving non-chargeable conduct will be closed. Incidents involving chargeable conduct will be handled consistent with 1.4 Discipline & Internal Affairs.

### **1.6.4.6 Police Reports Required**

- A. Police reports (not just CAD cards) must be filed when certain items are lost or stolen:
1. Departmental motor vehicles or bicycles;
  2. Uniform parts: Badge, hat, shirt, pants, gun belt, coat, sweater, etc.
  3. Weapons: Firearms, OC, impact weapons;
  4. Miscellaneous supplies: Portable radios, computers, state citations, SEROs, etc. that are numbered and identifiable; and
  5. Personal property or equipment that is used extensively or exclusively in employees' day-to-day duties and responsibilities such as briefcases, field notes, etc.
- B. Police reports must be completed by:
1. Officers to whom the resource is entrusted if they discover the loss/theft while on-duty;
  2. On-duty officers if the loss/theft occurred:
    - a. To non-sworn employees; or
    - b. When employees are off-duty or at off-site duty assignments and cannot reasonably return to campus until another duty day. In these cases, the employees will complete written statements during their next duty day on-campus and submit them to the reviewing supervisors as directed;
  3. On-duty officers if the resource is assigned to the agency in general, such as patrol portable radios, vehicles, fixtures, furnishings, and facilities;
  4. By supervisors initially notified of the loss or damage if employees responsible for the resources are incapable of completing the reports; or
  5. By investigators as specifically assigned by commanders or the Chief.
- C. Police reports will be filed with allied agencies of primary jurisdiction if losses/thefts occurred outside this agency's primary or concurrent jurisdiction. The affected employees are responsible for ensuring case numbers of related reports are provided to reviewing officers. Reviewing officers are responsible for obtaining copies of the related reports.
- D. Investigating officers will ensure that:
1. Communications personnel promptly make any applicable NCIC entries and send teletypes;
  2. Administrative lost/stolen property messages are sent to:
    - a. Selected or all Baltimore metropolitan area agencies as appropriate if items were lost/stolen locally;
    - b. Primary police agencies in the areas where the property was lost/stolen if the incidents did not occur locally;
  3. MCAC Notifications are made in instances of:
    - a. Weapons being lost or stolen; or
    - b. Losses or thefts to critical agency equipment and supplies such as badges, ID cards, uniform items, portable radios, master keys, computers, etc.

### **1.7.1 Training Administration & Function**

- A. The agency's primary training function serves to:
1. Determine training needs
  2. Select instructors
  3. Identify potential resources within the university community and public sector
  4. Implement training programs or attend other agencies
  5. Make training available to agency personnel and notify personnel of mandatory training
  6. Ensure that required and assigned training programs are attended
  7. Evaluate and supervise instructors
  8. Evaluate training programs
  9. Maintain training records

### **1.7.2 Training Committee**

A. The Chief will establish a training committee under the direction of a designated Commander to assist in developing and evaluating the agency's training needs.

- B. The designated commander will ensure a SOP minimally addresses:
1. Committee membership;
  2. Processes for selecting and replacing committee members;
  3. Relationship between the committee and the agency's training function; and
  4. Authority and responsibilities of the committee.
  5. The Training Committee prepares a report to the Chief regarding the status of the agency's training and certifications.

C. The Training Committee serves to:

1. Advise the Chief of training needs and accomplishments
2. Comply with current and anticipated legal or regulatory requirements
3. Assess agency needs
4. Notify members of available training and provide access
5. Selects members who should attend training, stating whether the training meets agency needs, and the suitability of the member wishing to attend
6. Schedule training to meet minimum agency staffing needs
7. Assess current skills and evaluate overall effectiveness

### **1.7.3 Attending Training Programs**

A. Training orders will be distributed to all agency personnel via e-mail.

B. Attendance is mandatory. Agency employees assigned to attend training will do so unless excused because of court, illness, or other reasonable or prudent conditions.

1. If a member is sick, the Shift Supervisor will notify the agency or organization hosting the training.
2. If a member has an unanticipated schedule conflict (i.e., court), contact the Training Director to resolve the conflict and make notifications.
3. If a member anticipates missing more than 10% of a training program, contact the Training Director to reschedule attendance or assign another member to attend.
4. If a member misses mandated training, contact the Training Coordinator.

C. Employee attendance and completion of training programs will be documented on [Form #62 Training Program Completion](#), and then transferred to Skills Manager to create a permanent record.

#### **1.7.4            Reimbursement for Training Expenses**

- A. The reimbursement for employee's training related expenses will be consistent with [USM VIII - 11.00 – POLICY ON UNIVERSITY SYSTEM TRAVEL](#).
- B. Training fees and fees for books or materials for agency approved training programs are normally paid for by the agency.
- C. Employees requesting reimbursement for training related expenses must submit their requests for **pre-approved** authorizations to the Business Services Specialist, consistent with university procedures via [Form #3 Departmental Memorandum](#)

#### **1.7.5            Testing**

- A. Instructors will prepare tests, using the stated performance objectives in their lesson plans, to measure the trainees' knowledge and ability to use the job related skills.
- B. The Training Director evaluates the testing measures to determine that the test measures accomplish the performance objectives.
- C. The passing score is established in accordance with:
  - 1. MPCTC requirements,
  - 2. Directives of proprietary lessons, such as CPR (American Heart Association),  
or
  - 3. The nature of the material being taught.
- D. Scores necessary to pass tests will be announced in advance to trainees.

#### **1.7.6            Remedial Training**

- A. Remedial training will be provided to employees when we recognize a need to improve employees' performance in particular areas. Remedial training must be approved and documented by the Training Director.
- B. Weakness in skills may be indicated by these situations or conditions:
  - 1. Deficiencies noted during inspections;
  - 2. Deficiencies noted during performance evaluations;
  - 3. Sustained complaints against employees;
  - 4. Poor performance in training programs.
- C. Remedial training should be conducted as soon as reasonably possible following the determination that remedial training is necessary.
- D. Remedial training may be delivered by the following:
  - 1. UMBC PD developed program
  - 2. UMBC Human Resources
  - 3. Baltimore County Police Department
  - 4. Maryland Police and Correctional Training Commission
  - 5. Other credible training sources as determined by the Training Director.
- E. Agency employees who fail to attend or fail to successfully complete remedial training may be reassigned to other duties until the training is successfully completed. The Training Director will evaluate the matter to determine possible causes for training failure, and/or discipline in accordance with **1.4.0 Discipline & Internal Affairs**.
- F. Remedial firearms training is conducted in accordance with MPCTC regulations.

### **1.7.7 Training Records**

- A. Training records for all agency employees are maintained by the Training Director. Training records contain information that includes:
  - 1. Training dates;
  - 2. Training topics;
  - 3. Attendance records;
  - 4. Copies of certificates or other documentation to show completion of training programs;
  - 5. Test scores.
- B. Training records will be updated with necessary and relevant information by the Training Director within 30 days of completion of training programs.
- C. The Training Director maintains files on all training programs conducted by the agency. Training program files contain information that includes:
  - 1. Course content or lesson plans;
  - 2. Names of employees attending the training;
  - 3. Performance of individual attendees as measured by tests.

### **1.7.8 Selection, Training, & Supervision of Instructors**

- A. The Training Director will designate agency personnel to serve as training instructors.
- B. Employees desiring to serve as instructors must send memorandums, including supervisory endorsements, to the Training Director.
- C. The Training Director may solicit agency employees to become instructors.
- D. Prior to serving as instructors in any MPCTC mandated training programs, employees must be certified as instructors in accordance with requirements contained in MPCTC Regulation .09. Instructor training includes, at a minimum:
  - 1. Lesson plan development;
  - 2. Performance objective development;
  - 3. Instructional techniques;
  - 4. Testing and evaluation techniques; and
  - 5. Availability and use of resources.
- E. Because the agency does not maintain personnel in full-time instructor assignments, employees selected to serve as instructors are expected to do so in ancillary assignment capacities at least for the duration of their MPCTC instructor certifications unless:
  - 1. They are removed by the chief; or
  - 2. They submit requests, subject to approval by the chief, requesting their instructor certifications be rescinded.
- F. Personnel conducting training for the agency, regardless of their full-time assignments, are under the command, and are supervised by the Training Director.

### **1.7.9 Police Recruit Training**

- A. All newly hired recruit police officers must successfully complete an MPCTC certified entry-level training program to which they are assigned by the UMBC Police Department prior to any routine assignment in any capacity in which the officer is allowed to carry a weapon or is in a position to make an arrest, except while participating in the UMBC Police Department Field Training Program.

- B. The entry-level training program shall prepare the recruit to meet the job description of a Police Officer, which includes but is not limited to:
  - 1. A curriculum designed to teach the knowledge, skills, and abilities necessary to perform police officer functions required for patrol;
  - 2. Use of evaluation techniques designed to measure competency in the required knowledge, skills, and abilities expected of a police officer; and
  - 3. Minimum standards of the MPCTC.
- C. Recruits are required to attain a satisfactory performance level and meet all MPCTC training objectives by the end of the academy. Failure to do so will result in a termination of employment.
- D. All recruits shall be provided a Recruit Academy Handbook at the time academy training begins.

#### **1.7.10 Field Training Officer Program**

- A. The FTO program will be administered and operated in accordance with these directives and those established in the FTO Manual.
- B. All training in the FTO program will be conducted in a planned, organized sequence identified in the FTO Manual.
- C. All recruit officers will be evaluated only against standardized evaluation guidelines which clearly define acceptable and unacceptable performance.
- D. The Operations Commander is responsible for administering the FTO program. These responsibilities include, but are not limited to:
  - 1. Designating a Supervisor to serve as the FTO program coordinator and to provide day-to-day direction and oversight of the program;
  - 2. Selecting officers to conduct field training of recruit officers;
  - 3. Coordinating the assignment of recruits to FTOs;
  - 4. Periodically reporting recruit progress to the Chief.
- E. Duties of the FTO program coordinator:
  - 1. Developing and maintaining the FTO manual;
  - 2. Providing FTO program training to patrol supervisors and FTOs;
  - 3. Evaluating the FTO program to ensure proper coordination and effectiveness; and
  - 4. Liaison with Operations Commander to ensure program effectiveness.
- F. The FTO manual contains:
  - 1. Detailed descriptions for the FTO program coordinator, patrol supervisors supervising recruit officers in field training, FTOs, and recruit officers in field training;
  - 2. Descriptions of training phases in the FTO program;
  - 3. Standardized evaluation guidelines for rating recruit officers; and
  - 4. Reference materials for FTOs.
- G. The duties of patrol squad commanders in the FTO program include:
  - 1. Promote the goals and operations of the FTO program;
  - 2. Supporting FTOs by providing necessary direction, counseling, and encouragement;
  - 3. Recommend FTOs: Identifying officers likely to be capable of serving as FTOs;
  - 4. Monitor and evaluate the conduct of officers under their command who are FTOs;
  - 5. Monitoring recruit officer review daily observation records;

6. Assign alternate FTOs in the temporary absences of FTOs assigned to their squads;
  7. Recommending remedial training, counseling, extension of FTO periods, or recommending termination of recruit officers during field training as necessary.
- H. The duties of FTOs include, but are not limited to:
1. **Procedure:** Follow the processes detailed in the FTO Manual (use the forms);
  2. **Be Active:** Provide recruit officers with necessary and appropriate field training experiences and opportunities, guidance, counseling, and remedial training;
  3. **Be a model:** The FTO demonstrates the correct attitude, ethics and procedures for a police officer.
  4. **Report progress:** Accurately and fairly completing daily observation records that document the performance and progress of recruit officers under their direction; and
  5. **Liaison:** Meet with their patrol squad commanders to review the performance of recruit officers.

### 1.7.11 Program Elements

All newly sworn officers, including lateral transfer officers, will be assigned to the Field Training Program.

- A. The standard FTO program is segmented into active and inactive components.
1. The **active component** of the FTO program is minimally 30 days (240 hours) for recruit officers, 10 days (80 hours) for lateral officers. Trainees will be reassigned to other FTOs in the instance where initial primary FTOs are absent for extended periods of time due to illness, injury, etc.
  2. In the event that an FTO is unavailable, the new officer will be placed with a Sergeant (not a MPO), who will substitute for the FTO.
  3. The **inactive component** of the FTO program is that period of time from the completion of active field training until completion of recruit officers' probationary periods. During this time, patrol squad commanders will evaluate recruit officers by **1.15.0 Goal Setting & Evaluation**.
- B. Feedback is critical to developing a police officer ("knowledge of results improves performance"). Recruit officers will be evaluated by their FTOs every duty day of their active FTO training.
1. FTOs will discuss daily observation records with recruit officers under their control.
  2. Recruit officers and one of their patrol squad supervisors will sign all daily observation records acknowledging that they have reviewed the records.
  3. Recruit officers and their patrol squad supervisors may submit written comments on any daily observation records.
- C. FTOs will test recruit officers on a weekly basis, in order to assess job knowledge and determine possible topics for remedial training.
- D. For operational purposes, FTO - recruit officer teams will always be considered as single officer units. Generally, recruit officers in active components of field training will not be assigned or utilized apart from their FTOs.
- E. The active component of the FTO program for recruit officers with performance deficiencies may be extended a maximum of 90 days beyond the standard active component length.

1. Decisions to extend active FTO training beyond the standard 90 days will be made by the Operations Commander based on recommendations of appropriate FTOs, patrol squad supervisors, and the FTO program coordinator. Extensions may be automatic due to periods of absence by recruit officers.
  2. Recruit officers whose performance is evaluated as unsatisfactory after 180 days of active field training may be recommended for termination.
  3. Nothing in any directives pertaining to the FTO program precludes the chief from dismissing recruit officers in accordance with USM directives pertaining to probationary employees.
  4. If a trainee is having difficulties, the FTO or Training Director may meet with the Training Academy Staff to determine if the problem arose in training, and to look for solutions.
- F. Upon completion of field training of recruit officers, all records will be compiled by the FTO program coordinator and given to the Training Director for inclusion in the recruit officer's basic training files.

#### **1.7.12 FTO Selection, Training, & Removal**

- A. There are primary and secondary FTOs in the agency's FTO program.
1. Primary FTOs conduct and oversee the day-to-day field training of recruit officers.
    - a. They are volunteers, with;
    - b. More than one year of sworn police experience with the agency, and;
    - c. Must not have had any evaluation dimensions scored lower than "Meets Standards" in their most recent evaluations.
  2. Secondary FTOs conduct field training of recruit officers when primary FTOs are unavailable. Secondary FTOs are not necessarily FTO certified, as they are only used on a temporary basis.
- B. FTOs are selected by the Training Director.
1. Only MPOs assigned to the agency's patrol squads are eligible to serve as FTOs.
  2. Officers must submit a request through their chain of command to the Operations' Commander.
  3. The patrol squad sergeants for the officer applying to serve as FTOs will attach endorsements recommending or not recommending FTO applicants. Endorsements must contain objective based reasons for the recommendation or non-recommendation.
  4. Officers not recommended for FTO service by their patrol squad commanders may appeal the decisions in writing to the Training Director. In such cases, the burden of proving the recommendations are inappropriate rests with the applicants.
- C. Prior to serving as primary FTOs, employees will receive training conducted, organized, or authorized by the Training Director, in accordance with MPTSC rules. Initial FTO training and in-service training for previously trained FTOs includes:
1. FTO program goals;
  2. Essential steps for recruit officer training;
  3. Effective communication skills;
  4. Concepts of adult education;
  5. Goal setting and evaluation processes, including daily observation records;
  6. Remedial training strategies; and
  7. Discipline and discharge principles.
  8. Further specialized in-service training for FTOs may occur, and FTOs should receive additional and refresher FTO training. This includes in-service training of at least 7 hours every three (3) years.
  9. FTO selections will be reflected in the personnel and training files of officers.

- D. FTOs may be removed from the program either voluntarily or for just cause as determined by the Training Director.
1. Officers wishing to be voluntarily separated from the FTO program will submit written requests containing objective based reasons, through the chain of command, to the Training Director.
    - a. The sergeant of officers requesting to be separated from the FTO program will attach endorsements recommending or not recommending the request.
    - b. Endorsements must contain objective based reasons for the recommendation or non-recommendation.
  2. The Training Director may involuntarily separate FTOs from the program based on written, objective based recommendations from the sergeant or the FTO program coordinator.
  3. Information documenting voluntary or involuntary removal of FTOs will be placed in affected employees' personnel and training files.
- E. The FTO program coordinator will complete a review of the FTO program no later than 30 days following completion of active FTO programs, detailing:
1. Overall compliance with the directives in the FTO manual;
  2. Structured, written evaluations from recruit officers who completed the FTO program;
  3. Recommendations from the FTO program coordinator.
  4. Completed FTO program reviews will be provided to the Training Director.
- F. FTOs will be issued an FTO insignia to be worn above their right uniform shirt pocket. FTO insignias may be worn only when officers are serving as FTOs in the active component of the FTO program.

### **1.7.13 In-Service Training**

- A. All sworn personnel below the rank of Lieutenant are required by [MPCTC Training regulations](#) to undergo and successfully complete daylight and reduced-light firearms requalification on a yearly basis.
- B. All sworn employees will undergo and successfully complete annual retraining programs. Retraining programs must include legal updates.
1. Officers ranked sergeant and below are required by the MPCTC to undergo and successfully complete annual in-service training.
  2. Lieutenants attend training programs as determined by the chief.
  3. In-service training subjects may include, but are not limited to:
    - a. Agency directives;
    - b. Criminal and motor vehicle law updates;
    - c. Liaison with other local criminal justice agencies;
    - d. Exercise of police discretion;
    - e. Interrogation and interview techniques;
    - f. Weapons and use of force;
    - g. EMS and fire services;
    - h. Goal setting and evaluation;
    - i. Investigative methods and techniques;
    - j. Contingency plans and planning for unusual occurrences;
    - k. Crime prevention techniques;
    - l. Collection and preservation of evidence;
    - m. Report writing, systems, and requirements; and
    - n. Ethics and integrity.
    - o. Hazardous Materials awareness ([2012 DOT Emergency Response Guidebook](#))

- C. Non-sworn personnel will attend yearly in-service training programs in order to update their skills, knowledge, and abilities commensurate with their responsibilities as determined and ordered by the chief or their respective bureau commanders.

#### **1.7.14 Roll-Call Training**

- A. Roll-call training is a component of the agency's training function.
  - 1. It is specifically designed to deliver training to patrol officers during briefing periods.
  - 2. It will be designed to be covered in short periods of time.
- B. This directive does not preclude supervisory or administrative ranked personnel from conducting informal or impromptu roll-call training at their discretion. However, unit commanders are encouraged to utilize the formal roll-call training process to ensure the training is useful, valid, managed, documented and supervised.
- C. The Training Director is responsible for administering the roll-call training program:
  - 1. Designate a program coordinator to provide oversight of the program;
  - 2. Suggest, select, or approve roll-call training topics;
  - 3. Evaluating roll-call training to ensure proper coordination and effectiveness; and
  - 4. Periodically report to the chief on the effectiveness of roll-call training.
  - 5. Maintain records reflecting attendance at roll-call training programs.
  - 6. Ensure that roll-call training plans, and evaluation mechanisms are developed and utilized.
  - 7. Instructors will be assigned to conduct roll-call training based upon the subject areas covered, qualifications, and shift hours when the training is to be conducted.
- D. Any agency employee may propose roll-call training topics through the chain of command to the Training Director.

#### **1.7.15 Accreditation Familiarization**

- A. The accreditation manager is responsible for ensuring all agency personnel are familiarized with the accreditation process. Familiarization will be provided:
  - 1. To all newly hired agency personnel within thirty days after their employment begins or within thirty days after completing the recruit academy;
  - 2. To all agency personnel during self-assessment phases of initial accreditation; and
  - 3. To all agency personnel just prior to on-site assessments of initial accreditation and reaccreditation.
- B. Accreditation familiarization includes, but is not limited to:
  - 1. The history and background of accreditation and the agency's involvement in the process;
  - 2. The process of accreditation and reaccreditation;
  - 3. The goals and objectives of accreditation; and
  - 4. The advantages of accreditation and its impact on the agency.
- C. Accreditation familiarization may be achieved by: Classroom instruction, Newsletters, Memos, or periodic attendance by command ranked officers at CALEA meetings.

