

Prince George's County Government

Citizen Compliant Oversight Panel



FY2011 Annual Report

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BOARD and COMMISSIONS link on drop down list.

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December 1, 2012



Dear Citizens and Residents:

The Prince George's County Citizen Complaint Oversight Panel (CCOP) is charged with monitoring and evaluating investigations of police misconduct. The CCOP is part of a police accountability process established in 1990 to ensure that anyone with a complaint regarding the conduct of an officer of the Prince George's County Police Department (PGCPD) is able to complain formally, that their complaints are treated and investigated professionally and swiftly, and that there is independent oversight of the investigative process.

I am the longest serving panel member and I have been fortunate to serve under three County administrations. My original appointment was in 1991 under the Glendening administration, I was reappointed ten years later by the Johnson administration, and my term continued into the Baker Administration. I want to take this opportunity to publicly thank each of these administrations and the Panel members who have served with me for their confidence in my abilities and integrity.

My years on the Panel have been among the most rewarding in my life. However, due to term limitation, I cannot be re-appointed to another consecutive term. While I will continue to serve the citizens and residents of the County until my replacement has been appointed, my departure from the Panel is imminent.

As in prior reports, I affirm that the significance and value of what the Panel does is not just reflected in the statistics and data detailed in this report. There are unseen and immeasurable benefits to what we do. The Panel has been persistent and meticulous in its scrutiny of the investigative process, not only to ensure that police misconduct is properly and thoroughly investigated, but to also serve as a deterrent for future misconduct and to inhibit an internal culture of cronyism that can foster misconduct. The CCOP continues to be the external "eyes over the shoulder" of not only the officers on the street, but the officers assigned to investigate their conduct, as well. The CCOP exists to facilitate greater accountability and transparency in police operations. Its role in the accountability process is quite serious and essential. The panel's role in this process is strengthened by the fact that it is comprised of private citizens who are not members of the PGCPD and that it is a separately funded County government function.

Included in this report is an in-depth presentation of statistical data on misconduct investigations reviewed by the CCOP in FY11. In the FY09 and FY10 reports, the Panel expressed concerns regarding the decline in the number of Field (FC) complaints and completed investigation referred to the CCOP. FC investigations referred to the CCOP have gone from 131 in FY08 to 61 in FY08. In FY11 this number was 13.

Sometime in FY11, the Department implemented a new inquiry process for handling incoming complaints. However, the CCOP was not made aware of the implementation of this process until the beginning of FY12, when it began reviewing its yearly statistics and noted an overall decrease in the number of complaints and completed investigations referred for its review. The CCOP sought an explanation for this trend and was advised that the Police Department implemented new procedure for processing incoming complaints in 2011. The Panel met with Chief of Police, Deputy Chief Administrative Officer for Public Safety and Commander of the Office of Professional Responsibility in early FY12 to express its concerns regarding the impact and implications of this new process. To address the Panel's concerns, the Police Department has made several modifications to this new process. The CCOP continues to monitor and review complaints handled via this process and it still has some reservations regarding the impact on CCOP's mandate and authority. The Panel reserves its final assessment for the FY12 annual report.

Each year, the CCOP's annual report outlines critical issues related to the CCOP's operations, the PGCPD's policies and training, as well as community and citizen relations. Some are issues reiterated from prior period(s). Other were new in FY11. Please note that the decision to reiterate a concern is not an indication that the Department has not

acknowledged or made attempts to address an issue. It is notification to the Department that the Panel reviewed investigations in FY11 that further illustrates the issue. The issues expressed in this report include:

Lack of Functioning Mobile Video Systems during Traffic Stops: Again in FY11, the CCOP recommends that the Department develop a long-term plan to provide for proper video monitoring equipment to be installed in all departmental vehicles as soon as possible. Additionally, the CCOP recommended that officers be given periodic training to remind them of the necessity and benefit to properly functioning video monitoring equipment. The CCOP has been advised that as fleet vehicles are retired, they are replaced with vehicles that are equipped with the technology to do audio and video recording of required stops. This replacement cycle will continue as vehicles are retired and updates technology are dictated.

Delay or Failure to Clearly Provide Officer Identification Information: In FY11, the CCOP also noted a continuing pattern in cases where officers are not providing identification information to citizens or not providing it in the manner dictated by the GOM, Volume I, Chapter 32, Section 21, which states that when confidentiality is not an issue, “an employee will provide their name rank and identification number upon request, The identification will be clearly provided.”

Investigative Process- As in the FY09 and FY10 annual reports, the CCOP continues to note that, in some cases, investigators fail to fully investigate or address all the charges applicable to a complaint.

General Order Manual Format - The CCOP continues to state that the revised GOM is difficult to navigate, is not intuitive and is not user-friendly. The GOM, in its current format, makes locating and reviewing GOM provisions cumbersome and time-consuming.

Police Property Management – NEW- The CCOP noted the emergence of a pattern in cases where officers had failed to appropriately handle and track evidence or property in a case.