#### **1.7.16 Specialized Training** [Form #61 Request for Training](#)

- A. Specialized training programs provide necessary skills, knowledge, and abilities in addition to those received through basic recruit and in-service training. Specialized training includes:
  - 1. Job related training to all newly promoted personnel;
  - 2. Management, administration, supervision, personnel policies, and support services components;
  - 3. Performance standards of specializations;
  - 4. Agency directives specifically relating to specializations;
  - 5. Executive development for training and education;
  - 6. Technical and specific training pertinent to particular assignments; and
  - 7. Supervised on-the-job training.
  
- B. Specialized training will be provided to employees assigned to duties that include:
  - 1. First line supervisor;
  - 2. First line administrator;
  - 3. Instructor;
  - 4. Police motorcycle or bicycle operator;
  - 5. Investigator;
  - 6. Accreditation Manager;
  - 7. Police Communications Operators;
  - 8. Any other positions required by MPCTC to receive mandated training.
  
- C. Efforts will be made to initiate specialized training within 30 days of personnel being assigned to certain specialized functions. First line supervisory and administrative personnel will attend MPCTC mandated training at the earliest opportunity following promotion.
  
- D. All agency employees are encouraged to develop specialty skill areas as components of their individual career development efforts.
  - 1. Section commanders are encouraged to allow the development of the skills, knowledge, and abilities of personnel under their command.
  - 2. Employees developing specialized skills are reasonably expected to utilize their specialized skills and teach these skills if certified or authorized to do so.
  - 3. Opportunities for specialized skill training should be filled on the basis of both agency and individual officer needs and preferences.
  - 4. Subsequent opportunities for advanced skill development should be sought for employees having achieved basic skill performance levels.
  - 5. Agency employees will be provided with specialized retraining, if required.
  - 6. An essential part of a supervisor's role is training of their members. During a workday, there are "teachable moments," where a supervisor can "coach" an employee to improve job performance. "On-the-job" training is an accepted means to continue the fine-tuning of a member's job skills.

#### **1.7.17 Orientation Training**

- A. University Human Resources conducts regular orientation programs for newly hired classified employees of the university. Specific information is provided concerning university regulations, campus practices, and a broad range of employee benefits such as retirement, health insurance, other insurance programs, etc.
  
- B. The agency provides orientation programs for all newly hired employees to include:
  - 1. Orientation to the agency's role, purpose, goals, and directives;
  - 2. Working conditions; and
  - 3. Responsibilities and rights of employees.

## **1.7.18            Training for Non –Sworn positions**

### **1.7.18.1    Security Services Unit:**

- A. Training will be conducted for Security Officers, to include, new employee orientation, radio procedures, limits of authority, etc.
- B. Security Officers will also receive training for responding to incidents at building where chemicals and biological contamination exist.
- C. The Training Committee will find annual skills training to update the knowledge and skill set for security officers.
- D. Student Marshalls will receive training as new employees.

### **1.7.18.2    Communications Unit:**

- A. Communications personnel will receive new employee orientation, radio procedures, policy and procedures instruction.
- B. The Training Committee will find annual skills training to update the knowledge and skill set for Communications Unit personnel.

### **1.7.18.3    Information Systems Support Services Unit**

- A. The Information Systems Support Services Unit members are part-time employees who are chosen for their existing skills and knowledge of information systems.
- B. The Training Committee will assess their skills to determine if they need updated training in the information systems that our agency uses (e2Campus systems)

### **1.7.18.4    Accreditation Manager**

- A. The Accreditation Manager will attend new Accreditation manager training within one year of being appointed. This training will be conducted by the Commission on Accreditation for Law Enforcement Agencies.
- B. The Accreditation Manager will attend meetings of CRLEAA (Chesapeake Region Law Enforcement Accreditation Alliance) and participate in the organization and its training.

## **1.7.19            Career Development**

- A. The agency has a career development program to assist employees in planning their career and developing their professional knowledge, skills, and abilities.
- B. The agency's mandatory career development program is designed to provide required pre-service or in-service training to employees based on their assignments or promotions, such as police first-line supervisor, police administrator, accreditation manager, etc.
- C. The agency's voluntary career development program is designed to:
  - 1. Assist employees in making well-informed decisions about skill development and career path opportunities available to them;
  - 2. Develop core staff performance resources for providing continuity of services to the community; and
  - 3. Provide employees a means to achieve professional excellence within particular areas of interest.
- D. Regular career counseling takes place during the performance evaluation process, consistent with **1.15 Goal Setting & Evaluation**, where supervisors review opportunities for advancement, specialization, or training with their subordinates, appropriate for the employee's position, such as:

1. Training opportunities offered by this or allied agencies;
  2. Tuition remission through the university; and
  3. Resources available through the OHR Training and Development Unit.
- E. Employees who want to have career counseling beyond that provided during the performance evaluation process may schedule a counseling session with their respective commanders.
- F. The Training Director is responsible for facilitating career counseling orientation training for supervisors and commanders to ensure they are aware of career development opportunities available to employees.

## 1.8.0 Security and Event Services Manual

*Security Officers are full-time University employees and have a MOU with UMBC. This Manual is NOT intended to conflict with any current or future negotiated MOU between the employee's bargaining unit and UMBC. If there is a conflict; the UMBC Office of Human Resources will be contacted to assist with a resolution of the conflict.*

Security Officers and Student Marshals are auxiliary members of the UMBC Police Department; and further the overall operations and goals of the Police Department. As such, they are defined as Campus Security Authorities (CSAs) by the Jeanne C. Clery Act. They have a responsibility to report crimes and suspicious acts and conditions to the officers of the UMBC Police Department. Here are the basic tenets of your employment:

### 1.8.1 On Duty expectations:

- A. **Know the Rules:** Security Officers and Student Marshals shall read all rules, regulations, and policies in this manual and may be held accountable for actions contrary to these instructions.
- B. **Obey Orders:** Security Officers and Student Marshals shall obey all orders issued by their supervisors.
- C. **Maintain Order:** They shall be held responsible for the good order of their assigned areas and shall be prepared at all times to inform their supervisors of the condition of their assigned areas.
- D. **Proper Performance of Duties:** Student Marshals serve at the pleasure of the PMS and, as such, may be terminated or retained for service with just cause.
- E. **Reports:** All reports and logs must be accurate and complete prior to ending any assignment.
- F. **Keep agency business confidential:** No departmental business or reports may be discussed outside the Police Facility. Some records are confidential, and Security Officers and Marshals releasing information may violate State and Federal laws. [Form # 250a Confidentiality Agreement Form.](#) The form will be kept on file by the PMS.
- G. **Pictures/ Images/ Social Media:** Pictures and images taken with cameras or phones during work times are property of the UMBC Police Department. Security Officers and Student Marshals will read [General Order 13-02 Social Networking Policy](#), and understand how it protects our members and agency.

### 1.8.2 **PERSONAL CONDUCT**

The public conduct of a Security Officer and/or Student Marshal is a direct reflection on the University Police Department. No written policy can address every incident; but, this section offers some guiding principles.

- A. **Discretion & Personal Judgment:** Security Officers and Student Marshals are sometimes called upon to make difficult decisions. The Program Management Specialist and our police officers are available to assist with answering questions and providing guidance to the member.
- B. **You are a visual representative of our agency:** Your conduct is closely watched, scrutinized and you may be criticized far more severely for comparable conduct than other university employees. We must act in a manner which does not discredit our program or the Police Department.
- C. **Courtesy is our Golden Rule:** The practice of courtesy encourages understanding and appreciation; discourtesy can cause resistance. Law abiding citizens expect fair and courteous treatment by campus employees. The urgency of a situation might preclude ordinary social amenities, but we strive to be polite.
- D. **Discipline:** We have a clearly defined hierarchy of authority. Obedience of a supervisor's lawful order is essential for the safe and prompt performance of our Program's operations.
- E. **Attendance:** Any failure on the part of a Security Officer or Student Marshal to report for work or to fail to find a substitute for an assignment may result in appropriate disciplinary action and possible dismissal from the agency.
- F. **Contact Information:** All members will supply a home phone number, cell phone number and local phone number to the department. These must be updated within 24 hours of change.
- G. **Injuries to Members:** All injuries sustained while on duty must be reported to the Police Shift Supervisor immediately.
- H. **Personal Business:** Members may not conduct personal business while on duty, for example:
  - Sleeping on duty
  - Personal telephone conversations
  - Personal use of office equipment
  - Watching television
  - Playing video or arcade games.
- I. **Application of Authority:** Any departmental member may refer charges against a Security Officer or Marshal for violation of the rules and regulations to the PMS. The PMS will determine if the charges are valid and will initiate disciplinary action as required. The PMS has the authority to suspend or terminate any Marshal for flagrant, serious violations of the rules and regulations.

### 1.8.3 **Security Officers**

Under direct supervision, performs routine security activities to protect buildings and property and safeguard occupants and visitors during normal operations and special events.

#### 1.8.3.1 **PRIMARY DUTIES**

1. Security Officers shall maintain an alert posture that commands respect from the public and shall exemplify a professional image, refraining from possession and/or use of newspapers, magazines, books, cell-phones and tablets and other distracting materials. In addition, Security Officers shall refrain from non-official conversations while at their posts.
2. Security Officers shall notify the Communications Center regarding suspicious or unauthorized persons who refuse to comply with security procedures.
3. Secures and monitors entrances and exits to buildings and property.
4. Respond to Alarms: fire, fire trouble, power and supervisory alarms.
5. Patrols buildings and grounds and notifies appropriate personnel when problems and life safety threats arise.
6. Completes logs and basic reports as instructed.
7. Assists with traffic control, crowd control, and parking enforcement.
8. Responds to routine inquiries from staff, students and visitors.
9. Maintains communication with appropriate personnel utilizing equipment such as two-way radios and telephones.

#### 1.8.3.2 **Prohibitions:**

- 1) Security Officers do not have arrest authority and shall not make or attempt to make arrests.
- 2) Security Officers shall not attempt to physically remove unauthorized persons from the building.
- 3) Security Officers shall not engage in activity that distracts them from the assigned duties and their post.

## 1.8.4 Student Marshal Manual

### 1.8.4.1 ORGANIZATION

- a. Student Marshals report to the Program Management Specialist.
- b. Student Marshals provide support services to the Police Department; to include such duties as: building patrol, escort service, and special events.
- c. The Program Management Specialist: oversees, plans, directs the Student Marshals; and handles: discipline, scheduling, training, and evaluation of the marshals.
- d. The Program Management Specialist may be assisted by a Student Marshal Supervisor. The Supervisor sometimes has immediate control of the Student Marshals; and is responsible for their efficiency, discipline, appearance and general conduct. The supervisor shall instruct the student marshals in the proper performance of their duties.

### 1.8.4.2 STUDENT MARSHAL PROCEDURES

- A. **Officer in charge:** A Student Marshal assigned to special events will be under the immediate direction of:
  - (1) The Program Management Specialist (PMS), if unavailable;
  - (2) The Student Marshal Supervisor for the event, or;
  - (3) The Officer in Charge (OIC) designated by the Supervisor; or
  - (4) The most senior Student Marshal as OIC when not designated.The Officer in Charge reports to the Police Shift Supervisor for assignment, direction, and command. Any questions or problems regarding assignments, responsibilities, etc., between the OIC and organizational leaders will be resolved by the Police Shift Supervisor.
- B. **Use of Force:** A Student Marshal may not use force except in self-defense. The Student Marshal will submit a full report of any use of force, submitted to the Police Shift Supervisor, who will forward it to the Deputy Chief of Police. Any anticipated altercation, verbal or threat will immediately be reported to the Police Communications Dispatcher.
- C. **Weapons Prohibited:** A Student Marshal may not carry any weapon while on duty and may not use any equipment as a weapon.
- D. **Uniform:** A Student Marshal shall use only equipment or clothing specifically approved or issued by the department. Student Marshals will be responsible for the proper care of all uniforms and equipment assigned to them. Failure to maintain equipment or uniforms may be cause for disciplinary action.

- E. Neat Appearance:** Student Marshals will be neat, clean and well-groomed while on duty. All clothing should be clean, pressed, and serviceable. Departmental issued equipment or uniforms that become worn out or unserviceable will be presented to the Student Marshal Supervisor for replacement.
- F. Off Duty Uniform Use:** No Student Marshal uniform or equipment may be used off duty at any time.
- G. Equipment:** Marshals will check out one radio per student marshal on duty, they may use department keys, flashlights, traffic vests, handheld scanners and other equipment as approved by the department. Any damage due to negligence to departmental equipment is the responsibility of the Student Marshal.
- H. Equipment Return:** Equipment and uniforms assigned to Marshals must be turned in upon demand of the department. Failure to do so may result in billing of the member involved.
- I. Alcohol/ Drug Use Prohibited:** Student Marshals will report for duty sober, alert, and not under the influence of any substance that would impair their ability to function.

There may be occasions when Student Marshals are under medical care, making necessary the use of prescription medications. If this is the case, the Student Marshal must notify the Police Shift Supervisor, who will then determine if the Marshal is fit for duty. Medications often come with instructions. When the instructions prohibit driving or operating machinery, the Student Marshall will notify their supervisor for instructions on whether they can work.

#### 1.8.4.3 Event Operations

**Function:** The Student Marshal serves as the "eyes and ears" of the Police Department. They assist the sponsoring organization in ensuring the security of an event. The Student Marshal works for the UMBC Police; therefore, questions or problems regarding assignments/ duties must be resolved by the Police Shift Supervisor. Police personnel shall periodically check with Student Marshals to ensure that problems are resolved.

**Duty hours:** are pre-arranged by the sponsoring organization and the Student Marshal Supervisor. However, if the sponsoring organization requests, the Student Marshal may stay past the ending time in order to assist in clearing the facility. If the Student Marshal feels they should stay longer, they must inform the sponsoring organization and obtain their approval. In either case, it should be approved by the Student Marshal Supervisor and the Police Shift Supervisor.

**Attendance Control:** The sponsoring organization is primarily responsible for controlling attendance at the event. If a situation arises where a participant is to be ejected, Student Marshals should only assist the sponsoring organization. When a patron must be ejected, Student Marshals will call for Police assistance.

**Money Operations:** Student Marshals will **NOT** handle money at events. When a large sum of money is accumulated, Student Marshals will call for a police escort to take the money for deposit.

**Verbal Skills:** A plan for “Last Call” for concessions and smooth shutdown should be discussed with the sponsors. Student Marshals must be professional and strong in their advice.

**Concession Operations:** Student Marshals shall not order sponsors, but should make suggestions to sponsors to alleviate back-ups or potential problems

**Periodic Location Checks:** Student Marshals should check the stage and other areas both open and closed to the public. Student Marshals should (1) ensure locations are secured; and (2) look for exposed instruments and equipment which could be stolen; and (3) notify stage management.

**Clearing Event Locations:** When Student Marshals leave the event site, only the cleanup crew, the sponsors, and the band should remain.

**After Event Conclusion:** Student Marshals may be invited to stay after the event. This is **ONLY** acceptable when the Student Marshal is **off duty** and **out of uniform**. Prior to participating, Marshals must secure police equipment and remove agency –identified clothing. This is voluntary and NOT billable.

#### 1.8.4.4 **Patrol / Escort Service Duties**

The Student Marshals have the responsibility for providing safety escort services for the University when scheduled.

**Escorts:** Student Marshals provide escorts when requested by members of the University community.

1. Communications dispatches the Marshal over the radio;
2. Communications advises the person's name, location, and destination;
3. Marshals notify Communications via radio of their arrival;
4. The Marshal escorts the individual directly to their destination;
5. Upon completion, the Marshal notifies Communications via radio.

*If Marshals believe that their personal safety or their escort's safety may be jeopardized; they are to request a police officer to meet them at their location.*

### **Building Security Patrol:**

**Purpose:** to conduct a systematic examination of physical security within the buildings and on surrounding grounds. These patrols are not simply wandering around the building, but an active patrol to look for weak points of security.

*While patrolling, Student Marshals are responsible for:*

1. Securing exterior building doors at closing times.
2. Checking for fire and safety violations. In cases of fire or smoke, Student Marshals should request Fire Department response from Communications and monitor from a safe distance.
3. Report suspicious activities, individuals and situations to Communications.

### **Reporting Of Situations/Violations**

Any violations of fire safety or of security (e.g. open/broken doors, water leaks, etc.) should be reported to Communications for appropriate response.

#### **1.8.4.5 Duties Of Student Marshal Supervisor Or Officer In Charge**

**Reporting:** Complete a **UPD Form 256 After Action Report Form**; signed by an event sponsor. This form should include: (1) damages incurred during the event; and (2) Police/Fire/EMS incidents and security problems that occurred at the event; (3) Submit the After Action Report to the Program Management Specialist.

**Notification:** before the event, inform Communications: (1) the assigned Student Marshals; (2) the Event Number; and (3) the location and start / end times of the event.

**Initial Contact:** Upon arrival at the event site, report to the sponsor of the event. Discuss items with the sponsor; such as those in Verbal Skills, and determine if any special security measures will be required.

**Initial Site Survey:** Survey the event area for potential problems (fire exits blocked, money table not enclosed, stage area not secure, etc.). Record problems and actions taken in the after action report, and any discrepancies not corrected should be reported to the Police Shift Supervisor.

### 1.9.0 **RECORDS**

- A. The Records Unit is established as the agency's central repository of all criminal and civil records and has functional responsibilities that include: the storage, control, retrieval, routing, review, and maintenance of agency police related records and reports.
- B. ***The Chief of Police will appoint a single person as the Records Custodian to perform these duties.***
- C. Apart from the Maryland Uniform Crime Report (UCR) inspection, the Commander of the Support Services Section will conduct an annual inspection of the Records Unit.

### 1.9.1 **Records Access**

#### A. ***The Records Unit is designated as a limited access area.***

- 1. Section commanders and the employees assigned to the Records Unit are granted unlimited access to the Records Unit.
- 2. Other personnel are permitted to be in the Records Unit only when they are admitted and escorted by agency employees with unlimited access; or *Bona fide* emergencies exist.
- 3. Agency employees needing to obtain records or documents not otherwise on-line from the Records Unit must obtain access only from employees of the Records Unit.

- B. The agency's central records are available to agency personnel on a 24 hour basis through various on-line applications. Access to certain applications and information is controlled by assigned security clearance codes and/or passwords based on employees need – to - know.

### 1.9.2 **Privacy & Security of Records**

- A. All agency personnel are responsible for compliance with applicable laws, regulations, etc., pertaining to the privacy, security, and dissemination of information maintained by the agency.

- B. Applicable laws, regulations, etc. pertaining to record privacy, security, and dissemination include:

- 1. [CR 8-606](#);
- 2. [CR 7-302](#);
- 3. [MARYLAND'S PUBLIC INFO](#)
- 4. [State Public Records 10-611](#);
- 5. [Release of Background information](#)

Annotated Code of Maryland: Courts and Judicial Proceedings § 5-423

### C. Automated Records System (ARMS)

The University's Department of Information Technology (DoIT) has responsibility for the following tasks:

- a. Data back-up;
- b. Storage of Records;
- c. Access Security; and
- d. Annual Password Audits

They have assigned a member of the UMBC Police Department to serve as a local "Administrator" for refreshing passwords and on-site monitoring of the system.

### D. Electronic Data Storage Security:

The UMBC Police uses servers at the UMBC Department of Information Technology to store electronic data. We have a written agreement addressing:

- a. Data ownership;
- b. Data sharing, access and security;
- c. Loss of data, irregularities and recovery;
- d. Data retention and redundancy;
- e. Required reports; and
- f. Special logistical requirements and financial arrangements.

## 1.9.3 Criminal History Record Information (CHRI) Files

A. A single criminal history file is established for each person arrested. Arrest files contain arrest-related documents for each time a person is arrested and charged.

B. Documents contained in arrest records include:

1. Final disposition finger print cards;
2. Criminal history transcripts;
3. Photographs; and
4. Copies of charging documents.

C. All persons arrested by agency officers are assigned a State Identification Number (SID) by Maryland State Police Criminal Repository and Criminal Records (CRCR) Section.

1. The SID is person-oriented and individual specific.
2. Subsequent arrests of persons will be linked by CRCR to individual's SIDs.

## 1.9.4 Criminal History Dissemination

To ensure that METERS/NCIC mandates for Criminal History (CH) dissemination are met, the following policy has been implemented:

1. When a Criminal History is disseminated from the METERS/NCIC terminal, the terminal operator must use the dissemination log function (LOG) in the METERS/NCIC system.
2. For request of the Maryland State records (III), the dissemination log is used only when the CH is disseminated to entitled person(s) outside the department.
3. If the CH is from the FBI (CCH, CCF), the dissemination log is used when the CH is given to any entitled person, other than the requester.

**1.9.5 Criminal History (CH) in Police Reports**

The [UPD Form 40](#) (1) decreases the liability risk factor for the department and (2) assures that accurate records are kept of who obtains Criminal History (CH) and why, and (3) ensures that Criminal History (CH) information is not given to person(s) to whom it's not entitled.

- **No Criminal History (CH) or any mention of someone having or not having a Criminal History (CH) will be placed in any UMBC Police Department Report.**
- **Also, no printed copy of an individual's Criminal History (CH) will be attached to any UMBC Police Department Report.**

- When a UMBC police personnel obtains or requests a CH, a Criminal History Request Form ([UPD Form 40](#)) must be completed. The CH is valid for ten (10) days, at which time all copies of the CH will be destroyed. When this occurs, the date it is destroyed will be placed in the "Date All Copies Destroyed" block. The Shift Sergeant will check the Criminal History Request binder once a month to ensure that CH are being destroyed in accordance with this policy.

**1.9.6 Release of Criminal Record Information**

A. Criminal history record information will not be released by agency personnel, except to other criminal justice agencies, consistent with [Criminal Proceedings 10-219](#), CJIS directives, and NCIC directives. Reference: [General Order 2013 – 08 Release of Criminal Record Information](#)

B. The release will be accompanied with an "Authorization for Release of Personal Information" form from the requesting agency: [Release of Background information](#)  
 Annotated Code of Maryland: Courts and Judicial Proceedings § 5-423

The Requestor is not a government agency:	
<b>News Media</b>	Refer the subject / request to the <b>Deputy Chief of Police</b> , consistent with the Media Affairs policy (10.12 Public Information & Media Relations: Telephone and walk-in inquiries)
<b>Arrested subject</b>	Persons may inspect their own UMBC Police Department's Criminal History Record Information (CHRI). Refer requests to the <b>Records Custodian</b>
<b>Attorneys</b>	May inspect UMBC's CHRI of their clients upon presenting written authorizations from their clients. The right of review does not extend to providing copies of CHRI. Refer requests to the <b>Records Custodian</b>
<b>Private employers</b> (non-governmental)	All requests for CHRI received will be referred to the <b>Records Custodian</b> .

The Requestor is a Governmental agency / Agent of an agency (Background Investigator)	
State's Attorneys records checks for court	Release UMBC records
Court Commissioners' inquiries relating to bail hearings	Release UMBC records
Request from officers of other agencies regarding CHRI in reference to ongoing investigations	Release UMBC records
Background investigators	<ul style="list-style-type: none"> <li>• If there is NO record; let them know</li> <li>• If there is a record; Refer requests to the <b><u>Records Custodian</u></b></li> <li>• <b><u>Must</u></b> obtain a Release of Information from the student.</li> </ul>

NOTE: Background investigators have their own agency access to CJIS information, and they must access Federal and State CJIS information through their own CJIS access. We **ONLY** release UMBC information, and only when applicable.

- B. Agency employees must initiate records and/or CHRI requests via the appropriate ARMS function.
- C. If a request is made for a record of a person UMBC Police arrested, then the Records Custodian will place the request and findings in the report file.
- D. CJIS Criminal History Records Information (CHRI) sheets that are printed by officers for investigative purposes are only good for ten days. After that, the accuracy of the information is no longer considered to be accurate and valid. These records are intended for short-term criminal information, and should be destroyed within the ten day period. These records will **NOT** be kept in the Records Unit's file system. If the record is part of the officer's investigative case file for court, it should be only used to document those facts that the officer used at the time of the incident. Otherwise, these sheets are to be disposed of (shredded) after the ten day period allowed for record retention as set by CJIS / NCIC.

### 1.9.7 Juvenile Records

- A. Juvenile arrest records are physically separated from adult arrest records within the Records Section. They are physically stored in a separate, conspicuously labeled, locked file drawer.
  - a. When juveniles are arrested and charged as adults, their arrest records for their specific adult arrest incident will be filed with adult arrestee records.
  - b. Motor vehicle arrest information when juveniles are taken before District Court Commissioners will be treated as adult arrest information.
  - c. Requests for information regarding juveniles involved in motor vehicle collisions may be released if the charges do not involve actual or potential incarceration and the juveniles have not been charged as a juvenile.

- B. Fingerprints and photographs are only taken when the juvenile is charged as an adult or with a crime specified in **2.9.6 Juvenile Fingerprinting**. These are entered into the LiveScan system, and held by the State of Maryland, Criminal Justice Information System. They are responsible for the storage, dissemination under state and federal law, release of information to only proper authorities, and expungement. See: **2.9.6 Juvenile Fingerprinting**
- C. The contents of juvenile arrests records may not be divulged to the public, except by court order. Copies of court orders will be placed in the arrest jackets of applicable juveniles.
- D. Parents or guardians of arrested juveniles are not entitled to review or receive copies of juvenile arrest records.
- E. Federal agencies, military recruiters, and private sector employees cannot access juvenile arrest records to conduct security clearances or background investigations for employment purposes.
- F. The Department of Juvenile Services (DJS) personnel may access juvenile arrest records for confidential use in performance of their statutory duties set by Maryland law.
- G. Law enforcement personnel may access juvenile arrest records in order to investigate or prosecute juveniles.
- H. Juvenile arrest records will be removed from active juvenile arrest files and stored separately when the juveniles reach the age of 18. Inactive juvenile records may be accessed only for investigative purposes by law enforcement personnel and DJS personnel.
- I. Personnel assigned to perform records functions will check agency records when they receive *bona fide* requests for juvenile arrest information held by the agency.
1. Dissemination Requests will be completed by all non-agency requesters when juvenile arrest information is found. Completed Dissemination Requests and photocopies of any court orders or will be placed in juvenile arrest jackets of applicable persons.
  2. Agency employees must initiate records and/or CHRI requests via the appropriate ARMS function. Completed dissemination reports will be placed in juvenile arrest jackets of applicable persons.
- J. Juvenile records may be sealed at any time and may be sealed after a youth turns 21 years old consistent with [Courts and Judicial Proceedings 3-8A-27c](#). If sealed, the court records of a child may not be opened, for any purpose, except by order of the court.
- K. Juvenile Records in the ARMS system: the Records Manager will check the appropriate function to restrict access to juvenile records in the ARMS system. This is done to avoid an accidental release of confidential information. These records can be obtained on a demonstrated need-to-know basis.
- L. Upon receipt of a court order outlining the exact offense record to be expunged, all information identifying the juvenile on the specified offense shall promptly be removed from agency records by the Records Manager.

### **1.9.8 Records Retention & Destruction**

The agency has a records retention and destruction schedule that is approved by the Maryland State Archivists and the Office of Records Management for the Department of General Services as being in compliance with legal requirements. Fiscal Services is responsible for ensuring the Records Retention and Destruction Schedule is adhered to by agency personnel. Record retention is covered by the Code of Maryland (COMAR) [14.18.02](#). See **1.9.18 Records Retention & Disposal Schedule**.

### **1.9.9 Uniform Crime Reports (UCR)**

The agency actively participates in the UCR system by submitting required data through MSP to the FBI consistent with procedures established by those agencies for the collecting and submittal of crime data.

### **1.9.10 Reporting System**

A. The agency's primary field reporting system is comprised of specific ARMS applications used to write, approve, store, distribute, and track criminal and incident reports.

1. All sworn personnel and appropriate civilian personnel are trained in the use of the agency's reporting system.
2. The agency's Report Writing Manual contains information that includes:
  - a. Guidelines to indicate when reports must be written;
  - b. Specific applications used in recording necessary and/or required information;
  - c. Information required in reports;
  - d. Procedures for completing reports;
  - e. Procedures for submitting, processing, distributing, supervisory review and approval; and
  - f. Procedures for accounting for the status of reports.
3. Records to be consolidated in the ARMS records management system, in addition to the incident report and supplemental reports, include copies of:
  - a. Records of statements from victims, suspects, witnesses, or other persons of interest
  - b. Results of examinations of physical evidence
  - c. Records of civil citations and criminal arrests
  - d. ACRS reports
  - e. Photographs
  - f. Other reports and records necessary for investigative purposes

B. Other forms and reports required by other departments, agencies, and organizations are utilized by agency employees consistent with guidelines supplied by those other departments, agencies, and organizations.

1. ACRS/ MAARS reports are to be completed consistent with the ACRS/ MAARS Instruction and Reference Manual.
2. State of Maryland Missing Persons Reports ([MSP #79](#) and [MSP 79A](#) and [MSP 79B](#)) are to be completed, in addition to agency reports, during the investigation of missing person complaints.
3. Animal Bite Reports are to be completed, in addition to agency reports, during the investigation of animal bites.
4. Maryland Uniform Complaint and Citations (DR-49) are to be completed consistent with the Law Enforcement Manual (DR-24), the DC/CR 90 collateral book (fine pay-out book).

C. Original records and forms will be stored in the physical case file in Central Records

### **1.9.11 Case Numbering System**

- A. CCNs are seven digit, unique numbers that are automatically generated and assigned when entries are recorded in the ARMS system.
  - 1. The two digits represent the year in which the case, incident, or operational activity was recorded by the agency.
  - 2. The last five digits of CCNs are a one-up numbering system, starting with 00001 that resets on the first day of each year.
- B. Entries are to be made for all cases and incidents investigated by the agency and operational activities conducted by the agency.
- C. The CCN system is designed to ensure that each entry receives a number, no numbers are omitted, and that no numbers are duplicated.

### **1.9.12 Required Reporting**

- A. Complete listings of required reporting instances are contained in the Report Writing Manual. The agency's CAD and ARMS is configured to ensure that agency records are made of actions taken by agency personnel whether in response to requests for service or for self-initiated contacts. Minimally, the CAD and ARMS contains records and any required reports of:
  - 1. Citizen reports of crimes (including identity crime);
  - 2. Citizen complaints;
  - 3. Incidents wherein agency employees were dispatched and/or assigned;
  - 4. Criminal and non-criminal cases initiated by officers; and
  - 5. Incidents involving arrests, citations, or summonses.
- B. Minimal reporting of all cases and incidents investigated by the agency and operational activities conducted by the agency is accomplished via data entry into the CAD system.
- C. Full reports in the agency's CAD files are usually not required when:
  - 1. Complaints are unfounded or are handled exclusively by another agency;
  - 2. Complaints are canceled by Communications or supervisory or administrative ranked personnel;
  - 3. Complaints are not verified, cannot be located, or are gone on arrival;
  - 4. Alarms are the result of equipment malfunctions or human error; or
  - 5. Incidents or operations are of a purely service nature.
- D. All agency reports will be processed and submitted for supervisory review. Once a report has been approved by supervisory personnel, they are submitted to the Records Unit.

### **1.9.13 Records Indexing**

- A. The ARMS database contains an alphabetical master name index that allows searches and retrieval of names, personal descriptor information, CCNs, and/or citation numbers of persons identified in agency reports.
- B. The ARMS database also contains searchable fields that include:
  - 1. CCN;
  - 2. Crime codes;
  - 3. Incident locations;
  - 4. Stolen, found, recovered, and evidentiary property.
- C. Software design permits customized data searches in any report field.

### **1.9.14 Traffic Records System**

- A. The agency's traffic records system is fed by information provided through:
  - 1. The agency's ARMS and CAD systems;
  - 2. Traffic court reports and dispositions; and
  - 3. Traffic collision information available through ACRS/ MAARS.
- B. Traffic collision data is collected via CAD and ARMS entries and completed ACRS/ MAARS reports.
  - 1. Collisions will be investigated and reports completed.
  - 2. Traffic collision data that is collected by and/or available to the agency reflects information for collision reports, collision investigations, and collision locations.
  - 3. Copies of completed traffic collision reports are provided by Records Unit personnel upon completion of service request forms and payment of fees consistent with the agency's records fee schedule.
- C. Traffic enforcement data that is collected by the agency includes, but is not limited to traffic citations, arrests, dispositions, and locations.
- D. Roadway hazard information provided to the agency is entered into CAD. Hazard information is relayed by communications personnel to appropriate departments, units, or organizations.
- E. Traffic collision and enforcement analysis reports may be generated and disseminated as necessary to facilitate management decisions and the agency's traffic related efforts.

#### **1.9.15 Traffic Citation Records**

- A. Shift supervisors are responsible for:
  - 1. Ensuring an overall, sufficient supply of Maryland Uniform Complaint and Citations are maintained by the agency within the secure area of the Quarter Master Unit; and
- B. In order to be issued traffic citations, officers will:
  - 1. Request a Citation book from the Quarter Master;
  - 2. The Quarter Master will assign a book and update the computer Registry system;
  - 3. The Quarter Master will ensure the supply cabinet is re-secured;
- C. The Quarter Master maintains traffic citation records in a computer database. The Quarter Master will notify the Operations Commander if Citations are missing (out of sequence).
- D. The Quarter Master is responsible for:
  - 1. The transmittal and retention of citation copies in accordance with court directives; and
  - 2. Ensuring citation related information is entered into the database.
- E. Final traffic citation dispositions are provided to the agency by the courts.

#### **1.9.16 Records Maintained Independently From the Records Unit**

- A. Certain operational records are maintained independently from the Records Unit in order to more appropriately restrict or facilitate record security and control.
  - 1. Active criminal investigation files are maintained by the Investigations Unit.
  - 2. Special operations and special events files are maintained by the Operations Commander.
  - 3. Student Marshall operational records are maintained in the Student Marshall Office by the Student Marshall Supervisor.

B. Retention and destruction of records maintained independently from the Records Unit are covered by University retention rules.

**1.9.17 Expungement of Records**

A. Definition: Expungement is the removal of records from public inspection. In Maryland, records may be expunged from (1) Motor Vehicle Administration files, (2) police files, and (3) court and police files. Each process removes very specific files and must be done through the proper agency. Citizens must apply for Expungement for each arrest based upon the date of arrest and according to the disposition. No single process removes the record from all of the agencies.  
[Maryland Courts policy on Expungement](#)

B. Automatic Expungement: Maryland law states that after 10/01/2007, if a subject was detained by a police agency, but were released without being charged, records will automatically expunge 60 days after the subject's release.

C. Court records do not automatically expunge. The subject can apply for Expungement if:

- (1) They were found not guilty,
- (2) They were found guilty of a nuisance crime, [Nuisance crimes defined](#)
- (3) The charge was dismissed
- (4) The charge resulted in probation before judgment (excludes DWI)
- (5) The State did not prosecute (Nolle pros)
- (6) The court indefinitely postponed the case (stet)
- (7) The case was compromised (settled)
- (8) Non-violent crime is pardoned by the Governor.

D. Student Judicial Program Referrals  
 If the Records Section is notified of an Expungement in a case that had been referred to the Student Judicial Program, the Records Section will notify Student Judicial Program to expunge their records of the incident. Expunge does not require disposal, but removal from public inspection. Student Judicial Program may choose to dispose of these records or contact the University's Legal Counsel for a resolution of any question.

E. Criminal Procedure [10-105](#) and [10-106](#) provides for expungement of records for charges that were transferred back to the juvenile court from adult court.

**1.9.18 Records Retention & Disposal Schedule**

Item	Description	Years	Special Instructions
1	Budget Files- University Property	3	
1A	Budget Files- Federal or other state Property	5	
2	Employee Time-keeping Records & Leave Records	5	
3	Payroll Files	5	until audit requirements are met

4	Personnel Payroll Files	10	after separation
5	Purchasing Records for State Accounts	5	until audit requirements are met
6	Purchasing Records involving Federal Funds	5	after final payment from the fed govt
7	Telecommunications Service Bills	3	
8	Arrest Records- Adult	N/A	Retain until arrestee reaches 75 years old
9	Expungements	3	
10	Arrest Records- Juveniles		Once Juvenile reaches age 21
11	Field Interview Reports	1	
12	Lockout Liability Waivers	1	
13	Accident Reports (Vehicle accidents)	10	
14	Criminal Reports DWI Reports Incident Reports	10	<b>PAPER RECORDS:</b> 10 years, dispose of paper files, except felonies against person: Rape, Robbery, Cuttings, Missing persons, etc. <b>ELECTRONIC RECORDS</b> of reports (ARMS) RETAIN 75 years
15	UCR Reports	5	
16	Criminal Citations	3	
17	Traffic Citations	3	
18	Warnings	1	
19	Background Investigations Requests / Waiver Outside Univ of Maryland	1	
20	Accident Request Forms	1	
21	Juvenile Holding Logs	3	
22	Consent Search Reports	3	
23	Security Logs/ Student Marshals & Security	1	
24	Event Reports	1	
25	Incident Reports (non-criminal)	1	
26	Student Marshal Payroll sign sheets	1	
27	Student Marshall Personnel Files	7	after termination
28	Student Marshal Applications	3	Rejected applicants
29	Academy Files		Retain with Personnel files
30	Background Investigation Files (Applicants)	4	after person applies for employment
31	Background Investigation Files (Employees)	7	after separation
32	Hiring Process Files	5	
33	Training Files (Current Employees)	10	after separation
34	Training Files (Former Employees)	10	after separation
35	DR-15 and DR-15	3	until audit requirements are met
36	Impound Forms	3	Vehicle tows
37	Property receipts (Evidence)	3	until audit requirements are met
38	Property receipts (NON-Evidence)	3	until audit requirements are met
39	State Summons Book Issuance Log	3	
40	Accreditation Files	3	Police retain for 3 years, then permanently stored at UMBC Archives.
41	Arrest Ledger	75	
42	Court Liaison Files	1	
43	Directive Files	3	Permanently stored at UMBC Archives.
44	General Correspondence		Screen annually, destroy material no longer

			needed. Archive material that must be saved
45	Inspectional Files	3	
46	Internal Affair Files	10	after separation
47	Legal Files	10	after case is closed, then destroy
48	Student Judicial Referrals		Retain until disposition is received, then destroy
49	Incident Log	1	
50	Personnel Files	10	after separation, then destroy
51	Public Information Log	1	then forward to Archives
52	Trespass/ Denial of Access Logs		Until expired, then destroy
53	Search Committee Files	5	
54	Contract & Grant Files	5	after final payment
55	Performance Review Files	10	after separation
56	Departmental Publications		University Archives
57	Digital Recordings –	1	t/p calls and radio transmissions
58	NCIC Clear Files		End of calendar year, then destroy
59	NCIC Locate Files		End of calendar year, then destroy
60	NCIC Teletype Entries	1	after NCIC purge, and until after audit requirements are met, then destroy
61	NCIC for Missing Persons and Guns	1	after NCIC purge, and until after audit requirements are met, then destroy
62	Digital recordings / video- security		30 days after event, destroy if not needed- NOT investigation or WIRETAP- hold 10 years
63	Confidential Informant Files	5	after last contact with informant, then destroy
64	Equipment Logs	1	
65	Investigative Files	6	
66	Building Security Reports	1	
67	Duty Log	1	
68	Ride-along requests	1	

## **1.11.0 PERSONNEL MANAGEMENT**

### **1.11.1 Position Management System**

The agency utilizes the University Human Resources Classification System to serve as the Position Management System, which establishes control on the number, type, and location of all authorized positions in the agency and to determine whether each position is filled or vacant. Accurate information on position status ensures that personnel are legally employed and that positions are filled in accordance with budget authorizations. Accurate accounting of positions also facilitates recruitment, selection, and training schedules; allows for accurate decisions in filling vacancies through transfers and promotions; enhances career development; and enhances morale.

#### **1.11.1.1 Workload Assessments**

- A. Personnel are allocated based on documented periodic workload assessments.
- B. The allocation of personnel to patrol squads is based on workload assessments based on the following information:
  1. Number of available personnel
  2. Calculations of total potential person days or hours available
  3. Calculations of actual person days or hours available for assignment as the result of time lost through days off, training, court, sick leave, etc.
  4. Numbers of incidents dispatched to officers
  5. Numbers of incidents initiated by officers
  6. Average time to complete incidents
  7. An unallocated time constant established by the Chief.
- C. The Computer Aided Dispatch system tracks the following allocation factors:
  1. Incident types by date and time
  2. Incident locations by date and time
  3. Number of patrol officers in service.
- D. The Operations Section Commander is responsible for:
  1. Deploying patrol squad personnel and managing minimum staffing levels
  2. Ensuring that workload studies are considered during budget request processes.
- E. The Chief ensures that workload studies are considered in the agency's strategic management program.