Implementation of New Category for Complaint Processing – NEW- In FY11, the Department implemented a new inquiry process for handling incoming complaints. . The Panel had a number of concerns regarding the implications of the inquiry process, not only for the processing of complaints, but also for the quantity and quality of the investigations resulting from this process. The CCOP has scheduled meetings in FY12 with the Chief of Police, Commander of the Office of Professional Responsibility and the Deputy Chief Administrative Officer for Public Safety to review, discuss and make recommendations regarding this new process.

I would like to remind the citizens and residents of Prince George’s County that the CCOP has always worked very hard to facilitate a police accountability process that wins the confidence of the police and the public. I assure you that the CCOP will continue to provide added assurance that the PGCPD is accessible, transparent and fair to all concerned.

Clyde B. Davis

Chairman

Overview

REPORTING REQUIREMENTS

CB 25-1990 requires that the CCOP prepare an annual report of its activities to the public. The first annual report covered the period January 1 - December 31, 1991. CB 59-2001 broadened the scope of the CCOP's annual report and established specific reporting categories. Now, the CCOP's annual report includes summary reports, statistical analysis, and recommendations for policy changes. Effective with the 2003 annual report, which included both calendar year 2003 and fiscal year 2004, the CCOP began publishing its annual report on a fiscal year basis.

History

In the summer of 1990, the Prince George's County Council introduced legislation (CB-25-1990) which created the Citizen Complaint Oversight Panel (CCOP). The legislation that established the CCOP resulted from the findings and recommendations of the Blue Ribbon Commission on Public Safety and Community Relations. The legislative intent was to provide objective citizen participation in the complaint process and strengthen existing procedures for handling complaints made by citizens against police-related allegations of excessive force, harassment, and/or abusive language.

CB-25-1990 also included a vital role for the Human Relations Commission (HRC). HRC was directed to investigate complaints in accordance with the provisions of the Human Relations Code, and submit its finding to the CCOP within 20 working days. This authority was later rescinded by CB-59-2001.

Originally, the CCOP members served two-year terms. However, recognizing the training required of members and the amount of time devoted to the review process, this was amended by CB-44-1994 to provide for four-year terms. By extending the term length, the CCOP members would have the full benefit of member training and experience.

The CCOP began reviewing cases on January 1, 1991. Initially, the CCOP only reviewed reports of investigation of citizen complaints for excessive force, abusive language, and harassment to insure their completeness, thoroughness, and impartiality. The Panel also commented on the reasonableness and appropriateness of the report recommendations.

From 1991 to 2002, the CCOP's recommendations were based primarily on information contained in the Internal Affairs Division's Report of Investigation, as the Letters of Determination from HRC's investigations were rarely available. The CCOP did not have the authority to conduct de novo or new investigations.

Enacted on November 26, 2001 and effective January 10, 2002, CB-59-2001 significantly expanded the CCOP's powers and gave the CCOP the authority to conduct its own investigations and to issue subpoenas through the County Council. CB 59-2001 also expanded the CCOP's responsibilities and the scope of investigations reviewed by the CCOP. The CCOP now reviews all complaints filed for violation of any law or regulation, whether brought by a citizen, superior officer or any source, all discharge of firearms, and all in-custody deaths that may have resulted from an officer's use of force. It also reviews disciplinary documents and hearing board reports.

The CCOP now has the authority to make recommendations regarding policy changes, supervision, operational procedures and training. These recommendations, as well as case review findings and comments, are submitted to the Chief of Police. The

CCOP's authority is limited to officers of the Prince George's County Police Department. Park, state, or local municipal police forces, as well as the Sheriff's Department, are not included under the CCOP's jurisdiction.

Panel Responsibilities

The CCOP's specific responsibilities include:



Reviewing the processing and investigation of complaints and submitting comments and recommendations to the Chief of Police;



Conducting concurrent and subsequent investigations, as well as issuing subpoenas through the County Council, when appropriate;



Participating in police accountability outreach and information dissemination;



Reviewing supervisory, disciplinary, and hearing board reports; and



Issuing an annual report to the public.

Panel Composition

The CCOP is comprised of seven members appointed by the County Executive and confirmed by the County Council. The CCOP members must be Prince George's County residents and broadly representative of the County. The CCOP members can not be employees or elected officials of any non-federal jurisdiction, a candidate for such office, or employed by any law enforcement organization. The County Executive designates the Panel chair. The Panel selects the vice-chair.

PANEL MEMBERS

Clyde Davis, Chair

Eileen Thomas, Vice Chair

Dale Crowell

Irma Spruill

Angela King

Vernell Richardson (July 2010 – March 2011)

Oralyn Weston

LEGAL COUNSEL

Darryl Kelley

STAFF

L. Denise Hall

Administrative Director

General Clerk

Ashley Smalls

Program Operations

COMPLAINT CLASSIFICATION

All incoming complaints are assigned to the following investigative categories based on the most serious allegations in the complaint:

Special Investigations (SI) - Complaints that allege a criminal act or could result in a criminal charge or investigation, such as domestic violence, DWI/DUI, theft, unauthorized access to a criminal data base, uses of force that result in injury and all discharges of firearms. A special investigation team within the police department investigates these complaints.