#### **1.11.1.2 Job Classification Plan**

- A. The University System of Maryland Office of Human Resources has established a job classification plan that establishes:
  1. Agency job classifications based on similarities in duties, responsibilities, and qualification requirements
  2. Class specifications for every job within a class
  3. Provisions for relating compensation to classes; and
  4. Provisions for reclassification.
- B. The Chief assists in the development and maintenance of class specifications with the USM Office of Human Resources and UMBC Human Resources.
- C. The Chief ensures that current job descriptions, covering all agency employee classifications, are maintained on file. The job descriptions are available to anyone through the University's Office of Human Resources.
- D. Command Staff shall initiate a review of all job descriptions in the agency to ensure they remain current, at least once every four years. The review shall be documented, in memorandum form, to the Chief.

### **1.11.1.3 Specialized Assignments**

#### **A. Authority to Assign**

The Chief assigns personnel to units and functions in the best interests of the agency.

#### **B. Position Announcements**

Vacancies are announced throughout the agency and filled through a selection process.

#### **C. Temporary Assignments**

The Chief can assign temporary or rotating assignments of personnel for criminal investigation, community policing, or training. It allows members the opportunity to gain new skills, knowledge and ability to perform the multi-faceted needs of modern law enforcement. The assignment of temporary or rotating personnel will mirror the steps set below.

#### **D. Selection Criteria**

Requests must contain selection criteria that includes:

1. Any required or preferred training, educational, or experiential requirements.
2. Skills, knowledge, or abilities that are preferred or required.

#### **E. Formal Announcements**

Once specialized assignment staffing requests are approved, formal announcements of specialized assignment availability are distributed throughout the agency specifying:

1. Selection criteria for the positions
2. Selection process steps
3. Deadlines for applications.

#### **F. Application Process**

Personnel must submit correspondence requests, through department memorandum, to Supervisors.

#### **G. Selection Process**

1. Review of requests
2. Review of applicant's personnel files
3. Interview with applicants; and
4. Interviews with applicant's current and former supervisors.

#### **H. Anticipated Vacancies**

Section Commanders anticipating specialized assignment vacancies shall:

1. Obtain the Chief's approval to initiate and conduct selection processes
2. Ensure that selection processes are conducted consistent with announced selection criteria and process elements
3. Forward selection recommendations and justifications to the Chief
4. Ensure that applicants are informed of selection process results
5. Retain related selection process documents for one year from the effective dates of any resulting assignments and/or personnel orders

### **1.11.1.4 Non-Sworn Positions**

The Chief and Section commanders are responsible for ensuring full-time job assignments not requiring sworn personnel are specified as civilian positions and staffed accordingly. Studies of the effect of civilianization of positions can occur at any time as deemed necessary. It may be a component of the agency's strategic management program, workload assessments, or evaluations of specialized assignments.

## 1.11.2 **RECRUITMENT PLAN**

### A. **Purpose**

To establish and maintain a Recruitment Plan for the UMBC Police Department outlining recruiting strategies and procedures.

### B. **Objective**

1. To recruit and hire highly qualified police officer candidates to fill current and anticipated vacancies.
2. To achieve a ratio of qualified minority personnel in the UMBC Police Department in approximate proportion to the make-up of the available work force and demographics of the campus community.

### C. **EEOC Compliant**

To obtain all optimal recruitment program goals, the agency actively participates in the [University System's Affirmative Action and Equal Employment Opportunity](#) plans. The director of University Human Resources maintains university objectives for these programs.

### D. **Recruitment**

1. University Police Office I (UPO I): The UMBC Police Department will participate in recruiting efforts conducted at community colleges and universities. These recruiting efforts will include providing literature to community college and university career centers and participating in Job Fairs at these institutions.
2. University Police Officer II (UPO II): The UMBC Police Department will participate in recruiting efforts with job websites (ex. Indeed) and local Fraternity Order of Police (FOP) organizations (where allowed).

All employees of the UMBC Police Department are encouraged to participate in direct recruiting opportunities that present themselves, particularly with minority candidates.

### E. **Administration**

The Support Services Commander is responsible for:

1. Working with the Office of Human Resources to develop the necessary personnel steps to hire a qualified police officer.
2. Performing the recruitment and hiring policies and practices listed in this section.
3. Selection process materials utilized by the agency will be stored in secure areas; ensuring the agency complies with all USM, state, and federal requirements for privacy, security, and access to information of all candidates records and application materials.
4. Access to selection process materials will be permitted only to those agency employees who are directly involved in the administration and operation of the selection process.
5. Records of applicants not selected for employment will be retained consistent with the agency's Records Retention & Destruction Schedule and then destroyed unless records are subject of appeals or litigation extending past destruction timetables.

### **1.11.2.1 Personnel Selection & Administration of Selection Process**

- A. The agency complies with the University's Recruitment and Selection Procedures for Exempt and Non-Exempt Staff, [MPCTC General Regulations Chapter .01](#), and the Americans with Disabilities Act in the selection process.
- B. In accordance with University directives, the Director of the UMBC Human Resources coordinates all appointments in Exempt and Non-Exempt service. UMBC Human Resources forwards to the agency lists of eligible candidates from which the Chief selects applicants for appointment in accordance with this directive.
- C. Authority for the selection process is shared with University Human Resources, but the UMBC Police Department maintains primary responsibilities for conducting selection processes.
- D. Command staff is responsible for identifying specific personnel needs of the agency and determining the skills and attributes required for open positions.

### **1.11.2.2 Uniform Conduct of Selection Process**

All elements of the selection process use only those rating criteria or minimum qualifications that are job related. All components of the selection process will be administered, scored, evaluated, and interpreted uniformly for all candidates.

### **1.11.2.3 Truth Verification Examinations**

- A. Truth verification instruments are used as investigative aids during selection processes for sworn personnel and may be used during selection processes for non-sworn personnel.
  - 1. Indications of deception during truth verification examinations will not be single determinants of unsuitability for appointment to probationary status.
  - 2. Admissions during pretests, tests, or post-test interviews, combined with other information may be sufficient to support selection status decisions.
- B. Truth verification instrument operators administering and evaluating examinations will have professional training in the use of truth verification instruments and evaluation of data resulting from such examinations.
- C. Applicants who are scheduled for truth verification examinations will be provided lists of areas from which questions may be asked prior to such examinations.

### **1.11.2.4 Background Investigations**

- A. All applicants for sworn positions are subject to background investigations, consistent with MPCTC regulations for probationary status appointment.
- B. Background investigations on applicants for sworn positions include checks of:
  - 1. Verification of qualifying credentials
  - 2. Citizenship status
  - 3. Employment history
  - 4. Military records
  - 5. Education records and verification
  - 6. Credit history
  - 7. Criminal history checks through NCIC, FBI, and appropriate state and

- local criminal history record information repositories
- 8. State decertification resources, if applicable
- 9. Truth verification examinations
- 10. Personal references
- 11. Professional and employment references
- 12. Neighbors
- C. Background investigations on applicants for non-sworn positions must include:
  - 1. Citizenship status
  - 2. Employment history
  - 3. Education records
  - 4. Criminal history checks through NCIC, FBI, and appropriate state and local criminal history record information repositories
  - 5. Verification of qualifying credentials
  - 6. Credit history
  - 7. Checks of at least three personal references.
  - 8. Professional References
- D. Background investigators will be trained in conducting these investigations.
- E. Background investigation records are retained in secure locations by the agency for 7 years after employee's separation then destroyed, consistent with the Record Retention Policy.
- F. Forms used:
  - 1. Requests Pertaining to Military Records ([UMBC Form 241](#))
  - 2. Applicant Preliminary Questionnaire ([UMBC Form 242](#))
  - 3. Applicant Background Investigation Checklist ([UMBC Form 243](#))
  - 4. Applicant Background Letters ([UMBC Form 244](#))
  - 5. Application for Employment ([UMBC Form 245](#))
  - 6. Applicant Processing Form ([UMBC Form 246](#))
  - 7. Authorization for Release of Information ([UMBC Form 247](#))

#### **1.11.2.5 Medical & Psychological Examinations**

- A. Medical examinations designed to assess the general health of applicants will be conducted by qualified medical personnel.
- B. Psychological examinations designed to assess emotional stability and psychological fitness of candidates for sworn positions will be conducted by qualified professionals.
- C. Results and recommendations of medical, emotional stability, and psychological fitness examinations sent to the agency are retained in secure locations by the agency for 7 years after employee's separation then destroyed, in accordance with the agency's Records Retention Policy.

#### **1.11.2.6 Probationary Periods**

- A. All full-time employees of the agency must successfully complete a probationary period of **one year** from date of hire.
  - 1. Sworn and non-sworn employee probationary periods are mandated by the University System of Maryland Bylaw [VII-1.21 Policy on Probation for Regular Nonexempt and Exempt Staff Employees](#).
  - 2. Entry level, sworn personnel must successfully complete entry level training, field training, and probationary periods of **one year** from date of hire.

3. Before being granted permanent status in their new jobs, sworn personnel promoted to higher ranks must successfully complete:
    - i. Probationary period of at least **one year** from date of promotion; and
    - ii. Any mandatory training.
  4. Non-sworn exempt personnel must successfully complete probationary periods of **one year** from date of hire or promotion.
  5. MPTC regulations forbid sworn personnel from serving probationary periods longer than one year without completing entry level training.
  6. Privates (UPO I) are automatically reclassified to Private First Class (UPO II) upon successful completion of probationary periods and **one year** as a sworn officer with the UMBC Police Department.
- B. The performance of probationary employees will be evaluated at least biannually during probationary periods.
1. Written Probationary evaluations will be conducted.
  2. Evaluations of probationary employees involved in field training will be conducted on a weekly basis.
  3. Probationary employees have the right to appeal evaluations which they believe are not accurate or fair.
    - i. Probationary employees wanting to challenge evaluations should first discuss their evaluations with their raters and reviewers.
    - ii. Formal appeals of probationary evaluations will be conducted consistent with the Grievance Policy and procedures contained in University Human Resources Policies and Rules for Exempt and Non-Exempt Employees of the University of Maryland.

### **1.11.3 Other Personnel Positions within the UMBC Police Department:**

All positions within the UMBC Police Department require a background investigation to ensure that any member of the agency possesses the integrity to participate in law enforcement functions. The selection process may differ for part-time employees, but will still include a criminal record check to determine if the prospective employee should have any access to the Police Department. The training of the personnel will be covered in **Section 1.7 Training**.

#### **1.11.3.1 *Security & Event Services Unit:***

Provides security services to the campus by patrols of UMBC Security Officers and Student Marshalls. All security functions of the department are coordinated through this section. The section is supervised by a Program manager.

- All security members are uniformed patrol.
- Security Officers are full-time UMBC employees.
- Student Marshalls are part-time, temporary employees of UMBC.

#### **1.11.3.2 *Communications Unit:***

This unit is supervised by a Lead Police Communications Operator. This unit handles emergency requests for services and compliance with the rules of Maryland CJIS and the FBI's NCIC program.

- All operators are full-time UMBC employees.
- Operators are issued UMBC Police Communications shirts.

#### **1.11.3.3 *Business Services Specialist***

Duties are covered in Article 1, Section 2, Sub-section 10.

#### **1.11.3.4 *Information Systems Support Services Unit***

This unit handles the maintenance of the agency's website, computers, ARMS system, computers and agency databases.

#### **1.11.3.5 *Accreditation Manager & Clery Compliance Coordinator***

This position is a full-time position charged with:

- Updating departmental policies.
- Updating departmental Manuals.
- Coordinating the agency's accreditation process.
- Publishing the Annual Security Report and submitting statistics to the Department of Education
- Ensuring compliance with the Clery Act

### **1.12.1 Compensation & Benefits**

- A. The Consolidated USM and UM Policies and Procedures Manual delineates the specifics of the compensation, benefits, and conditions of work system for agency employees.
- B. Agency directives relating to compensation, benefits, and conditions of work serve to complement and expand upon related USM and UM directives. Agency directives related to these topics are subject to change or interpretation without notice because they come from regulations established outside the agency.

#### **1.12.1.1 Salary Program**

USM and UM directives define and describe the salary program for all employment classifications and are established within the various employee contracts.

#### **1.12.1.2 Benefit Program**

The University of Maryland provides a comprehensive benefit program to agency employees. UMBC benefits are set forth in the [Staff Handbook](#) and employee contracts.

#### **1.12.1.3 Employee Assistance Program**

- A. The [Consolidated USMH & UM Policies and Procedures Manual VII-6.00\(A\)](#), created the [Employee Assistance Program \(EAP\)](#), as part of the UMBC Health Center.
- B. **Employees:** The [EAP](#) is a free, confidential and professional assessment, referral and counseling service available to all university employees. Employees may consult with professional counselors for a variety of reasons that include:
1. Marital or family difficulties;
  2. Depression and Anxiety;
  3. Dependence on alcohol or other substances or working / living with someone who is chemically dependent;
  4. Job stress;
  5. Financial, legal, or medical problems;
  6. Problems of family members, co-workers, or colleagues that affect employees' lives or jobs.
- C. **Supervisor(s):** can refer employees to the EAP program for mandatory or voluntary participation for:
1. Employee counseling or corrective actions as appropriate;
  2. Employee formal monitoring;
  3. Mandatory remedial or additional training designed to improve employee skills, and;
  4. Corrective action as a result of Impartial Policing;
  5. Employee's marital or family difficulties;
  6. Employee's Depression and Anxiety;
  7. Employee's dependence on alcohol or living with someone who is chemically dependent;
  8. Job stress from co-workers that affect employees' lives or jobs;
  9. Financial, legal, or medical problems;
  10. Problems with family members;
  11. Excessive sick leave where the employee's mental health is a suspected cause.
  12. Combination: the supervisor may combine categories of problems to make a referral to EAP. Our goal is to assist an employee who needs help but is not independently seeking assistance.
- D. The EAP makes referrals to other services as warranted and follows up with employees to assure successful referrals were made.

- E. The EAP staff is available to:
  - 1. Meet with individual faculty and staff about their personal concerns;
  - 2. Consult with supervisors and department heads regarding concerns over one of their employees; and/or
  - 3. Consult with groups to enhance working relationships and to assist with the overall development of the working group;
  - 4. Deliver orientations to staff and faculty groups to explain the availability of services through the EAP or to address a variety of issues; and
  - 5. Offer low cost loans and other financial aid to employees.
- F. All employees are encouraged to directly contact the EAP staff for detailed program information and/or assistance.

**1.12.1.4 Deaths & Critical Injuries of Employees**

- A. When employees die or sustain life threatening injuries, either on or off-duty, the Chief ensures that the agency provides all reasonable support, consistent with family wishes, to the immediate families of active agency employees.
- B. Notifications are made consistent with **2.1.2 Next of Kin Notifications (Departmental)**.
- C. The chief assigns an officer to serve as the liaison with the immediate family.
  - 1. Liaison officers facilitate information and services between the agency and the family.
  - 2. Liaison services will be supplied as necessary and proper:
    - a. At hospitals;
    - b. During the planning and conduct of wakes and funerals; and
    - c. For time periods as designated by the chief following funerals or when injured employees have recovered to the point they are no longer in critical condition.
- D. The Office of the Chief is responsible for:
  - 1. Coordinating any and all appropriate benefits due injured or deceased employees and their families;
  - 2. Ensuring applicable services are made available through the EAP; and
  - 3. Ensuring long-term contact is maintained with families in order to keep informed of needs that may be facilitated or addressed through resources available to the agency.
- E. If injuries resulted from criminal acts, the Chief coordinates and facilitates any necessary victim / witness services for employees and their families.

**1.12.1.5 Liability Protection**

- A. Maryland State employees receive general liability and indemnification protections.
- B. Maryland law [Section 13-710](#) provides certain liability protections for good faith actions in adult protective services.
- C. [Courts & Judicial Proceedings Article \(CJ\) 5-610](#) provides certain liability protections for law enforcement officers assisting victims of spousal assault.
- D. [CJ 5-603](#) provides certain liability protections for law enforcement officers providing emergency medical care.
- E. [CJ 5-605](#) provides certain liability protections for law enforcement officers acting outside their jurisdictions.
- F. Officers acting under limited extra-jurisdictional authority of [CP 3-1605](#) are provided with certain immunities from liability and exemptions.

**1.12.1.6 Physical Examinations**

- A. Pre-employment medical examinations are provided at **no cost** to applicants for full-time positions with the agency once conditional offers of employment have been made.
- B. **Fitness for duty medical examinations** conducted specifically at the request or order of the agency are provided at **no cost** to agency employees.
- C. Required medical examinations are provided at **no cost** to those employees.

**1.12.1.7 General Health & Physical Fitness**

- A. All employees are required to maintain a level of fitness and general health which will permit them to carry out their duties.
  - 1. **Policy:** Applicants for sworn positions must be certified to be physically, mentally, and emotionally fit for the duties of a police officer by licensed physicians in accordance with MPTC general regulations.
  - 2. **Maintenance: Fitness for duty examinations** for sworn employees utilize the same standards for physical, mental, and emotional fitness as that required for applicants for sworn positions.
  - 3. **Who determines:** The Occupational Health Unit of the Health Center, in consultation with the chief or specific designee, establishes specific fitness for duty criteria that are job related and non-discriminatory.
- B. Supervisors are responsible for monitoring employees' work and attendance records for signs that may be indicative of health problems. Supervisors report problems and issues to their commander through the chain of command.
- C. Agency employees are encouraged to have periodic physical examinations consistent with their health care benefits and to utilize health, recreation, and wellness programs available to them through the university.
- D. Members of the agency are allowed full access to the Gym, pool and other recreational facilities at UMBC as part of their employment.

**1.12.1.8 Working Conditions**

A current [Memorandum of Understanding](#) exists between the Fraternal Order of Police and UMBC which covers working conditions.

**1.12.1.9 Overtime/Comp Time Documentation & Review**

- A. All overtime hours must be documented on approved agency forms.
  - 1. Overtime records will be initiated at the beginning of all scheduled or assigned overtime events and completed at event conclusion.
  - 2. Overtime records will be initiated and completed at the conclusion of non-scheduled overtime events.
- B. The OIC performs the initial review of overtime forms.
- C. Initially reviewed overtime records will be forwarded for final review and approval by the Section commanders for overtime resulting from their individual commands.
- E. Overtime records will be reviewed to ensure:
  - 1. Accuracy; and
  - 2. That all overtime was due to situations that were unusual, essential, or emergencies.
- F. Overtime records have final review and distribution within one business day following overtime events.

## General Order 2016-03 Voluntary Overtime Policy & Procedures

- A. **PROCEDURE:** When an anticipated event needs added workforce (using overtime versus existing resources), an event sign-up sheet is hung in the Ready Room for members to ***voluntarily*** sign up for the overtime detail. Officers may not “white out” their name on the sign-up sheet unless they have found a replacement.

Once members complete a sheet (all of the open positions are filled); the Operations Commander will use [ScheduleAnywhere.com](http://ScheduleAnywhere.com) to show which members are working the overtime detail. A small box is on the day for the members who are working, and when they “mouse-over” the box will remind them of the detail.

B. **POLICY:**

1. [ScheduleAnywhere.com](http://ScheduleAnywhere.com) is the official schedule for the UMBC Police Department. The Operations Commander is responsible for ensuring that human resources are constantly deployed as needed.
2. If a member is unable to work a voluntary overtime detail, they have to notify: (a) their immediate supervisor, and (b) the Operations Commander. A replacement member will be found by the Operations Commander.
3. Once the Operations Commander posts the detail on the ScheduleAnywhere.com site; it is **NO** longer a voluntary detail, it is a scheduled work assignment. As a schedule work event, members will be fully ready to work at the time of the scheduled event; dressed and equipped.
4. **Absence policy:** If a member misses a detail that they volunteered to work; the Operations Commander will determine if the absence was excusable or not. If the Operations Commander determines that the officer is considered absent without leave (AWOL) appropriate counseling and/or discipline will be administered by the appropriate supervisor.

### **1.12.1.10 Time Keeping Records**

All agency employees are responsible for ensuring their electronic time keeping records are filled out, completed, and submitted in accordance with time keeping instructions.

### **1.12.1.11 Collective Bargaining**

Collective Bargaining allows the elected union and the University to meet and engage in Collective Bargaining. Collective Bargaining is a process for establishing employees' wages, hours, and other terms and conditions of employment which begins with negotiations between the elected union on one side and the employer on the other side. The results of these negotiations are set forth in an agreement, called a [Memorandum of Understanding \(MOU\)](#). The MOU is signed by the University President and the Union. Before the MOU can become effective, it must be approved by the Board of Regents and a majority vote of the employees in the bargaining unit. Any MOU which would change existing law or involves the expenditure of money must be approved by the General Assembly. All MOU's must have a term of at least one year, but no more than, three years.

**1.12.2 Promotion**

USM policies recognize promotion processes as hiring processes to fill vacancies. Therefore, USM and university policies relating to hiring processes provide external control and direction on our UMBC Police promotional processes.

**1.12.2.1 System Responsibility**

- A. **UMBC Policies:** Consistent with the Personnel Policies and Rules for Classified Employees and the UMBC Human Resources; the Chief, and those designated by the Chief, are responsible for developing, scheduling, and administering the promotional process.
- B. **UMBC Police follow these guidelines:** Promotional positions vacancies will be filled by the Chief utilizing procedures contained in this directive.
- C. **Project Manager:** The Chief will appoint a project manager to coordinate the promotional process. Duties and responsibilities of project manager include:

1	Managing all aspects of promotional process
2	Reporting project progress and outcomes directly to the Chief
3	Preparing project work plans and schedules for approval by the Chief
4	Evaluating and reviewing the development of the testing instruments
5	Working with the University Human Resources to ensure that all procedures used in the promotional process are job related and nondiscriminatory
6	Making notification of testing procedures to include:
	a Eligibility requirements
	b Areas to be evaluated in the testing process
	c Scope of any written tests to be administered, including bibliographies
	d Areas to be evaluated in assessment centers
	e Dates, times, and locations of all phases of testing processes
	f Application deadlines
7	Notifying participants of process results
8	Maintaining security of promotional materials and process confidentiality. This means that materials will be kept in locked and secured cabinets, and documents that can be destroyed will be shredded.

**1.12.2.2 Promotional Process Announcements**

- A. The Project manager will ensure necessary forms are completed and forwarded to University Human Resources for approval/ posting of position announcements.
- B. The promotional project manager will ensure written or e-mail promotional process announcements are made on a timely basis:
  - 1. Initially to all employees; and
  - 2. Subsequently to all process participants at reasonable, prudent, or critical points in the process.

**1.12.2.3**

**List of Eligible Candidates**

- A. **Minimum eligibility requirements**, including time-in-grade or time-in-rank and lateral entry eligibility requirements are promulgated by USM for use by University Human Resources. Copies of minimum eligibility requirements will be maintained by the agency and made available upon request to interested parties.
- B. **Application:** Persons interested in applying for promotional vacancies must apply on standard University of Maryland application forms and submit them to University Human Resources in order to be considered for promotional vacancies.
- C. **Exempt:** In processes where the promotion would be to a rank of an exempt employee (Lieutenant or above), the employee must submit a resume to the promotional process project manager in lieu of submitting an application to University Human Resources.
- D. **Applications:** Applications received after deadlines will be processed in accordance with directives established by University Human Resources.
- E. **Promotional eligibility:** of candidates is determined by University Human Resources, as determined by University Human Resources screening process. The list will be forwarded to the promotional project manager.
- F. **Posting:** Project managers will post lists of eligible candidates in conspicuous locations and/or on e-mail to ensure lists are accessible to all agency personnel.
- G. **Appeals:** If applicants believe they were inappropriately excluded from eligibility lists, applicants must notify University Human Resources or the Project Manager for exempt promotional processes in writing within three working days of list postings to ascertain reasons for applicants' names not appearing on lists. Applicants will forward copies to project managers.
1. Applicants may be placed on lists at the discretion of the Director of University Human Resources in accordance with personnel rules and regulations.
  2. Decisions from University Human Resources will be requested on a timely basis to facilitate the promotion process.
- H. **Re-application:** Ineligible applicants cannot be further considered for promotion in the current process. They can re-apply at a future time when they are eligible.

#### **1.12.2.4 Promotion System Components**

- A. The compilation of promotional lists for the rank of Sergeant involves:
  - 1. Written Examinations;
  - 2. Assessment Centers (which will include an interview component); and
  - 3. Records Reviews.
  
- B. The compilation of promotional lists for rank of Lieutenant involves:
  - 1. Assessment Centers;
  - 2. Records Reviews; and
  - 3. Interviews.
  
- C. Weighted steps: The scoring results of each component will be made available to all candidates, via e-mail or printed copies, within five working days following completion of each component.

#### **1.12.2.5 Written Examinations**

- A. Written examinations are composed of questions that must be job related and nondiscriminatory.
  - 1. Test questions:
    - a. May be both closed and open book items;
    - b. Will be true/false, multiple choice, and/or matching; and
    - c. Will be retained by the agency after testing.
  - 2. Source materials will be announced at least four weeks prior to examinations.
  
- B. Cut off scores will be announced prior to testing. Candidates must score above announced cut off levels in order to continue in processes.

#### **1.12.2.6 Assessment Centers**

- A. Assessment centers may be convened for the purpose of evaluating candidates in simulation exercises to determine suitability to assume higher ranks.
  
- B. Simulation assessment center components and dimensions to be evaluated will be made available at least four weeks prior to promotional assessment centers.

#### **1.12.2.7 Record Reviews**

The project manager conducts record reviews. Components of the Records Review are: Two most recent performance evaluations; and review of Internal Affairs files.

#### **1.12.2.8 Interviews**

- A. Interviews may be convened for the purpose of evaluating candidates for determining their suitability to assume responsibilities to higher ranks.
  
- B. Components and dimensions of interview panels will be made available to candidates prior to their interviews. Interviews may involve other police agency and/or community members.

### **1.12.2.9 Promotional Training**

- A. The promotional process manager will ensure promotional testing materials are distributed to candidates for promotion. These materials may contain:
1. A description of all elements used in the promotional process;
  2. Examples of knowledge tests and answers;
  3. Examples of assessment center exercises.
- B. The Project manager will ensure that voluntary assessment center training is made available to all candidates who have passed written tests one week prior to assessment centers.

### **1.12.2.10 Ranked List of Eligibility**

- A. The project manager will compile ranked lists of qualified members, based on performance during each process component.
- B. Rankings will be determined by compiling point totals.
- C. Applicants will be listed in descending order from the highest rating to the lowest. When identical ratings are received, those candidates will be considered to have equal merit and fitness for promotion. If necessary, ties will be decided by the Chief after interviewing candidates whose scores were tied.
- D. Ranked lists of qualified members may remain in effect, subject to the approval of University Human Resources, for a minimum of one year from initial dates of promotional announcement posting.

### **1.12.2.11 Selection for Promotion**

- A. In order to make final promotional decisions, the Chief will use:
1. Final ranked order lists; and
  2. Sustained Internal Affairs files.
- B. If the Chief chooses to deviate from the numerical ranking or ranked lists for the rank of Sergeant, the chief must notify, in writing, candidates being passed over, the Director of University Human Resources, and the Office of the Assistant Vice President for Administrative Affairs of the objective-based reasons for deviations.
- C. For promotional processes for the rank of Lieutenant and above, upon conclusion of the evaluation process, the promotional project manager will forward recommendations (of two to five finalists) to the chief for final selection.

### **1.12.2.12 Probationary Periods**

- Newly promoted police officers serve a twelve-month probationary period. It can be extended, for cause, subject to approval by the UMBC Human Resources.
- In order to retain their new positions, newly promoted officers must successfully complete mandated training certified by the MPSTC during probationary periods.
- Probationary periods are considered integral parts of the promotional process that

allow officers to be trained for their new positions, to be closely observed by their immediate superiors, and, if necessary, to be rejected if their performance does not meet required standards.

- During probationary periods, unsatisfactory performance will be brought to the attention of probationary employees as early as possible; through counseling, training, or other suitable actions to safeguard against the promotion of employees beyond their capabilities.

#### **1.12.2.13 Appeals and Reviews**

- A. Candidates may review and appeal any adverse decisions concerning their eligibility for, or appointment to, promotional vacancies.
- B. The project manager will ensure review and appeal sessions are scheduled, announced to all candidates, and conducted.
  - 1. Candidates will be given controlled time periods to review test and assessment center materials and answer keys and prepare written appeals.
  - 2. Candidates must complete their own appeals. Collaboration between candidates during material review and appeal sessions will not be allowed.
  - 3. Test and assessment center packets will be retained by the agency after review and appeal sessions.
  - 4. Appeals must be based only on issues related to:
    - a. Multiple correct answers;
    - b. No correct answers;
    - c. Miscalculation;
    - d. Job relatedness; or
    - e. Discrimination.
  - 5. Appeals must contain reasons, or issues, leading to appeals and requested resolutions.
  - 6. Appeals will be considered by a appeal panel comprising the chief, project manager, and at least one officer of equal rank appointed by the chief.
    - a. Appeal panels will render decisions within five working days.
    - b. Successful appeals will be applied to all candidates whose initial answers coincide with appellant's answers.
    - c. Decisions of appeal panels are based on simple majority votes and will be binding.
- C Final standings or final promotion decisions may be appealed in writing or via e-mail only to the chief. Appeals must be filed within five days following posting of final scores or promotional announcements.
- D. Officers failing to meet eligibility requirements or failing to be promoted may reapply, retest, and be re-evaluated during future promotional processes for which they are eligible.

#### **1.12.2.14 Participant Integrity**

- A. Cheating, falsification or deliberate misrepresentation of credentials, or other breaches of conduct, ethics, etc. relating to promotional system integrity will result in involved candidates receiving scores of "0" in promotional system components wherein breaches occurred.
- B. All information provided by candidates in, or for, promotional process purposes is

subject to investigation or verification.

- C. Violations of this section are punishable consistent with the expectations expressed in the Conduct section, and are enforceable through the Discipline section of this Manual.

**1.12.2.15 Master Police Officer (MPO)**

- A. The MPO performs the duties of a Police Officer and may function in a lead capacity or may function as a shift supervisor for a small group of police officers.
- B. The MPO will perform the primary duties as outlined in the University System of Maryland Job Class Specification for University Police Officer III (grade 14).
- C. Must have three (3) years of consecutive service as a UMBC Police Officer.
- D. Must maintain a "Satisfactory/Meets Expectations" rating or the equivalent thereof in the Annual Performance evaluation in all categories.
- E. Must not have been on Sick Leave Certification Requirement in the twelve (12) months preceding the date on which the test is administered.
- F. Must not have any finding of "guilty" rendered by a duly convened LEOBR hearing panel in any disciplinary action within the six (6) months period prior to the date on which the test is administered. If an officer is under investigation for charges which are pending before a LEOBR hearing panel based on allegations of misconduct that allegedly took place during the six (6) months period prior to the date on which the test is administered, the officer may still be eligible to take the MPO examination; provided, however, that should a LEOBR panel subsequently issue a "guilty" finding, the officer shall not be entitled to be designated as an MPO or to receive the increase accompanying such designation for a period of six (6) months following the issuance of the finding, provided that the officer meets the other eligibility requirements of this Section. If following a LEOBR hearing a finding of "not guilty" is made, the officer shall be entitled to be designated an MPO and given the accompanying rate increase, retroactive to July 1<sup>st</sup> immediately preceding the finding of the LEOBR hearing board.
- G. Must pass the MPO Written Examination
1. Those who meet all of the qualifications may request to take the MPO Written Examination. This examination is **not** intended to be a competitive exam.
  2. The qualifying exam, including the number and type of questions, remain within the sole discretion of the University. The Office of Human Resources will review and approve the examination before it is administered.
  3. The MPO Written Examination will require a passing score of at least (70%).
  4. The University will offer the examination once a year. The examination will be administered by the Department of Human Resources. If there are no qualified members available to take the test pursuant Section 3 of this Article, the examination will not be given until May 1<sup>st</sup> of the following year.

### **1.12.3 FUNERAL DETAILS**

- A. Police funeral services may be provided upon request and approval of the chief for active or retired members of the agency.
- B. Police funeral services are based on the deceased family's wishes and the deceased employee's status as sworn or civilian, active or retired, and line of duty or non-duty related death.
- C. Support Services to Surviving Families of Line-of-Duty Death, a Public Safety Agency Handbook, Concerns of Police Survivors (C.O.P.S.), serves as an agency recognized resource when dealing with deaths of agency personnel.
- D. The agency's logistical responses to employee deaths may be modified by the chief taking into consideration staffing levels, unusual sizes of the funerals, types of services, physical arrangements of service locations, etc.
- E. Additional honors may be awarded by the Chief to deceased officers or employees of the agency, or to deceased officers of other agencies.

#### **1.12.3.1 Notifications**

- A. Anyone can notify the Chief about the death of any active or retired employees.
- B. On-duty supervisors **MUST** immediately notify the Chief of Police about the death of any current employee.

#### **1.12.3.2 Active Employee Deaths**

- A. **Meet with the family:** The chief or a designated Liaison will respond to the deceased employee's family, determine family wishes regarding agency participation in funerals or services, and render all possible assistance.
- B. **Support:** The chief will assign liaison officers to assist surviving family members.
- C. **Plan:** The chief will coordinate the agency's responses to line of duty deaths.

#### **1.12.3.3 Retired Officer Deaths**

- A. If services are held within reasonable distances, funeral procedures for retired officers will be the same as outlined for active officers.
- B. The chief will contact the employee's family, determine the wishes of the family regarding agency participation in funerals, and render all possible assistance.

#### **1.12.3.4 Civilian Employee Deaths**

- A. The response is the same as any other member who dies during the time that they are employed by the agency.
- B. We will not send a teletype to other agencies, unless there is special circumstance as determined by the Chief of Police.
- C. The Chief or an appointed liaison will contact the employee's family; and determine the family wishes regarding our agency's participation in funerals.

### **1.12.3.5 Coordination Meeting Task Assignments**

- A. The Support Services Section is responsible for the overall planning and command of funeral operations and will draw upon the resources of the agency for assistance.
- B. Tasks within the agency:
  - 1. Designate phone numbers to be used for contacts with this agency
  - 2. Obtain American flags to offer to the families, to be presented by the chief
  - 3. Coordinate flag lowering and station draping with black
  - 4. Release appropriate information to the media
  - 5. Send teletypes containing names of deceased, dates / times of deaths, funeral arrangements, uni-form to be worn, if services will be private or open; and preferred expressions of sympathy
  - 6. Create an Operations Plan and share this with: other agencies assisting us, our members in the funeral detail, the news media if roads will be blocked, etc
  - 7. Ensure deployment of Student Marshals and traffic cones as appropriate
- C. Other agency coordination:
  - 1. Make lists of:
    - i. Names and addresses of agencies sending personnel to funerals;
    - ii. Names of chiefs of police of agencies sending personnel to funerals;
    - iii. Numbers of officers projected to attend funerals;
    - iv. Numbers of officers projected to attend post funeral receptions; and
    - v. Numbers of vehicles projected to take part in processions;
  - 2. Ensure acknowledgments are sent to visiting or assisting agencies
  - 3. Assign officers to reconnoiter procession routes
  - 4. Arrange for any necessary assistance from other jurisdictions
- D. Funeral service:
  - 1. Meet with funeral directors, clergy, and cemetery directors, to coordinate funeral activities
  - 2. Complete itineraries for the funeral day
  - 3. Designate funeral ushers (note: coordinate with family who may want to supply)
  - 4. Liaison will escort surviving family members to funeral homes and home following services.
- E. Police functions outside the service:
  - 1. Designate honor guard and coordinate the movements of officers, death watches, pallbearers, honor guards, color guards, and alignment of vehicles
  - 2. Designate parking direction, control, and security during and after funerals and receptions
  - 3. Select staging areas
  - 4. Designate greeting committees for staging areas
  - 5. Ensure adequate restroom facilities at staging areas
  - 6. Gather information on all agencies reporting to staging areas
  - 7. Prepare and deliver burial uniforms to funeral homes
  - 8. Prepare eulogies

- F. Post funeral:
1. Locate and obtain areas for post-funeral receptions
  2. Remove, for return to surviving family members, personal effects from offices, desks, and lockers, paying particular attention to jewelry items
  3. Coordinate donations for surviving family members
  4. Ensure sufficient patrol staffing before, during, and after funerals
  5. Ensure agency officers are wearing black badge shrouds and white gloves
- G. Burial attire for sworn employees will be the dress uniform. Burial attire for non-sworn employees will be business attire. Badges and/or other uniform accouterments may be retrieved prior to burial for eventual presentation to the family.

### 1.13.1 Leave & Duty Status

- A. The [UMBC Staff Handbook](#) provides the specific details of the leave system for university employees. Agency directives relating to leave compliment and expand upon UMBC's leave directives.
- B. Because agency directives devolve from regulations established outside the agency, they are subject to change or interpretation without notice.
- C. All leave must be approved prior to the absence. The exception is sick leave, where the leave is approved when the member returns to duty.

#### **1.13.1.1 Leave Request and Authorization**

- A. Employees will not be absent from duty, except as provided in university and agency directives. Employees who are absent without approval are considered to be in the status of "Unauthorized Absence Unpaid" (UAU).
  - 1. Unauthorized absences will be reported by employees' supervisors to the chief.
  - 2. The attendance records of employees will indicate UAU status.
  - 3. Unauthorized absences will be investigated to determine if officers failed to appear or were AWOL. Investigations dealing with instances of unauthorized absences will be conducted in accordance with **1.4 Discipline & Internal Affairs**.
  - 4. Employees taking leave without sufficient leave balance may be considered to be in a UAU status.
- B. It is incumbent on agency administrators and supervisors to arrange work so that employees can actually receive leave to which they are entitled and, whenever feasible, at times requested by employees.
- C. Employees are primarily responsible for monitoring, managing and planning their leave usage. Employees will submit leave requests to their supervisors.

	Who can approve	Lead time for approval
Less than 40 hours	Supervisor	As soon as possible
More than 40 leave hours	Commander	14 calendar days in advance
More than 120 hours	Commander	Include endorsements by supervisor

- D. Leave requests will be granted on a first-come, first-served basis based on:
  - 1. Agency operational staffing levels and requirements;
  - 2. Prior commitments such as court, training, etc., of requesting officers; and
  - 3. Length of leave periods requested.

- E. The agency will announce those dates where it is anticipated that operational needs will necessitate either no leave or restricted leave days being granted.
1. The Operations Commander will announce anticipated no-leave or low-leave dates in a timely fashion to all employees.
  2. Agency personnel are responsible for being aware of agency announced no-leave or low-leave dates and scheduling their leave requests accordingly.
  3. Leave requests may be granted in exception to agency needs where demonstrated hardships are proven by requesting employees and approved by the Chief.
- F. The Business Services Specialist maintains records of:
1. Leave accrued by employees; and
  2. Leave taken by employees.
- G. Leave balances are on employees' timekeeping records. Employees are ultimately personally responsible for knowledge of their leave balances, leave management, and accurately documenting leave usage on their time keeping records.

**1.13.1.2**      **[Administrative Leave](#)**

**1.13.1.3**      **[Cancellation of Classes & Release of Employees](#)  
**[Administrative Liberal Leave Guidelines](#)****

**1.13.1.4**      **[Illness in Employee's Immediate Family Leave](#)**

**1.13.1.5**      **[Family Leave Without Pay](#)**

**1.13.1.6**      **[Holiday Leave](#)**

**1.13.1.7**      **[Jury Leave](#)**

**1.13.1.8**      **[Subpoenas](#)**

1. Employees summoned to appear in court actions, grand juries, administrative proceedings, or for dispositions outside the scope of their positions with the agency and are neither parties to the actions nor paid witnesses, may be absent from duty without loss of pay or charge to any earned leave balances.
2. However, employees summoned to appear as the result of **secondary employment** will have their absences charged to accrued leave or leave without pay.
3. If employees are paid for their services as witnesses, then their absences may be charged against their accrued leave or as leave without pay. If employees merely receive nominal court witness payments, then they may endorse the checks to the university and not have the period charged against accrued leave.
4. Employees will provide the agency with copies of corroborating documents in reference to any summons, grand jury, administrative proceeding, or disposition on the next business or duty day following receipt of any applicable documents.