Internal Affairs Investigations (IA) - Complaints alleging use of abusive, derogatory or inappropriate language, most uses of force that do not result in injury, and certain types of misconduct.

Field Cases Investigations (FC) - Complaints alleging selected categories of minor offenses such as unbecoming conduct, unreported misconduct, process violations, minor uses of force, and failure to attend to duty. These complaints are referred directly to the district commander of the involved officers for investigation.

Police Supervisory Investigations (PS) - Complaints initiated by police supervisory staff regarding an officer's performance of or failure to perform his assigned administrative duties. They are also related to citations received by officers for violations of traffic laws.

The CCOP is required to complete its deliberations and forward its recommendations to the Chief of Police within 30 working days after receipt of the completed Internal Affairs Division's (IAD) Report of Investigation. The CCOP has the option of requesting a 10-day extension. The Panel makes comments regarding the completeness and impartiality of the IAD report. Additionally, the CCOP renders a recommendation regarding each allegation presented in the IAD Reports of Investigation. The Panel can agree with each recommendation or it can disagree and make alternative findings and recommendations as follows:

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure;

Non-Sustained - The evidence fails to prove or disprove that alleged act(s) occurred;

Exonerated (Proper Conduct) - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper;

Unfounded - The evidence proves the alleged act(s) did not occur or the accused officer was not involved;

Panel Investigation - Substantive issues were not adequately or impartially addressed by the Internal Affairs Investigation, the Panel may conduct its own investigation; or

Remand to Chief of Police - The Panel defers disposition and sends complaint back to the Chief for further investigation.

The CCOP also reviews investigations with a focus on identifying policy, training or disciplinary issues in need of review, update or evaluation. The Panel refers any concerns regarding these issues, along with recommendations, to the Chief of Police.

Statistical Review

The charts on the following pages provide various statistical data on cases referred to the CCOP from IAD for FY11. The data reflects the distribution of IAD investigations referred to the CCOP by type, findings, the CCOP's recommendations, complainants and officer demographics. Also provided are illustrations of the time frames for processing citizen complaints and the Chief of Police's disposition in cases where the CCOP disagreed with IAD findings. Additionally, this section includes several historical perspectives.

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Chart 2	NUMBER OF INVESTIGATIONS - Historical Perspective
Chart 3	NUMBER OF INVESTIGATIONS by TYPE
Chart 4	DISTRIBUTION OF INVESTIGATIONS by District
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Chart 7	DISTRIBUTION OF ALLEGATIONS - Historical Perspective
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Chart 8	DISTRIBUTION OF ALLEGATIONS - Historical Perspective
Table 2	DISTRIBUTION OF ALLEGATIONS BY TYPE AND DISTRICT
Charts 9 - 17	DISTRIBUTION OF ALLEGATIONS BY DISTRICT (Pie Charts)
Charts 18-24	DISTRIBUTION OF ALLEGATIONS WITHIN DISTRICTS (Pie Charts)
Chart 25	DISTRIBUTION OF IAD RECOMMENDATIONS – Historical
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Table 3b	DISTRIBUTION OF RECOMMENDATIONS BY ALLEGATION TYPE – Actual #s
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Chart 27	DISTRIBUTION OF COMPLAINTS BY CATEGORY
Table 5	OFFICER AND COMPLAINANT DEMOGRAPHICS

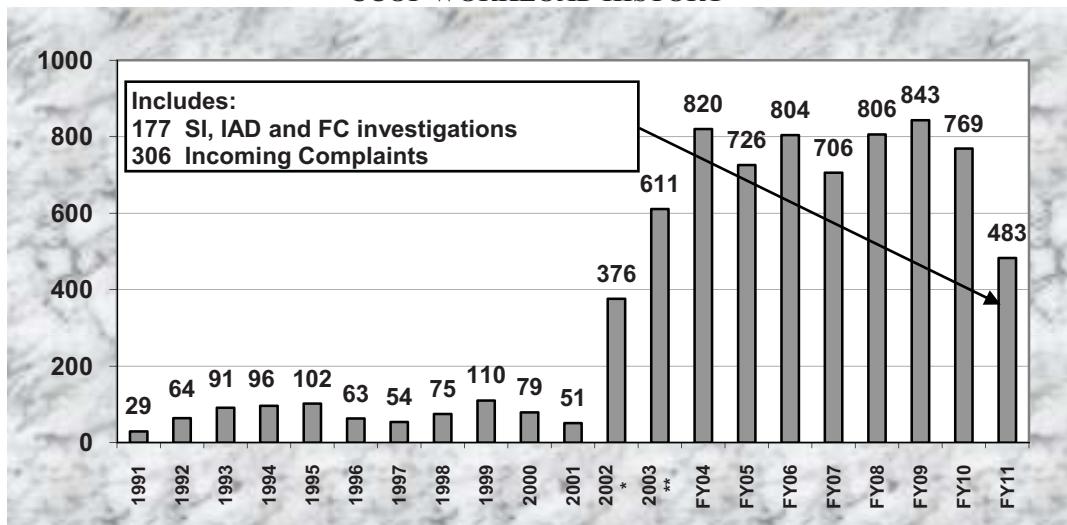
I. WORKLOAD

Prior to the passage of CB 59-2001, the CCOP reviewed IA investigations in three limited categories: Excessive Use of Force, Abusive Language, and Harassment. The CCOP now receives ALL categories of complaints and investigations regarding the conduct of a Prince George's County Police Officer. These categories include, but are not limited to: ALL uses of force, ALL uses of language, departmental shootings, harassment, unbecoming conduct, criminal misconduct, procedural violations, ethical violations and attention to duty.