**1.13.1.9**      **[Military Leave](#)**

**1.13.1.10**    **[Personal Leave](#)**

**1.13.1.11**    **[Compensatory Leave \(Comp Time\)](#)**

**[Sworn members' MOU with UMBC](#)**  
**[AFSCME members' MOU with UMBC](#)**

**1.13.1.13**    **[FOP Leave](#)**

**1.13.2**      [Sick Leave](#) (Sworn)   [Sick Leave](#) (Non-sworn)

[Sick Leave](#) (Staff Handbook)

**1.13.2.1**      **Medical Certificates**

	Action	Circumstance	# of Days to trigger a response
1	Can require medical certificates	Employees will be required to provide documentation from a certified medical practitioner	7 unrelated sick calls
2	Can require medical certificates	Employees required to provide documentation from a certified medical practitioner for each subsequent instance of personal or family leave for a period of 12 months.	10 instances of unrelated sick calls of personal and family sick leave in a 12 month period
3	Fitness for Duty examination	To submit to physical examinations by a university - designated physician to determine fitness for duty	No time-limit
4	When certificates <b>NOT</b> required	Medical certificates should not generally be required when employees are calling in sick for any work related assigned duty.	No time limit- discretion to Section Commander
5	Notification of medical certificate	employees should be informed in advance when medical certificates will be required	

1. **Sick leave verification orders** for other than advanced or extended sick leave or to care for ill or injured immediate family members will be based on these indicators:
  - a. Employees appear unable to perform their job responsibilities due to illness, injuries, or other disabilities;
  - b. Employees complain of medical conditions for which they have **not** sought appropriate medical attention;
  - c. Employees have provided medical certificates in the past, but certificates do **not** contain information required;
  - d. There are patterns of absences;
  - e. There are reasons to believe employees are not sick based on observations or other relevant evidence;
  - f. Employees are using more sick leave than is needed or verified for medical appointments; and
  - g. Employees' absences negatively impact their job performance.
  
2. Medical certificates are required for return to duty following either work or non-work related injuries.
  
3. Medical certificates are required every two weeks for accident leave.

4. Medical certificates must be originals, signed by licensed or certified medical providers authenticating periods of sick leave usage. Certificates must contain the:
  - a. Dates of illnesses or injuries;
  - b. Diagnosis;
  - c. Prognosis;
  - d. Any duty and/or physical limitations; and
  - e. Next appointment date, anticipated duration of the illness, or date the employee may return to duty.
5. Originals of medical certificates are attached to employees' time sheets. Copies may be provided by employees to their unit commanders. Employees must inform the Executive Administrative Assistant when they submit medical certificates to Health Services. The Executive Administrative Assistant will contact Health Services to ensure that medical certificates fulfilling agency directives have been submitted.
6. Failure to provide medical certificates when required will result in the leave being recorded as leave without pay or unauthorized absence (AWOL) and may result in disciplinary action.

#### **1.13.2.2 Employee's Responsibility – Sick Leave**

- A. **Notify agency:** In order to call in sick, all employees will call Communications on a recorded line and provide information that includes: how long they expect to be absent, the nature of the illnesses, injuries, etc., necessitating their absences; and a phone numbers where employees can be reached.
- B. **Daily call-in:** Employees are required to call in sick each day unless prior arrangements have been made with their unit commanders.
- C. **All members:** Administrative employees assigned will notify their immediate supervisor of their illness as soon as practical. This includes Student Marshals.

#### **1.13.2.3 Communications Responsibility – Sick Leave/Sick Call**

- A. **Notify:** Communications personnel will notify the affected unit commanders, and any applicable OICs of special events, training, or hearings.
- B. If employees are calling in sick for Court; Communications Personnel will gather the necessary information and make notifications to the affected court.

### **1.13.2.2 Supervisor's Responsibility – Sick Call**

1. **Monitor** employee's uses of sick call;
2. **Copy** medical certificates and forward originals to the Executive Administrative Assistant;
3. **Inform** the chief, through the chain of command, of instances when it is suspected that employees are abusing sick call or when necessary to assure medical attention for employees; or when employees are injured or contract serious or extended illnesses.

### **1.13.3 Other Leave**

#### **1.13.3.1 Accident Leave [UMBC Accident Leave Policy](#)**

#### **1.13.3.2 Accident Leave Management**

The [USMH 224.0 VII-7.40- Policy on Accident Leave for Exempt and Nonexempt Employees](#) provides basic, controlling directives for the university's and agency's management of accident leave. The directives contained in this section are applicable for on-duty related injuries only.

### **1.14.1 On-Duty Injury Reporting**

- A. All employees will immediately report injuries sustained on-duty to agency supervisory. Supervisory or administrative ranked personnel will respond to injured employees' locations and direct them to obtain treatment and diagnosis.
- B. Injured employees or superiors, acting on behalf of injured employees, will provide written notices to the agency of injuries as soon as reasonably possible after injuries occur.
- C. When injuries occur, the first consideration is the immediate care of the employee.
  - 1. If injuries are minor, employees may receive in-house first aid treatment utilizing agency first aid supplies.
  - 2. Agency employees trained and certified in first aid, First Responder, EMT, etc., may provide appropriate first aid treatment to injured employees.
  - 3. If injuries require the attention of certified medical providers, injured employees' immediate supervisors, or designees, will transport injured employees to a health care facility.
  - 4. If injuries are serious and/or appear to be life threatening, assistance will be requested through Baltimore County EMS system.
- D. After immediate care has been arranged, if possible, accident scenes will be secured for accident investigations.

#### **1.14.1.1 Reporting Injuries**

- A. Within one working day, injured employees or superiors, acting in the behalf of injured employees, will obtain and forward to the Workers' Compensation Coordinator medical certificates provided by certified medical providers. Medical certificates must contain:
  - 1. Date injuries occurred;
  - 2. Diagnosis and any incapacitations;
  - 3. Prognosis and any projected lengths of incapacitations;
  - 4. How injuries were duty related;
  - 5. Any physical limitations;
  - 6. Next medical appointment dates or anticipated duration of absences.
- B. Draft copies of an Employer's First Report of Injury reports will accompany written medical certifications.
- C. Within 24 hours after injuries, injured employees' supervisors will review written medical certificates for sufficiency as described in this directive. Supervisors will obtain from injured employees or someone on the employees' behalf written or oral statements which provides descriptions of how injuries occurred. The information will be entered on Employee's First Report of Injury by injured employees' supervisors.
- D. Supervisors will identify any witnesses to accidents causing injuries, request written statements as to how injuries occurred, and investigate causes of accidents.

- E. Supervisors will complete the Supervisor's First Report of Injury forms in which employees' versions of incidents are verified, supported, questioned, or contradicted.
1. Verified: If supervisors witnessed injuries and agree with injured workers' statements, the description is verified.
  2. Supported: If supervisors did not witness accidents, but witness statements coincide with injured workers' descriptions, and supervisors believe these accounts to be accurate, the description is supported.
  3. Questioned: If there are some discrepancies between witness statements and/or injured workers' statements, or supervisors have reasons for doubting injured workers' statements, supervisors should indicate those doubts and describe the incidents as questioned. Accident investigations will continue until sufficient facts have been determined to resolve as many of the doubts as possible.
  4. Contradicted: If supervisors witness accidents and do not agree with injured workers' descriptions, or if witness statements do not support injured workers' descriptions, this contradiction will be described in Supervisor's First Report of Injury.
  5. If accident cause findings cannot be determined because there are no witnesses to accidents and injured employees are unable to provide information relating to injuries, supervisors will gather information, investigate accidents to the best of their abilities, and include the information with Supervisor's First Report of Injury.
- F. The Deputy Chief of Police will approve or deny accident leave in accordance with Maryland law and notify the Injured Workers' Insurance Fund ([Chesapeake Employers' Insurance](#)) of their decision.
- G. The Deputy Chief of Police will ensure that complete, final copies of Employer's First Report of Injury are sent to Chesapeake Employers' Insurance. If immediately available, copies of all statements regarding injuries, as well as results of accident investigations, will accompany insurers' copies of Employer's First Report of Injury to the Chesapeake Employers' Insurance. If not immediately available, they will be sent as soon as possible.
- H. Copies of all materials related to injuries are to be placed in employees' personnel files.

#### **1.14.1.2 Accident Investigation**

- A. There are four major groupings of causes that need to be examined during accident investigations.
1. **Hazardous conditions** examine the environment and the work area to determine if all working conditions were safe and adequate. Some hazardous conditions may involve:
    - a. Unsafe housekeeping
    - b. Environmental toxins
    - c. Defective equipment
    - d. Excessive noise or temperature
    - e. Lack of safety devices
    - f. Flammables or combustibles

- g. Inadequate space or light
        - h. Handling or storage issues
  - 2. **Dangerous acts** are conditions that are difficult to determine, especially if employees' actions violated safety rules or procedures. Many employees think that their negligence could affect worker's compensation benefits, which is not true. Some dangerous acts may involve;
    - a. Inattention while working
    - b. Failing to use proper equipment
    - c. Improper use of equipment
    - d. Using defective equipment
    - e. Unsafe work practices
    - f. Not using protection
    - g. Unsafe speed/load
    - h. Improper use of materials
  - 3. **Human factors** are the most difficult to obtain information and the easiest to overlook. Some human factors may be:
    - a. Personal problems
    - b. Poor motivation
    - c. Physical problems
    - d. Lack of knowledge
    - e. Anti-social behavior or attitude
    - f. Lack of skill
    - g. Fatigue
    - h. Mental problems
  - 4. **Personal injuries** that describe exact natures of accidents may assist in identifying patterns of accidents. Some personal injuries may be caused by:
    - a. Falls (down, up, below);
    - b. Being struck (by, up, against);
    - c. Being caught (by, between, in, on);
    - d. Exposure (internal, external)
    - e. Exertion by overload;
    - f. Contact (by, with, in)
    - g. Physical trauma; or
    - h. Psychological trauma
- B. Investigations of accidents involving injuries to employees are to be thoroughly investigated. Some important steps in investigating injuries to employees are:
- 1. Securing accident scenes;
  - 2. Taking photographs as appropriate;
  - 3. Obtaining witness statements; and
  - 4. Completing thorough ROIs.
- C. Reports of Investigations (ROIs) will contain:
- 1. Descriptions of accidents in detail;
  - 2. Witness statements;
  - 3. Investigation summaries;
  - 4. Conclusions;
  - 5. Recommendations; and

6. Attachments, if any (photos, diagrams, etc.)

**1.14.1.3 Medical Management**

- A. The Workers' Compensation Coordinator facilitates and coordinates the review of all medical reports and certifications regarding cases of sick and accident leave usage, contacting certified medical providers, making referrals to certified medical providers through the University Health Center, providing the Chesapeake Employers' Insurance with reports of injuries, and providing accident leave information to the Fiscal Services Unit.
- B. The Fiscal Services Unit will cause to be maintained records of all lost days charged to accident leave and the amount of wages paid for those days.

**1.14.1.4 Managing Injured Employees During Recovery Periods**

- A. The Workers' Compensation Coordinator will work with Chesapeake Employers' Insurance to monitor care provided to injured workers and to identify situations in which injured workers may be receiving under-treatment or over-treatment.
- B. Injured employees will contact designated superiors at least once during each pay period to communicate injured workers' conditions and most likely return to work dates.
  - 1. If injured workers fail to contact superiors, superiors will contact injured workers.
  - 2. Documentation of all such contact will be sent to the Workers' Compensation Coordinator.
  - 3. Superiors will strive to show compassion during these calls and communicate concern for injured workers. Harassment is prohibited.
- C. The Workers' Compensation Coordinator will contact health care providers providing treatment periodically, as appropriate, until return to work dates are projected. During these contacts, the certified medical providers and agency representatives should discuss whether or not temporary modifications in the injured employees' duties could be implemented to bring about an earlier return.
- D. Agency employees will notify the Workers' Compensation Coordinator if they believe injured employees are malingering, being over-treated, under-treated, or that second medical opinions are warranted for other reasons.
  - 1. If injuries are orthopedic, the Workers' Compensation Coordinator may contact Chesapeake Employers' Insurance's monitoring service directly to discuss the need for independent medical examinations.
  - 2. If injuries are not orthopedic, the Workers' Compensation Coordinator has the authority to require injured employees to undergo medical examinations by certified medical providers chosen by the agency. Chesapeake Employers' Insurance may be contacted for assistance in obtaining independent medical examinations.
  - 3. If injured employees have been observed performing activities that are possibly incompatible with their medical conditions, the agency may contact the Chesapeake Employers' Insurance Claims Department to discuss the need for surveillance of injured employees.

- E. Employees sustaining numerous injuries (accident prone) will be provided additional training in the safe conduct of their work activities.
- F. If patterns of injuries are identified, e.g., specific times of year, etc., the appropriate bureau commander will initiate discussions with employees regarding the patterns.

#### **1.14.1.5 Workers' Compensation**

The [Labor and Employment \(LE\) Article, Title 9](#), establishes employee's coverage under the Worker's Compensation Law of Maryland.

#### **1.14.1.6 Employees' Coverage and Responsibilities Insurance & Injuries**

Forms for accident investigations, injuries, and insurance may be accessed at: <https://safety.umbc.edu/forms/>.

#### **1.14.1.7 Agency's Responsibility**

- A. The Deputy Chief of Police is responsible for ensuring Employer's First Report of Injury forms are filed with the Chesapeake Employers' Insurance, the Workers' Compensation Commission immediately after report of the notice of employees' injuries.
- B. Injured employees may be granted accident leave in accordance with the policies of UMBC, the Chesapeake Employers' Insurance or the Workers' Compensation Commission. If those agencies determine that the injuries are not compensatory, then employees' leave records will be corrected to reflect other leave with pay or leave of absence without pay.
- C. Injured employees may be referred to certified medical providers for periodic examinations to determine:
  - 1. The nature and extent of injuries;
  - 2. The employees' progress toward recovery;
  - 3. The length of time necessary for recovery; and
  - 4. Projected return to work dates.
- D. Employees may be referred to the state medical director for disability evaluations only after employees have been examined by physicians of the Workers' Compensation Commission or by certified medical providers to whom the Chesapeake Employers' Insurance has referred employees. In such cases, the agency will:
  - 1. Provide the State Medical Director with copies of all medical evaluations and determinations made by those certified medical providers; and
  - 2. Provide reports stating the circumstances of referral and the prognosis stated by certified medical providers.
- E. Extended sick leave may be granted at the discretion of the Chief of Police

#### **1.14.2 Modified Duty Status**

- A. The [USMH 225.0 VII-7.41 Policy on Modified Duty](#) provides basic, controlling directives for the university and agency's management of assigning employees to modified duty status.

- B. Modified duty status is a temporary assignment available to employees in lieu of their regular assignments and due to temporary physical or mental conditions or impairments that restricts their ability to carry out their normal duties and responsibilities.
  - 1. Modified duty assignments must be compatible with employees' medical restrictions and are intended to support employees' prompt return to full duty.
  - 2. Modified duty status assignments are temporary duty assignments for temporary conditions. The agency does not create permanent modified duty assignments.
- C. Conditions or impairments that may result in employees being placed in a modified duty status include, but are not limited to:
  - 1. Orthopedic conditions;
  - 2. Cardiovascular conditions;
  - 3. Internal disorders;
  - 4. Pregnancy;
  - 5. Sensory impairment;
  - 6. Stress related disorders; and
  - 7. Sick leave usages of five consecutive duty days pending medical examination for return to work clearance.
- D. Requests for modified duty status and information contained in the requests, reports, and records are treated as confidential and will be only released on a need-to-know basis.

#### **1.14.2.1 Authorization**

- A. Only the Chief of Police can authorize a modified duty status. Employees will be placed on either sick leave or work injury leave pending action by the chief.
  - 1. **Work-related:** Employees are not required to submit requests for modified duty status assignments if their conditions are the result of duty related incidents, but must assist in providing information that documents their medical eligibility for modified duty status assignments.
  - 2. **Non-work related:** Employees desiring modified duty assignments as the result of non-duty related injuries or illnesses must submit written requests to the Chief.
- B. Written requests for modified duty status assignments subsequent to non-duty related injuries or illnesses will be submitted to the chief through employees' unit and bureau commander and will contain:
  - 1. Dates, times, and locations of the incidents/conditions leading to requests;
  - 2. Diagnosis of illnesses or injuries;
  - 3. Whether conditions are work or non-work related;
  - 4. Names, addresses, and phone numbers of certified medical providers providing treatment;
  - 5. Recommendations for modified duty status or reasons illnesses or injuries prevent employees from working even with reasonable accommodations;
  - 6. Recovery prognosis;
  - 7. Any relevant information or documentation;
  - 8. Anticipated lengths of modified duty status;
  - 9. Medical restrictions that need to be considered when identifying modified duty

- assignments; and
10. Completed Authorization for Release of Medical Records concerning the conditions.
- C. Within 2 business days of submission, the requesting employees' supervisor must forward the modified duty status requests to their Commanders.
- D. Within two business days of receipt of request, the employee's Commander will forward the request for modified duty status to the Chief.
- E. The chief will approve or reject modified duty status requests and notify the requesting employee of the actions within two business days after receiving the request. Requests for modified duty status denied by the Chief will contain written explanations of the objective based reasons for denying requests.
- F. Employees must notify the chief when changes involve:
1. Names, addresses, and phone numbers of certified medical providers who provide treatments for the conditions or impairments;
  2. Recommendations for modified duty status by certified medical providers;
  3. Recovery prognosis;
  4. Types or nature of activities employees are allowed to perform;
  5. Any other relevant information or documentation; and
  6. Anticipated lengths of modified duty status.
- G. The Executive Administrative Assistant is responsible for:
1. Maintaining all records concerning employees on modified duty status; and
  2. Recommending secondary evaluations by UMBC certified medical providers to evaluate fitness for duty.

#### **1.14.2.2 Restrictions and Limitations**

- A. Requests for modified duty status will be approved based on:
1. Availability of modified duty positions;
  2. Length of expected modified duty status; and
  3. Nature of modified duty work as it pertains to disabilities.
- B. Assignments to modified duty status positions will be based on the needs of the agency.
1. Employees assigned modified duty status may be reassigned anywhere in the agency.
  2. Unit commanders may request that the employees remain assigned to their units of original assignment if valid modified duty positions exist there.
  3. Employees on modified duty will not be assigned to perform duties of a level higher than their regular classifications.
  4. Modified duty employees may experience some temporary changes from their regular assignments concerning daily work hours, scheduled shifts, regular days off, and holidays.
  5. Modified duty assignments will not alter employees' biweekly salaries but

- may affect shift differential pay.
6. The institution may, at any time, arrange for second medical opinions by institution named certified medical providers to verify recovering employees' need to continue modified duties.
  7. Employees serving in modified duty capacities will be rated by unit commanders under which they are assigned during their periods of modified duty. Unsatisfactory performance during periods of modified duty may result in the modified duty status being terminated.
  8. If modified duty positions do not exist, employees will be required to remain on sick leave or accident leave until modified duty positions become available or until they recover to full duty status.
  9. Employees receiving accident leave take precedence over members with non-work injuries or conditions for assignment to modified duty status.
  10. If employees refuse modified duty assignments, accident or sick leave may be terminated. Employees may be allowed to use other forms of paid leave, be terminated, or be placed on Leave of Absence without Pay.
  11. Employees who are injured in the line of duty and who refuse modified duty will be reported to the Chesapeake Employers' Insurance, and requests will be made for suspensions of lost time benefits.
- C. The total number of days that employees can be assigned modified duties should not exceed 180 calendar days in any 12-month period. Exceptions to the 180-calendar day limitation may be approved only by the Chief of Police.
1. Employees who have exhausted the 180-day limit and are still unable to return to full duty may be placed on sick leave, remain on modified duty assignment, placed on job related injury leave until such time as they are able to return to full duty status, or seek other administrative remedies.
  2. Administrative remedies include, but are not limited to:
    - i. Disability retirement;
    - ii. Medical retirement;
    - iii. Advanced sick leave;
    - iv. Change in university assignment; or
    - v. Termination.
- D. Only the Chief may revoke employees' modified duty status or return officers to full duty status.
- E. The Chief may, on a case-by-case basis, suspend officers' law enforcement authority during periods of modified duty. These suspensions are administrative actions leaving officers on full pay and benefits, but with no police authority.
- F. Employees on modified duty status who need to be absent from work due to related medical, therapy, etc. appointments will have those absences charged to sick leave, accident leave, or other appropriate leave balances.
- G. Before returning to full duty status from modified duty, employees must be declared fit for duty by their certified medical provider and/or a university certified medical provider.

### **1.14.2.3 Pregnancy**

- A. The agency may grant modified duty status to pregnant employees.
- B. Pregnant employees are encouraged to notify the chief of pregnancies so the agency can anticipate and plan for modified duty status requests.
- C. Pregnant employees may request modified duty status any time during their pregnancies.
- D. Pregnant employees on modified duty status are not subject to the 180 calendar day limitation.
- E. Employees requesting pregnancy related modified duty status will file written reports to the chief through employees' unit and bureau commanders that will contain:
  - 1. Names, addresses, and phone numbers of certified medical providers who are providing pregnancy related treatment or care;
  - 2. Dates last seen by certified medical providers;
  - 3. Dates of next medical appointments;
  - 4. Expected delivery dates;
  - 5. Types and nature of activities employees are allowed to perform;
  - 6. Any other relevant information or documentation; and
  - 7. Completed Authorization for Release of Medical Records form pertaining to the pregnancies.
- F. When pregnant employees' certified medical providers determine that pregnancies render officers unable to perform the substance of regular duties, the providers may recommend assignments to modified duty status or placement on leave. The final action on such recommendations rests with the chief.
- G. The chief may assign pregnant employees to modified duty status when facts and circumstances indicate that, because of pregnancies, employees are no longer able to perform the substance of their duties.
- H. Pregnant employees on modified duty status must notify the chief, through their chain of command, of changes in:
  - 1. Names, addresses, and phone numbers of certified medical providers who are providing treatment and care for pregnancies;
  - 2. Expected delivery dates;
  - 3. Types and nature of activities employees are allowed to perform; and
  - 4. Any other relevant information or documentation.

### **1.15.1 Personnel Files**

**A. File Organization:** The agency maintains personnel files on all full-time employees of the agency. The files are segmented into categories that are:

1. Personnel orders;
2. Commendations and awards;
3. Reviews and evaluations;
4. General & miscellaneous information;
5. Employment related medical and injury information; and
6. Disciplinary information.

**B. Personnel Orders:** Section 1 material is retained permanently and includes:

1. Hiring notices;
2. Promotional announcements;
3. Transfer announcements;
4. Modified duty assignments;
5. Suspension notifications;
6. Agency committee assignments;
7. Ancillary duty assignments; and
8. Separation notices of resignation, retirement, or termination.

**C. Commendations & Awards:** Section 2 material is retained permanently and includes:

1. Agency letters, certificates, and commendations;
2. Agency awards and medals;
3. Letters of appreciation from civilians; and
4. Length of service certificates.

**D. Reviews & Evaluations:** Section 3 material is retained three years and contains:

1. Employee evaluation reports; and
2. Probationary employee reports.

**E. General & miscellaneous information** Section 4 material contains:

1. Position descriptions;
2. Transfer requests;
3. Secondary employment authorizations; and
4. Miscellaneous correspondences to and from the Office of the Chief.

**F. Employment related medical and injury information:** Section 5 material is retained permanently and contains;

1. Copies of Employee's First Reports of Injury;
2. Copies of Supervisor's First Reports of Injury report;
3. Copies of medical practitioner's reports or certifications relating to the management of employee sick or accident leave;
4. Copies of agency correspondence to and from employees relating to the management of employee sick or accident leave; and
5. Other miscellaneous correspondence relating to the health, safety, & well-being of employees.

**G. Disciplinary information:** Section 6 materials may be retained permanently based on the nature of the disciplinary action.

1. Placement of disciplinary material in personnel files will be consistent with LEOBR and other applicable administrative disciplinary processes.
2. No material will be placed in or removed from this section without the permission of the internal affairs coordinator or the Chief.

**H. Location of Personnel files:** Kept in the Business Manager's Office.

- I. **Maintenance & Inspection:** It is the responsibility of the agency's Business Manager to:
1. Place materials in personnel files within 30 days from receipt or generation of the materials;
  2. Process personnel file access requests; and
  3. Ensure personnel files are made available to authorized requesters.

J. **Access Control:** Requests to access and examine personnel files will be honored and processed on a need-to-know basis. The rules for access are:

1	chief and section commanders	authorized to access and examine the personnel files of any agency employee.
2	Employees	authorized to access and examine their own personnel files. This will occur during the normal business hours for the Business Manager.
3	internal investigators	will be permitted to access and examine personnel files of involved employees in specific, need-to-know instances as approved by the Chief
4	outside agency personnel	access and examine personnel files will be granted based on the legal sufficiency or need to know basis of their request.
5	Squad supervisors	should routinely review the personnel files of subordinates: <ol style="list-style-type: none"><li>a. When subordinates are transferred into new assignments; and</li><li>b. As a component of the goal setting and evaluation process.</li></ol>

## 1.15.2 GOAL SETTING & EVALUATION (*It's a process, NOT an event*)

### 1.15.2.1 Performance Review and Development

- A. **Regular feedback:** Performance goal setting and evaluation will be conducted for all agency employees at least every **six** months. The adage: “knowledge of results improves performance.” The process is similar to coaching where we constantly attempt to improve performance.
- B. **Authority:** Goal setting and evaluation processes will be conducted consistent with the policies and procedures of the university’s [Performance Management \(PMP\) process](#).
- C. **Goals of the process:** The agency’s responsibilities of the PMP process include:
1. Ensuring the PMP process is administered fairly, consistently and are specific to the assignment of the employee during the rating period;
  2. Ensuring performance expectations are established and communicated to all employees; and
  3. Ensuring supervisors attend PMP training as necessary and prudent.
- D. **The evaluators need to be trained:** Supervisory and administrative personnel are not permitted to carry out their PMP responsibilities until they have successfully completed performance management training administered by University Human Resources. Periodic refresher training will be provided as part of in-service training as staffing and resources permit.
- E. **Rating the raters:** Supervisors will be held accountable in their own performance evaluations for conducting the PMP process with their employees.
1. The PMP process must be conducted competently and in a timely manner.
  2. Supervisors will be evaluated by their superiors based on the quality of ratings given subordinates.
  3. Supervisors will ensure that ratings are applied uniformly.
  4. The performance evaluation report is reviewed and signed by the **Rater’s** supervisor.
- F. **Each party participates:** Employees are expected to be active participants in the PMP process. Their PMP responsibilities include:
1. Familiarizing themselves with the PMP process by attending training and reading employee manuals;
  2. Initiating performance related discussions with their supervisors; and
  3. Updating skills needed to perform their jobs as necessary; and
  4. Sign the PMP, and have the opportunity to make written comments to supplement the completed performance evaluation report.

### 1.15.2.2 Goal Setting Records

- A. **When do we rate:** Raters will counsel their subordinates in one-on-one settings within the first 30 days of rating periods or transfer of employees to new assignments. Issues covered during these counseling sessions must include:
1. Duties, responsibilities, and job tasks of assignments based on established assignment descriptions;
  2. Levels of performance expected; and
  3. Criteria used for evaluating subordinates.
- B. **Follow-up:** Raters will conduct and document at least one additional performance review session with each of their subordinates approximately mid-way through rating periods.

- C. Individual Goals fit agency goals:** Criterion used in goal setting must be consistent with organizational and unit goals established by the agency and will be applicable across all ranks and for all personnel.
- D. Records:** Goal Setting Records will be used to document goal setting sessions; in order to directly inform subordinates of performance expectations.
1. Goal Setting Records = written records of goal setting, performance, and counseling.
  2. These records protect the rights of/ and prevent misunderstandings by subordinates.
- E. Procedures** for initial goal setting sessions, raters will;
1. Schedule sessions and notify subordinates;
  2. Review subordinates' last evaluations and descriptions;
  3. Examine rated areas to decide how each area applies to subordinates' performance;
  4. Describe what will be considered "Meets Expectations" ratings for each rated area;
  5. Describe specific examples that are observable and measurable;
  6. Reach consensus on special projects or goals to be accomplished; and
  7. Provide copies of Goal Setting Records to subordinates.
- F. Follow-up Reviews:** For secondary goal setting review sessions, raters will:
1. Schedule sessions and notify subordinates;
  2. Review working copies of standards developed during the initial goal setting sessions;
  3. Review any positive and negative performance;
  4. Decide how well subordinates have achieved each standard of performance; and
  5. If necessary, define actions that should be taken to improve subordinates' performance toward achieving goals.
- G. On-going process:** Goals may be updated or revised during rating periods so long as employees are advised of the changes and have an opportunity to discuss and be made aware of changes.

### **1.15.2.3 Performance Counseling**

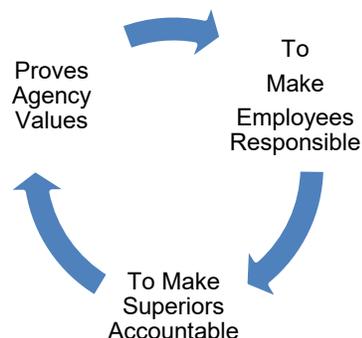
- A. Counseling:** The PMP system uses counseling as a function in providing employees with on-going feedback and coaching.
- B. Recording:** Supervisors should document performance of subordinates on an on-going basis to assist in performance counseling.
- C. Knowledge:** Supervisors should give subordinates opportunities to review, enter responses, and acknowledge entries after initial complaints, incidents, or activities.
- D. Can't counsel in an internal matter until it is concluded:** Before counseling subordinates in reference to performance observations, superiors should decide if incidents should be handled through the formal disciplinary process for minor or major violations.

### 1.15.2.4 Evaluation Records

A. Evaluation Records will be completed consistent with training supplied by UMBC's Office of Human Resources.

#### The evaluation process is continuous

1. **Everyone is evaluated:** Formal evaluations will be completed for all subordinates annually.
2. **Time-sensitive:** Raters and reviewers will abide by process timetables.
3. **Records:** Ratings must be written, reviewed and signed both the rater and the rated member.



B. Job performance elements/criteria must be specific to employees' assignments during rating periods.

1. **Measurable:** Criteria will be observable, measurable, and established prior to the rating period. The employee must know what they are to accomplish.
2. **Collect facts:** Raters must examine and document all available sources of information relative to subordinates' ratings in all rated dimensions.
3. **Specific Time:** Actual dates covered by evaluations will be contained in evaluation reports. Job performance will be based only on performance during rating periods. Job performance prior to, or following, evaluation periods will be excluded from those evaluations.

C. **Notify employee of shortcomings:** Raters will (1) advise employees, (2) in writing, (3) when employees' performance is deemed to be below expectations. The purpose of meeting with the employee is to provide them with the time and opportunity to improve their performance before the end of rating periods.

1. Notifications of deficient performance by non-probationary personnel should be provided at least 90 days prior to the end of rating periods.
2. Deficient performance by non-probationary personnel occurring less than 90 days prior to the end of rating periods should be brought to the attention of employees as expeditiously as possible.

D. **Complete the feedback loop:** After evaluations are completed and reviewed, raters will discuss evaluations with subordinates in evaluation interviews. Subordinates will be afforded the opportunity to include their own comments on evaluations during evaluation interviews.

### 1.15.2.5 Evaluation Record Rating Dimensions

A. Evaluation Records for non-exempt employees are used to rate eight dimensions that are:

1. Job knowledge;
2. Dependability;
3. Cooperation and teamwork;
4. Customer service;
5. Quality of work;
6. Quantity of work;
7. Communication skills; verbal and written.

B. Evaluation Records for managerial/ administrative/ supervisory performance:

1. Planning- Setting objectives
2. Organization and work allocation- coordination;
3. Staffing;
4. Leadership and motivation- communications link;
5. Performance Review and Development.

**1.15.2.6 Evaluation Record Rating Levels**

A. The two measurement standards used by the agency in the evaluation process for nonexempt employees are: (1) Meets expectations; and (2) Does not meet expectations.

B. The five measurement standards used by the agency in the evaluation process for exempt employees are:

1	Exceptional
2	Highly effective
3	Effective
4	Improvement Required
5	Unsatisfactory

C. Each rating must be supported by comments.

**1.15.2.7 PMP Presentation ("It's a process, NOT an event")**

A.		All employees will be evaluated at the conclusion of the final rating periods
B.		After PMPs have been reviewed, PMPs will be discussed one-on-one by raters with subordinates.
C.		Raters are responsible for explaining to subordinates which information was taken into consideration in preparing evaluations.
	1	Specific examples of performance should be discussed in detail
	2	Employees should be commended for work well done as well as helped to understand specific ways their performance can improve
	3	Plans for improvement will be developed, if necessary.
	4	Levels of performance expected, rating criteria, and goals for the next rating period will be discussed.
	5	Career counseling relative to advancement, specialization, or training appropriate for employees' positions will be discussed.
D.		After reports have been discussed with rated subordinates, subordinates will be given the opportunity to sign evaluations where indicated on the form and to make written comments to supplement completed performance evaluation reports. Subordinates' signatures indicate only that they have read the PMP.
E.		If rated subordinates refuse to sign evaluation forms, raters will note this on the forms and record the reasons for refusal if given by subordinates.
F.		Employees are encouraged to resolve rating conflicts with their raters or through the chain of command.
G.		Employees who wish to formally contest their evaluations must file appeals with immediate supervisors, and/or through the <a href="#">Grievance process</a> .

### **1.15.2.8 Early Intervention System (EIS)**

#### **I. Purpose**

The purpose of the Early Intervention System is to identify agency employees who may require agency intervention efforts. The early identification of employees requiring intervention and remedial actions can increase agency accountability and provide employees a better opportunity to meet the department's values and potentially prevent severe discipline.

#### **II. Policy**

The Early Intervention System will be initiated when certain types of incidents occur within a 12-month period. First-line supervisors will conduct daily assessments of employee behavior, being alert for behaviors that may initiate the EIS, and documenting and reporting observed behaviors that may initiate the EIS to the Operations Commander. Supervisors should recognize actions and behaviors that could lead to disciplinary action or a referral to the University Employee Assistance Program.

#### **III. Procedures**

##### **A. Supervisor Responsibilities<sup>1</sup>**

1. First Level Supervisors are responsible for the day-to-day assessment of employee performance and compiling information to support employee performance evaluations. Other responsibilities include:

- a. Being alert for incidents or performance that could activate the EIS. This may include increased sudden absences, changes in mood or behavior, and citizen complaints.
- b. Collaborating with the employee's Section Commander to develop an Action Plan, remedial actions, and identify resources.
- c. Retaining copies of Action Plans to monitor and document employee's activities to ensure Action Plan objectives are completed within timelines.
- d. Meeting with identified employees and their Commander to review behavior and develop an Action Plan.
- e. Providing frequent feedback to employees and the Section Commander about the employee's progress in meeting action plan objectives.
- f. Making appropriate recommendations to modify Action Plans based on employees' performance.

2. Commander responsibilities include:

- a. Being alert for incidents or performance that could activate the EIS. This may include increased sudden absences, changes in mood or behavior, and citizen complaints.
- b. Collaborating with the identified employee's Supervisor, EIS Coordinator (Deputy Chief), and Human Resources to develop Action Plan, remedial actions, and resources.

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<sup>1</sup> CALEA 35.1.9f

- c. Meeting with identified employees and their supervisor to review behavior and develop Action Plan.
- d. Monitoring Supervisor progress and maintaining communication with the EIS Coordinator.

3. The Deputy Chief serves as the Early Intervention System Coordinator.

#### B. Criteria for Initiating Review

1. The Early Intervention System will be initiated when, in any previous 12-month period, an officer is directly involved in:<sup>2</sup>
  - a. Three (3) use of force incidents (of any type); or
  - b. Two (2) citizen complaints; or
  - c. Two (2) vehicle accidents involving agency vehicles (including reportable and non-reportable accidents); or
  - d. A combination of three (3) of any of the above incidents.
2. The Deputy Chief maintains a record of use of force incidents, complaints, and internal investigations involving officers. Other patterns of behaviors will be documented on UPD Form 3 Department Memorandum by supervisors and submitted to the employee's Commander.<sup>3</sup>
3. The Deputy Chief will create an Action Plan to be shared with the identified employee, the employee's supervisor, and the commander if the EIS is initiated.

#### C. Action Plan

1. The EIS Action Plan includes:
  - a. Remedial actions, such as counseling or additional training, for the employee to complete
  - b. The individual responsible for monitoring progress and remedial actions.
2. Failure to complete or participate in remedial actions will be documented on the Action Plan.

#### D. Remedial Actions<sup>4</sup>

1. One or more of the following courses of action will be taken for every employee whose actions necessitate the initiation of the EIS.
  - a. No additional action or intervention.
  - b. Informal counseling and informal monitoring by employee's raters.
  - c. Formal counseling or corrective actions as appropriate.
  - d. Formal monitoring for a minimum of 12 weeks with monthly formal

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<sup>2</sup> CALEA 35.1.9ab

<sup>3</sup> CALEA 35.1.9d

<sup>4</sup> CALEA 35.1.9g

reviews and reports.

- e. Mandatory remedial or additional training to improve skills.
- f. Voluntary or mandatory referral to the University's Employee Assistance Program (EAP)<sup>5</sup> for counseling or other assistance. This may include a fitness for duty review.
- g. Reassignment.
- h. Termination.

#### E. After Action Report

1. The Commander will complete and submit the final After Action Report to the EIS Coordinator, and it must include:
  - a. Actions taken and the dates;
  - b. Monitoring and observation reports;
  - c. Any changes to Action Plan;
  - d. Any other relevant recommendations or comments from commanders, supervisors, or employees.

F. Employees who disagree with the outcome of EIS meetings may file a grievance.

#### G. Annual Evaluation

1. The Deputy Chief will conduct an annual evaluation of the EIS to determine the system's effectiveness and propose any necessary changes.<sup>6</sup> The evaluation will document the number of interventions during the previous twelve months, the course of action taken, and a progress report on the performance of each officer subsequent to the intervention. The report shall include a review of affected employees, based on current patterns of collected material, and be approved by the Chief of Police.<sup>7</sup>

### IV. UMBC Employee Assistance Program (EAP)

A. GuidanceResources is the EAP service provided by the University System of Maryland.<sup>8</sup>

1. UMBC Regular and Contingent II employees and members of their households have access to free, confidential counseling, referral services, and other resources to aid with issues and challenges in an employee's personal or professional life.
2. GuidanceResources offers support, resources, and information twenty-four hours a day, seven days a week.
3. Employees can access GuidanceResources by calling 855-41-7628 or visiting [guidanceresources.com](http://guidanceresources.com) and entering company ID: USMEAP.
4. Additional information can be found at [hr.umbc.edu](http://hr.umbc.edu).

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<sup>5</sup> CALEA 35.1.9h

<sup>6</sup> CALEA 35.1.9e

<sup>7</sup> CALEA 35.1.9c

<sup>8</sup> CALEA 35.1.9h

### 1.15.3 GRIEVANCES

**Definition:** A grievance is any cause of complaint arising between employee and employer on a matter concerning:

- Discipline;
- Alleged discrimination;
- Promotion;
- Assignment; or
- Interpretation or application of university rules or agency procedures over which the university management has control.

Complaints pertaining to the general level of wages, wage patterns, fringe benefits, or to other broad areas of financial management and staffing are not issues that can be grieved through the Grievance process. They can be addressed through the contract negotiation process and the UMBC Human Resources Office.

**Policy:** The UMBC Police Department is open to complaints, including those from within the agency that can assist in improving our operations and procedures. If we truly strive to be an open and fair agency; supervisors and managers should accept grievances in an attitude that the grievant may be improving our operations.

- The existence of grievances reflects an atmosphere that employees feel comfortable expressing their views, which may correct agency policies and practices.
- The lack of grievances may indicate that employee opinions and views are suppressed; that employees may not feel safe expressing themselves.
- Grievances can release pressure and anger, and can help us to introspectively examine our agency and fine-tune our policies and practices.

**Therefore;** each University System employee shall have the right to make known a problem or complaint without the fear of coercion or reprisal. The employee also has the right to representation at any step of the grievance procedure.

#### **1.15.3.1 Grievance Process Applicability**

A. When not in conflict with LEOBR, grievances in the agency will be filed, processed, and heard consistent with [Policy on Grievances for Associate Staff and Classified Personnel](#) and [Policy on Special Action Appeals for Classified Employees](#).