In FY11, CCOP panel members reviewed 177 investigations and received notice of 306 incoming complaints. Chart 1 illustrates the trend for the CCOP's workload since 1991. Please note that investigations referred to the CCOP in a given year also include investigations completed for incidents that occurred in a prior year.

NOTE: In a September 2011 meeting with the Commander of the Office of Professional Responsibility, the CCOP was advised of a new process implemented by the Police Department in FY11 that drastically changed the way in which complaints are being processed, as well as the nature of the resulting investigations. As a result of this new process, there are complaints and inquiry investigations that were not referred to the CCOP in FY11.

Chart 1
CCOP WORKLOAD HISTORY

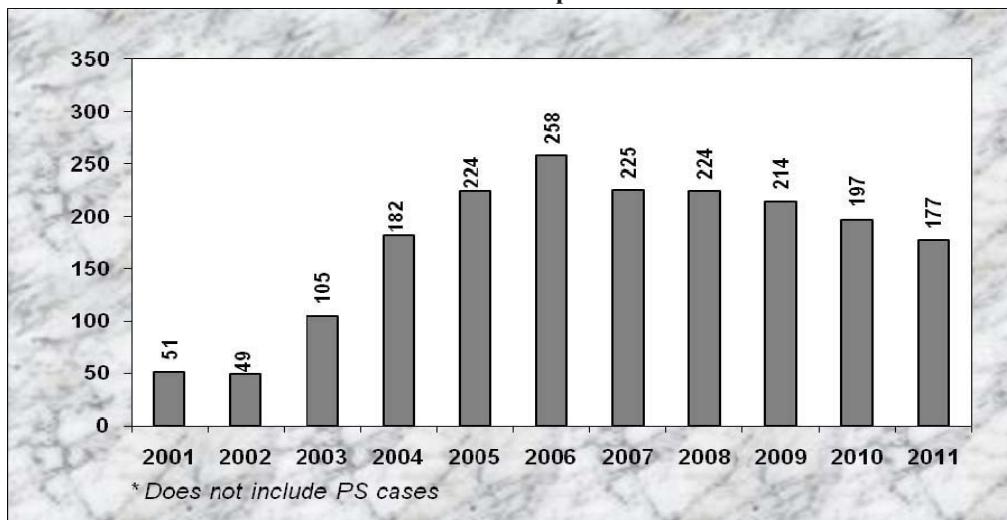


In 2002, the scope of CCOP's authority expanded from three (3) selected types of complaints to ALL complaints filed by ANYONE regarding the conduct of an officer. *In 2003, CCOP changed its annual reporting period from calendar year to fiscal year. Data for both calendar year 2003 and FY2004 are included above.

A. INVESTIGATIONS

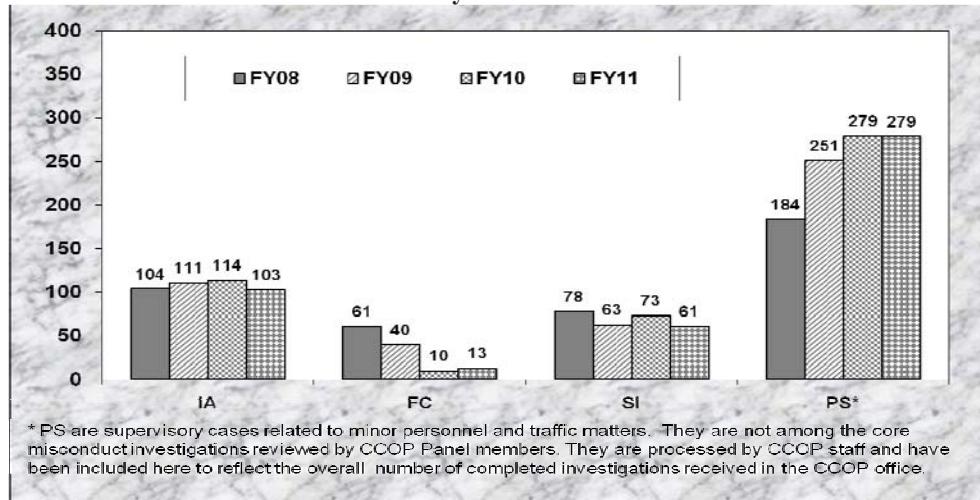
Between 1991 and 2000, the CCOP reviewed 763 investigations of police misconduct. For a period after the CCOP's authority was expanded in 2001, there was a noticeable increase in the number of investigations of police misconduct reviewed by the CCOP. Since this expansion of authority, the CCOP has reviewed 1,906 investigations, for a total of 2,669 investigations reviewed since the CCOP began reviewing investigations in 1991. See Charts 1 and 2.

Chart 2
NUMBER OF INVESTIGATIONS
Historical Perspective



The bulk of the Panel's effort is spent reviewing SI, FC, and IA investigations, collectively referred to as Internal Affairs Division (IAD) investigations (see page 7 for explanation of investigation types). Police Supervisory (PS) investigations normally deal with personnel and administrative issues and are reviewed, processed and tracked by staff. A historical distribution of investigations for FY08-FY11 by type is shown in Chart 3 below.

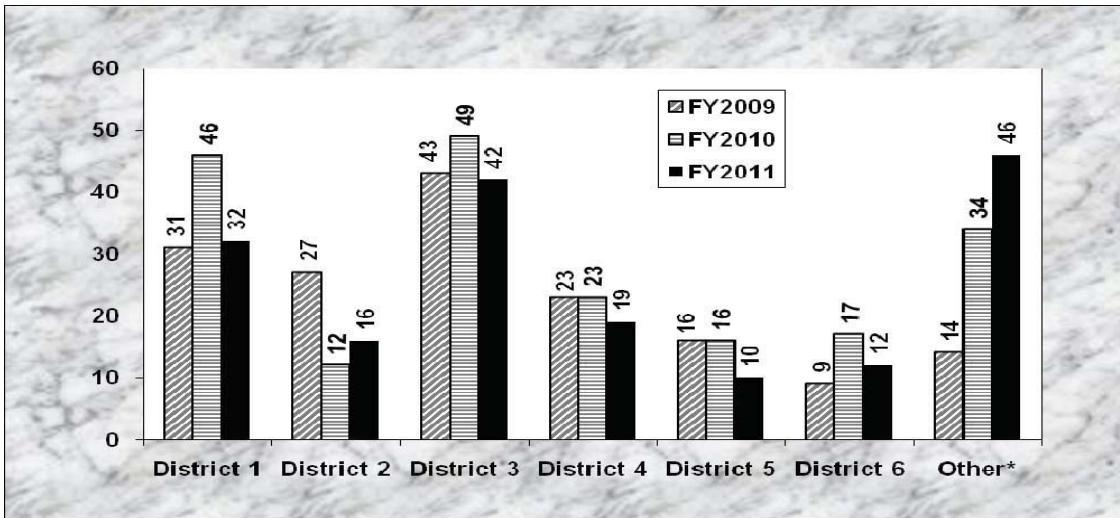
Chart 3
NUMBER OF INVESTIGATIONS
by TYPE*



See Page 7 for explanation of investigation types. PS investigation data is reviewed and tracked by staff.

Chart 4 below shows the distribution of FY11 misconduct investigations reviewed as compared to FY09 and FY10. There was a 10% decrease across the board in the number of misconduct investigations referred for the CCOP's review, with the most notable decreases occurring in Districts 1 and 5. However, there was also a 33.3% increase in investigations for District 2, a 35.3% increase in investigations for the category Others, and a 29.4% decrease in investigations for District 6.

Chart 4
DISTRIBUTION OF INVESTIGATIONS
by District*

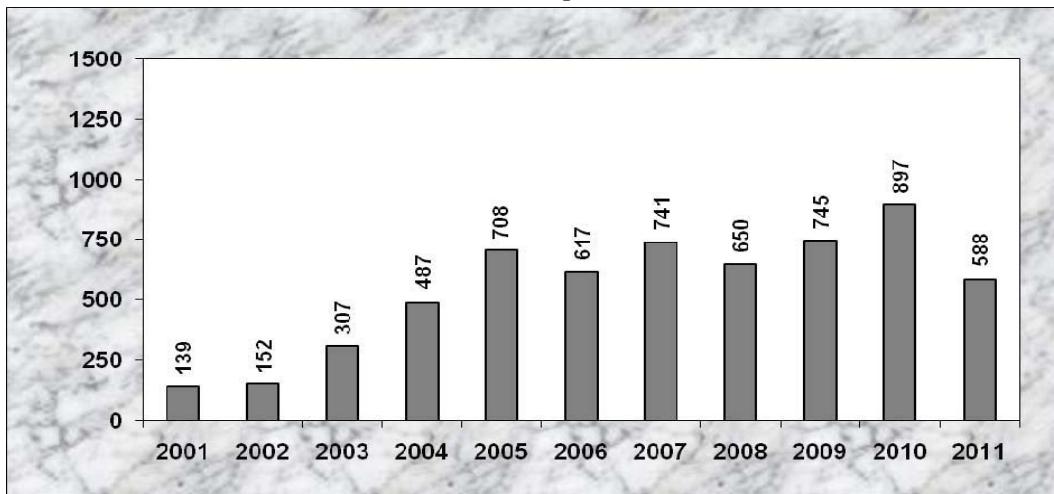


Other includes officers assigned to Headquarters and special operations such as Homicide, Criminal Investigations, Training, etc.