1. Officers electing to utilize the grievance system are not allowed to switch to the LEOBR process once the grievance process has been accepted and initiated.
2. Officers electing to utilize the LEOBR process are not allowed to switch to the grievance system once actions under LEOBR have been initiated.

B. The employee relations staff of the UMBC Office of Human Resources serves as grievance related resource personnel to answer questions by employees or managers.

### **1.15.3.2 Filing Grievances**

- A. The chief, as the department head, is responsible for coordinating grievance procedures for the agency.
- B. Grievance forms are available through the UMBC Office of Human Resources (OHR).
  1. Grievances will be submitted only on approved forms and must bear signatures of grievant.
  2. Information that must be submitted on grievance forms includes:
    - a. Descriptions of specific wrongful acts and harm done;
    - b. Statements of remedies or adjustments being sought; and
    - c. Employee representatives, if any.
- C. Grievances must be submitted directly for the attention of the Chief of Police.

### **1.15.3.3 Time Limitations**

- A. Grievances must be initiated within 30 calendar days of the action involved, or within 30 calendar days of employees having reasonable knowledge of the actions.
- B. Appeals within the grievance procedure will be timed from the receipt of written opinions of management, or from when such opinions are due, whichever comes first.
- C. Employees should consult the Policy on Grievances for Associate Staff and Classified Personnel and Policy on Special Action Appeals for Classified Employees for complete descriptions of procedures, time limitations, and appeal process.

USM VII-8.00 [Grievances](#)

### **1.15.3.4 Employee Representation**

Employees may be represented at every step of the grievance procedure. At any point in the grievance procedure, the employee may elect to obtain, change, or dismiss representatives by providing written notice of same to persons hearing the grievances. However, such actions in no way allow the grievant to return to previous steps in the procedure or to delay grievances at current steps.

### **1.15.3.5 Grievance Records**

- A. The agency's grievance files are maintained by the Office of the Chief.
- B. General access to grievance files will be limited to the chief and commanders.
- C. Employees will be granted access to their particular grievances, but no others.

### **1.15.3.6 Analysis**

The Chief of Police will conduct an **annual** analysis of grievances, as well as the policies and practices concerning the access and process used to handle grievances.

The absence of grievances:

- a. Does **NOT** mean that the agency is doing well, and;
- b. The existence of grievances does **NOT** reflect poorly on the agency.

**Helpful Chart:**

<i>What can be Grieved</i>	<i>What Can't be Grieved</i>
Discipline	general level of wages
Alleged discrimination	wage patterns
Promotion	fringe benefits
Assignment	broad areas of financial management
Interpretation or application of university rules or agency procedures over which the university management has control.	staffing

**Policy:** We are open to complaints as grievances can improve our operations.

- Employees should feel comfortable expressing their views, which may correct agency policies and practices.
- The lack of grievances may indicate that employee opinions and views are suppressed, that employees may not feel safe expressing themselves.
- Grievances can release pressure and anger, and can help us to introspectively examine our agency and fine-tune our policies and practices.



1	<b>Grievance</b>	An employee decides to file a grievance
2	<b>Time Limit:</b>	Within 30 days after a grievable incident occurred
3	<b>If Charged:</b>	Sworn member must choose between using Grievance procedure or LEOBR
4	<b>Forms:</b>	Must use the UMBC Grievance Form (available at OHR)
5	<b>Process:</b>	The Chief of Police coordinates the Process
6	<b>Advice:</b>	OHR reviews and advises during the process.
7	<b>Representation:</b>	Employees may be represented at every step of the grievance procedure.
8	<b>Decision:</b>	A decision is made.
9	<b>After Action</b>	If the employee loses: they can appeal If the employee wins: correction to agency policy/ procedure

### 1.16.1 Secondary Employment Policy

- A. **Secondary Employment** is employment with a private or public entity that is not the UMBC Police Department.
- B. Within the parameters established by this directive, members are permitted to participate in secondary employment that is considered off-duty employment.
- C. **Off-duty employment** is secondary employment that is not conditioned on the actual or potential use of law enforcement powers by off-duty officers, i.e.: working for a construction company or as a plumber.
- D. **Extra-duty employment** is secondary employment that is conditioned on the actual or potential use of law enforcement powers by officers, i.e.: security at a store. Officers must receive written approval by the Chief of Police to participate in extra duty employment.
- E. The primary employment duty, obligation, and responsibility of employees of the UMBC Police Department are to this agency.
- F. Employees are subject to recall at any time for emergencies and other special circumstances.
- G. Employees will not engage in other employment, in any private business, or the conduct of a profession during normally scheduled work hours with the agency.
- H. In order to work secondary employment during normally scheduled work hours, employees must be on pre-approved leave. Work hours cannot be adjusted in order to accommodate secondary employment unless pre-approved by an employee's supervisor.
- I. Employees will not engage in employment, private business, or the conduct of a profession outside the hours of employment with the agency in a manner likely to adversely affect their usefulness as employees of the agency. Members cannot use UMBC Police database systems for secondary employment, i.e.: METERS, MVA, etc. Members also cannot use agency logos, pictures of agency vehicles, uniforms, or equipment for secondary employment.
- J. The Chief may expressly forbid employees from secondary employment at specific locations or performing specific job tasks.

### 1.16.2 Restrictions and Limitations

- A. Off-duty Conduct
  - 1. The standards of conduct put forth in this chapter apply whenever a member exercises police authority. Off-duty conduct must adhere to the same standard of conduct as on-duty conduct.
  - 2. Members should be mindful that when off-duty, they may not have the authority to act, and;
  - 3. When off-duty, members are most often not in uniform and not identifiable as a police officer.
  - 4. When members take police action off-duty, they must communicate with responding police officers as to their identity and purpose.
  - 5. Members should restrict off-duty enforcement of the law to instances where such action is necessary to protect life or to prevent bodily injury.

6. Members can call 911 when they witness a crime, and stay apart from the incident, rendering themselves as witnesses rather than participants.
  7. Must notify the law enforcement agency where the incident occurred about the event and request that they write a police report.
  8. Must notify the on-duty UMBC Police supervisor, so that UMBC Police notifications can be made.
  9. The same legal standards for arrest and search and seizure, evidence collection, etc. still apply whenever enforcement action is taken.
  10. Members will not investigate or enforce laws where there is a conflict of interest.
- B. Secondary employment authorization will be denied, prohibited, or withdrawn when they involve:
1. Employees working during hours when they are employed to work for the agency except when working approved military reserve, active, or National Guard duty;
  2. Conduct inconsistent with the objectives, directives, ethics, or reputation of the agency;
  3. The creation of a real or potential conflict of interest; or
  4. Sick leave records or other evidence indicating that secondary employment might be, or is, impairing employees' ability to perform their duties, obligations, or responsibilities.
- C. Consistent with **2.2.7 Authorized Handguns**, officers may wear or carry their agency issued firearm, weapon, police identification, and badge while involved in secondary employment, so long as the carrying of such equipment is not conditioned on the actual or potential use of law enforcement powers by officers.
- D. Employees engaging in secondary employment act as agents for their secondary employers. As such, employees' liability protection, Worker's Compensation claims, and other civil protections may not be applicable.
- E. Employees on sick leave, accident leave, or limited duty status may be required to submit documentation from health care practitioner certifying fitness for the duties, obligations, or responsibilities of secondary employment.
- F. Employees required to appear in court or administrative proceedings resulting from actions taken during secondary employment will do so on their own time.
1. When on-duty employees are summoned to court or administrative proceedings in reference to secondary employment incidents, the employees must take leave to appear for trials or hearings.
  2. Employees appearing in court or administrative proceedings as the result of secondary employment will **not** appear in uniform or identify themselves as employees of the agency unless requested to do so by an officer of the court or the defense unless authorized by the on-duty supervisor.

### **1.16.3. Process for Authorization**

- A. The Deputy Chief of Police or designee is responsible for coordination of this policy within the UMBC Police Department. This includes overseeing adherence to these policies, processes and any other matter concerning secondary employment and administration of this policy. This includes the documentation of each individual's secondary employment, not to be confused with the managing of the record as listed below. This pertains to specific issues experienced by individual officers.

- B. Agency employees obtain written authorization from the Chief before engaging in secondary employment.
- C. UPD Form #8 Secondary Employment Request must be completed and approved by chain of command to the Chief.
- D. Requests will be accomplished in an expeditious manner.
- E. Comments and recommendations are provided at each level of staff.
- F. In exigent circumstances, supervisors may authorize temporary approval.
- G. The Chief will approve or reject requests for secondary employment and notify requesting employees of the action in a timely manner.
- H. Requests for secondary employment that are denied by the Chief will contain written explanations of the objective based reasons for such denials.
- I. Approved requests for secondary employment will be valid for one year from dates of approval.
- J. Employees desiring continued secondary employment must resubmit requests to the Chief no later than 30 days prior to expiration of approved periods.
- K. Employees must resubmit secondary employment requests any time there are substantive changes in their secondary employment duties.
- L. Copies of secondary employment requests are maintained by the Executive Administrative Assistant to the Chief.
  - 1. Completed originals will be placed in employees' personnel files.
  - 2. Employees will be given one copy of their completed requests.
  - 3. Expired requests may be purged and destroyed after the passage of three years.

#### **1.16.4 Military Reserves and National Guard**

- A. Employees who enlist or reenlist in the military reserves or National Guard will submit written notice through their chain of command to the Chief containing:
  - 1. Branch of the military involved;
  - 2. Length of commitment under contract;
  - 3. Proposed or new Military Occupation Specialty (MOS), if applicable; and
  - 4. Probable yearly schedule and obligation of service.
  - 5. Submit copies of orders when required to serve on active duty or attend unscheduled training.

#### **1.16.5 Suspension/Termination of Secondary Employment**

- A. Supervisory ranked officers and above may order emergency suspensions of employees' secondary employment. The circumstances leading to suspension of secondary employment will be detailed on the agency's complaint forms.
- B. Police Officers having their secondary employment authorizations suspended have the right to administrative reviews. Reviews will be conducted:
  - 1. On the first business day following suspensions; and
  - 2. Consistent with **1.4.14 Emergency Suspension & Hearing Procedures**.

- C. Non-sworn employees having their secondary employment authorizations suspended have the right to administrative reviews. Reviews will be conducted consistent with **1.4.16 Suspension from Duty – Classified Personnel**.

### 1.17.1 **STAFF AND LINE INSPECTIONS**

- A. All agency employees will assist and cooperate with inspection processes as requested.
- B. Members conducting inspections may issue orders during inspections in circumstances where failure to do so might immediately jeopardize the agency's reputation, the accomplishment of its mission, or the safety of personnel. In such instances, orders will be issued by the authority of the Chief.
- C. The focus of the inspections function is on programs, procedures, and directives, thereby focusing only incidentally on personnel. Inspections are primarily concerned with determining whether or not policies are being adhered to, efficiently and effectively, or if procedures are being followed.
- D. Inspecting officers must maintain independent thinking, conduct objective-based inspections, and will not overlook matters which may engender controversy.

### 1.17.2 **Definitions**

- **Line inspection-** performed by a supervisor
- **Staff Inspection** – performed by a Commander

### 1.17.3 **Line Inspections**

A. **Goal of the program:** The line inspection program is designed to:

- 1. Monitor and evaluate subordinates' activities;
- 2. Ensure compliance with agency directives;
- 3. Provide the chief with objective overviews of the state of the agency; and
- 4. Facilitates operational readiness to respond to emergency situations.

B. **Overall authority:** Sergeants or Officers-in-Charge perform line inspections within their commands and ensure that inspection reports are sent to the Deputy Chief.

C. **Find it, Fix it:** Commanders review inspection reports to:

- a. Ensure that deficiencies are properly addressed;
- b. Ensure that sufficient corrective actions are implemented; and
- c. Identify and correct problems that may be relevant to more than one section function or unit (i.e.: Patrol and Communications are under different commanders).

D. **Inspectional Forms** to be used by shift supervisors:

<b>UPD Form #</b>	<b>Title of Form</b>	<b>Frequency Used</b>
<a href="#">4</a>	UMBC Police Vehicle Condition Report	Weekly
<a href="#">44</a>	Communication & Supervisor's Checklist	Daily
<a href="#">82</a>	Personnel Monthly Inspection	Monthly
<a href="#">83</a>	Police Supervisor Daily Inspection Report	Daily
<a href="#">84</a>	Bi-weekly Performance Report	Twice monthly
<a href="#">85</a>	Report Control Ledger	Daily

E. **Example of a Line Inspection:** an officer completes their Police Vehicle Condition Form at the beginning of a shift. The supervisor calls the officer into the station and re-examines the vehicle to ensure that the equipment for the vehicle is present and in good condition. By performing unannounced inspection, officers will become more diligent in their vehicle inspection.

#### 1.17.4 Staff Inspections

A. **Who conducts:** Staff inspections are performed by Lieutenants or higher in order to review the operations and administration of all organizational components at least every three years.

B. **Goals:**

1. **“Guarding the guards”:** Commanders ensure that supervisors are overseeing the actions of their subordinates relating to agency policies.
2. **Making Sure:** Inspections ensure that in an emergency that the equipment and processes that we will need are available and in working condition.
3. **Accountability:** Inspections hold subordinates accountable; ensuring that members maintain their discipline, and builds the agency’s credibility.
4. **Upholds Standards:** Inspections force us to maintain our standards of professional conduct.

C. **Methods:**

1. **Validation:** To determine is the supervisor actually conducted an acceptable inspection. These “Spot inspections” are unannounced inspections that validate previously submitted inspection reports or closely examine performance standards.
2. **Re-inspection** of forms that were completed to determine if deficiencies that should have been found were missed.
3. **Interviews:** Some inspections can be accomplished best by an interview with agency members to determine if processes are being performed.
4. **Photos:** Photographs are a great method to prove or disprove compliance with agency policies.
5. **Specialized and directed inspections:** the Chief or section commanders may want a specialized inspection to test whether a policy or practice is occurring. Special inspections may be announced or unannounced.

D. **Follow-up inspections:** are announced inspections which review and evaluate those items which were identified during previous inspections as requiring attention or corrective actions.

E. **Reports:** Inspections require a report to the Deputy Chief of Police to explain that:

1. **Document date:** When was the inspection was performed,
2. **Manner:** Whether the inspection was announced or unannounced.
3. **Issues:** that were uncovered and how they were addressed.
4. **Action taken:** Any follow-up inspection on the deficiencies/ corrective actions taken.
5. **Recommendations for changes:** I.E; is there a need for new equipment? More training? Discipline against agency members? Changes to policy?

#### 1.17.5 Command Review

The Deputy Chief of Police will ensure the following steps are taken:

1. Inspections are occurring.
2. Follow-up inspections and corrective action occur.
3. Inspection reports are submitted.
4. Analysis: our agency wants to know if there are weaknesses. Inspectional reports that are always slanted are inaccurate (too good or too petty). The overall goal is to show that (a) policies are followed, and (b) that we are ready to respond to any emergency.

#### 1.17.6 Maintenance of Files

A. Information gathered during inspections is confidential. Inspecting officers will hold in strict confidence all information which may have bearing whatsoever on the results of inspections.

B. Inspectional report information will be released only on a need-to-know basis.

### 1.17.7 Equipment Readiness

Note: same as Emergency Plans Manual 8.46

The Commander of the Support Services Section, who maintains the agency's readiness for emergencies, will inspect and report the findings of the operational readiness of equipment designated for use in support of the UMBC critical incident plan.

**Vehicles:** Vehicle Maintenance personnel are responsible for ensuring that certain weather emergency related equipment is maintained in operational states of readiness.

### 1.17.8 Required Administrative Reports

Description of the Report	Position Responsible for the Report	Purpose of the Report	Frequency of Reporting	Distribution (Who Receives the Report)	Manual Reference
Complaints against Agency	Deputy Chief of Police	summary reports of <u>all</u> complaints	Annual	Chief of Police	1.4.20
Early Identification System	Deputy Chief of Police	When too many complaints accrue	When necessary	Chief of Police	1.5.12.12
Evidence Inspections	Deputy Chief of Police	Unannounced inspections/ audits evidence room	Annual/ or as needed	Chief of Police	1.10.5.4
Use of Force Annual Analysis	Deputy Chief of Police	analysis of all use of force incidents	annual	Chief of Police	2.2.12.1
Annual Pursuit Review	Deputy Chief of Police	analysis of all pursuits as a whole, examining policy & training	annual	Chief of Police	2.2.15.10
Post Occurrence / After Action	Deputy Chief of Police	Critical Incident Review	Per Incident	Chief of Police	2.7.25
Goals & Objectives	Deputy Chief of Police	Annual report on status of goal & objectives	Annual	Chief of Police	1.2.12
Staff inspections	Lt. of Support Services	Review and evaluate administrative and/or operational matters	at least every three years	Chief	1.2.21.2
Records	Lt./ Support Services	inspection of the Records Unit	annual	Chief of Police	1.9.0
Evidence Inspections	Lt./ Support Services	Determines if evidence directives are followed.	Semi-Annual Inspections/ Annual Audit	Chief of Police	1.10.5.2
Risk Assessment	Lt./ Support Services	documented risk assessment and analysis	Annual	Chief of Police	2.5.10
Processing Room	Lt. / Support Services	documented administrative review	once every three years	Chief of Police	2.8.12
Emergency Plans: Equipment Readiness	Lt. / Support Services	documented count of all necessary equipment and its state of readiness required for emergency preparedness	Quarterly	Chief of Police	8.46 Emergency Plans Manual
Emergency Plan rehearsals	Lt. / Support Services	Hands-on training on the Incident Command System	Annual	Chief of Police	8.24

Description of the Report	Position Responsible for Making the Report	Purpose of the Report	Frequency of Reporting	Distribution (Who Receives the Report)	Manual Reference
Uniform Crime Reports (UCR)	Records Manager	Compile report for MSP / FBI	Monthly	Lt. / Support Services	1.9.7
Campus Security Report	Records manager	Compliance with Clery Act	Annual	Lt. / Support Services	2.5.7
Evidence Inventory Reports	Evidence Manager	Ensure evidence is accounted for	Monthly	Lt. / Support Services	
Accreditation	Accreditation Manager				
Traffic Stop Data Collection	Security Manager	ensures collected data is submitted	Annual	Lt. / Support Services	1.4.37
Emergency Telephones		check each emergency telephone	first week of each month	Lt. / Support Services	1.8.8
Field Training Officer Program	Lt./ Operations	Document trainee progress	During Field training	Chief of Police	1.7.11
Threat Assessment	Lt. / Operations	determining threat levels per incident	Per Incident	Chief of Police	2.7.50
Administrative Review & Analysis of Pursuits	Lt/ Operations	Analysis of each pursuit	Each incident	Deputy Chief of Police	2.2.15.10
Roll-Call Training	Lt./ Operations	progress of roll-call training	Semi-annual	Chief of Police	1.7.15
Radar	Lt. / Operations	the radar program coordinator	Annual	Chief of Police	2.6.27

Description of the Report	Position Responsible for Making the Report	Purpose of the Report	Frequency of Reporting	Distribution (Who Receives the Report)	Manual Reference
Processing Room	Shift Supervisor	Smoke / fire detector, and fire extinguisher Doors, windows, locks, and mechanical works	Daily	Operations Commander	2.8.13
		Emergency Panic Alarm / First aid and PPE kits			2.8.13
		CCTV system /Weapon lockers and keys			2.8.13
		Safety, sanitation, and security systems			2.8.12
Line Inspection <a href="#">UPD Form # 44</a>	Shift Supervisor	Communication & Supervisor's Checklist	Daily	Operations Commander	1.2.21.3
Line Inspection <a href="#">UPD Form # 83</a>		Police Supervisor Daily Inspection Report	Daily		1.2.21.3
Line Inspection <a href="#">UPD Form # 4</a>		UMBC Police Vehicle Condition Report	Weekly		1.2.21.3
Line Inspection <a href="#">UPD Form # 85</a>		Report Control Ledger	Weekly		1.2.21.3
Line Inspection <a href="#">UPD Form # 84</a>		Bi-weekly Performance Report	Twice monthly		1.2.21.3
Line Inspection <a href="#">UPD Form # 82</a>		Personnel Monthly Inspection	Monthly		1.2.21.3