B. ALLEGATIONS

When the CCOP's authority was expanded in 2001, there was a noticeable increase in the number of investigations reviewed. However, the number of investigations reviewed is not the sole indicator of the CCOP's workload. As the Panel must review, discuss, and deliberate each allegation in an investigation, the total number of allegations is a better indicator. Since 2001, the CCOP has reviewed more than 6,031 allegations in 1,906 investigations. While the number of investigations decreased from 2007 to 2011, the number and complexity of allegations also increased. The average number of cases per allegation during this period was between 3 and 4.5. With 588 allegations, FY2011 was the first year since 2004 that the total number of allegations fell below 600. Even so, the average number of allegations per case remained greater than 3.

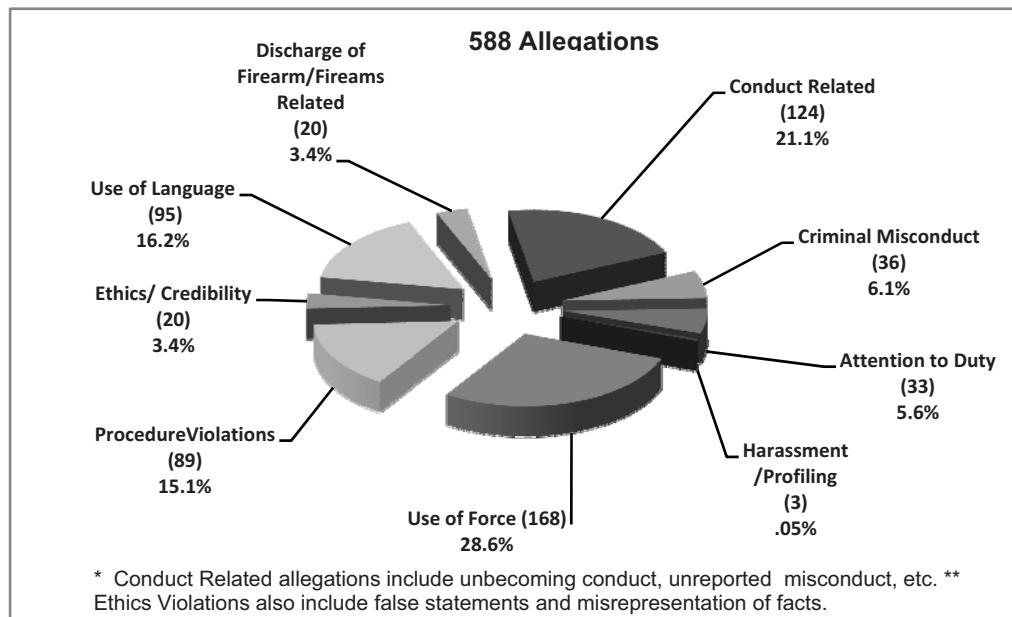
Chart 5
NUMBER OF ALLEGATIONS
Historical Perspective



In FY11, the CCOP deliberated a total of 588 allegations (IAD referred 582 and CCOP recommended an additional six. For statistical purposes, all allegations are divided into the nine categories outlined below. Their distribution is illustrated in Chart 6.

- Attention to Duty** - Failure to perform duties as prescribed.
- Conduct Related** - Unbecoming conduct and unreported misconduct.
- Criminal Misconduct** – Administrative charge for misconduct not successfully prosecuted in courts.
- Ethics Violation** - False Statements and Misrepresentation of Facts.
- Firearms Charges** -Intentional and accidental discharges of a firearm by an officer.
- Harassment/Discrimination** - Acts of unwarranted verbal or physical threats or demand, and any acts of misconduct related to a person's race, creed, color, national origin, gender or religion.
- Procedure Violation** - Failure to adhere to procedures as outlined in the police General Order Manual or Standard Operating Procedures.
- Use of Language** -Abusive, discriminatory or inappropriate use of language.
- Use of Force** – Non-firearms related excessive, unnecessary, and aggressive use of force.

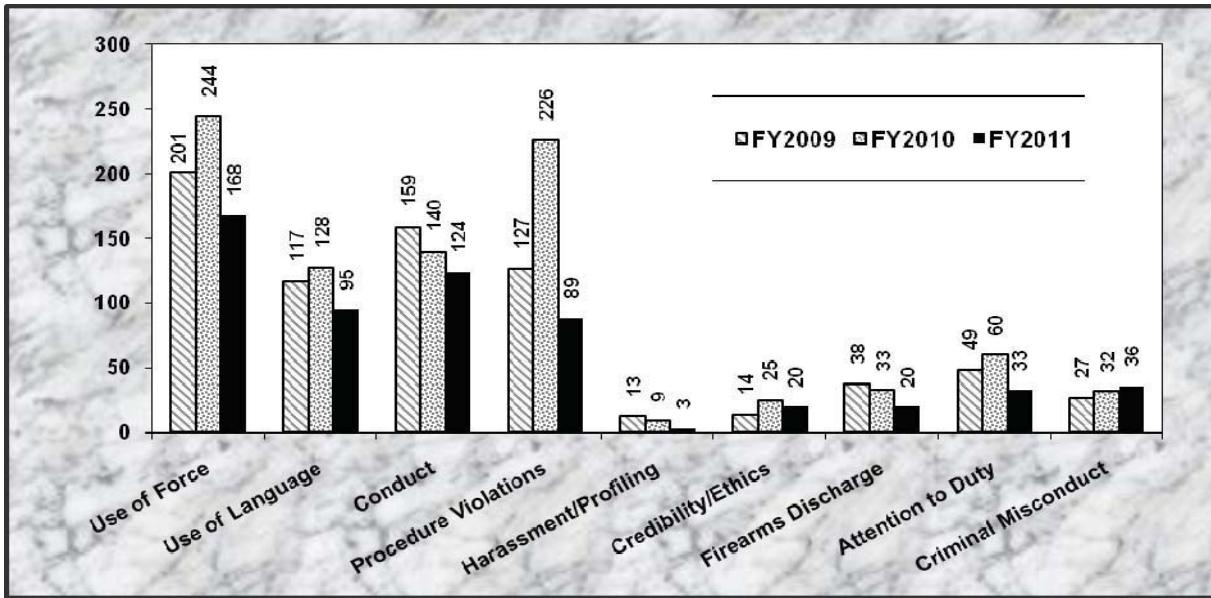
Chart 6
DISTRIBUTION OF ALLEGATIONS by TYPE



In FY11, there was a 21% decrease in allegations reviewed since FY09 and a 34% decrease since FY10. As previously noted, staffing issues and changes in complaint processing contributed to the FY11 decrease.

Historically, Use of Force is the most frequently alleged category of police misconduct. This remained true in FY11. There were 160 Use of Force allegations, which accounted for 29% of all allegations. The second most frequent allegations reported in FY11 was Conduct Related allegations. There were 124 allegations in this category, representing an 11% decrease in this allegation type since FY10. The FY10 total was due, in part, to one case that contained 96 procedural violations, which is an anomaly. Use of Language and Procedural Violations were 3rd and 4th, respectively, in the distribution of allegations by type.

Chart 7
DISTRIBUTION OF ALLEGATIONS
Historical Perspective



When viewed by category, there were other significant statistical changes in the number of investigations reported in FY10. Please see Table 1 below.

Table 1 – Distribution of Allegations - Comparison to Prior Year

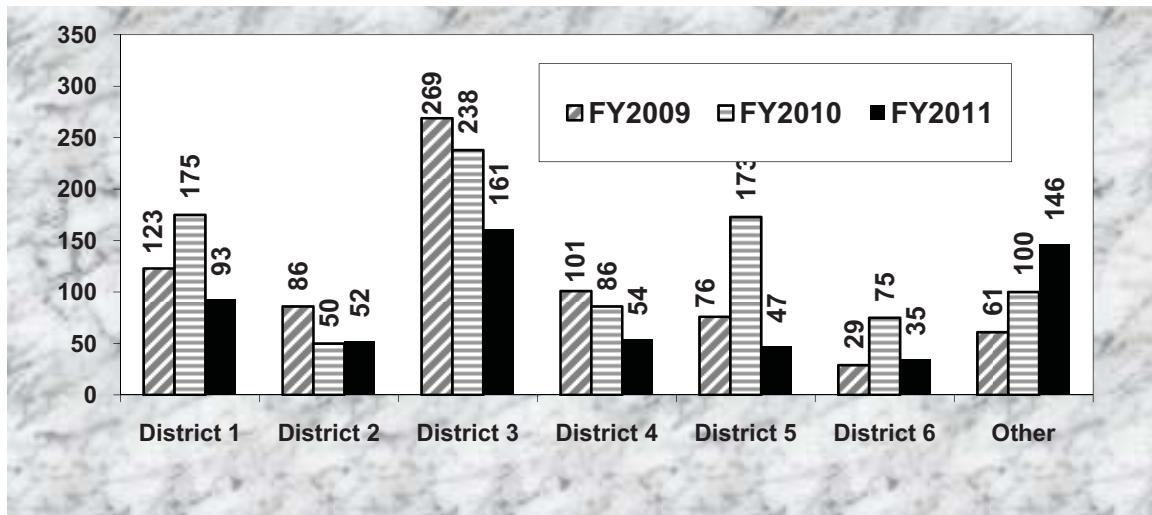
	FY10	FY11	Chg FY09-FY10
Attention to Duty	60	33	-45.0%
Conduct	140	124	-11.4%
Criminal Misconduct	32	36	12.5%
Ethics Violation	25	20	-20.0%
Firearms	33	20	-39.4%
Force*	244	168	-31.1%
Harassment	9	3	-66.7%
Language	128	95	-25.8%
**Procedure Violation	226	89	-60.6%
Total	897	588	-34.4%

*Any allegation of force that does not involve the discharge of a firearm, including the deployment of a canine. **In FY10, one case had 96 Procedural Violations.

1. Distribution of Allegations by Type and District

Again in FY11, District 3 had the largest number of misconduct allegations reported. As seen in Chart 8 below, the number of allegations reported for this district decreased more than 30%. The most noted decreases in the number of allegations by district were in District 6, with a 53% decrease since FY10 and District 1 with a 47% decrease. As shown in Chart 8, for the category “Other,” allegation increased by 46%.

Chart 8
DISTRIBUTION OF ALLEGATIONS
Historical Perspective



As shown in Table 2 below, for the FY11 distribution of allegations, District 3 did not lead in the number of allegations for categories it has historically had the most allegations; Use of Force, Conduct, and Procedure Violations allegations. District 1 lead in Use of Force and Conduct allegations and District 5, in Procedural allegation. However, if the anomaly of 96 procedural allegations is discounted, District would again lead in the number Procedural Violation allegations investigated. See Charts 9 - 17 for percentage of distribution of each allegation type by police district and Charts 18 - 24 for percentage of distribution of allegations within each police district and the category "Other".

Table 2 - Distribution of Allegations by Type and District

	District I	District II	District III	District IV	District V	District VI	Other
Attention to Duty	4	4	10	4	2	3	6
Conduct	15	14	24	16	9	11	35
Criminal Misconduct	4		9	9	1	3	10
Ethics Violation/Credibility	1	1	8		6	2	2
Firearms			5	13		2	
Force	37	18	38	5	16	7	47
Harassment/Profiling	2		1				
Language	23	8	24	3	5	4	28
Procedure Violation	7	7	42	4	8	3	18
TOTAL	93	52	161	54	47	35	146

Chart 9
DISTRIBUTION OF ALLEGATIONS
33 Attention to Duty Allegations

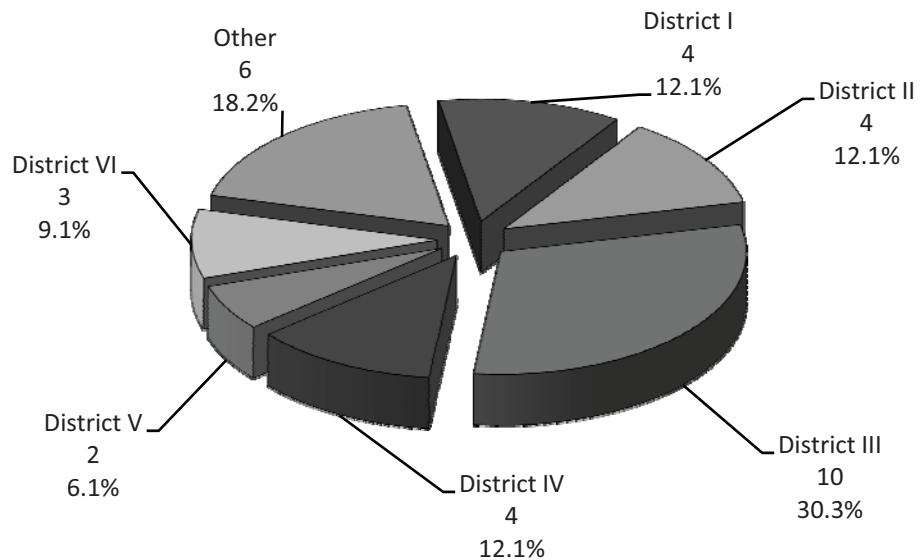


Chart 10
DISTRIBUTION OF ALLEGATIONS
124 Conduct Allegations

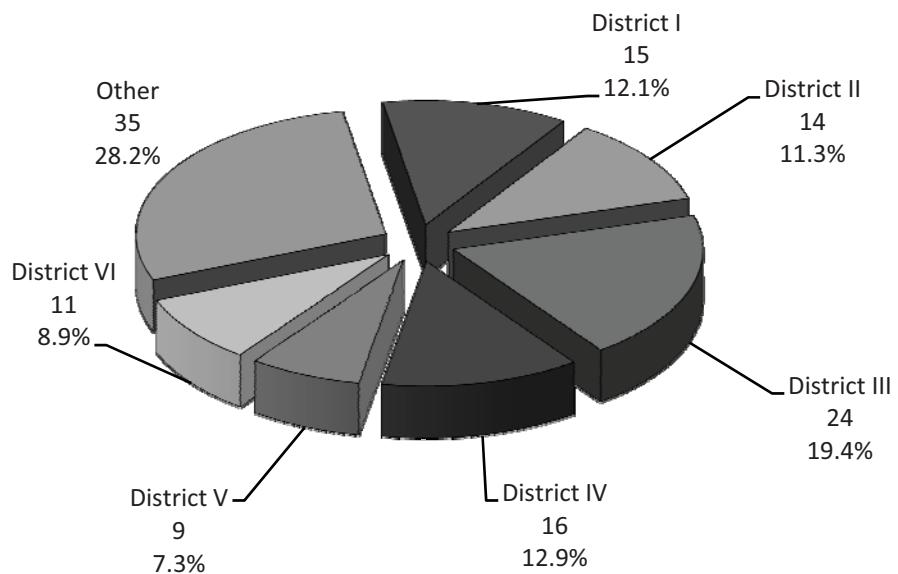


Chart 11
DISTRIBUTION OF ALLEGATIONS
36 Criminal Misconduct Allegations

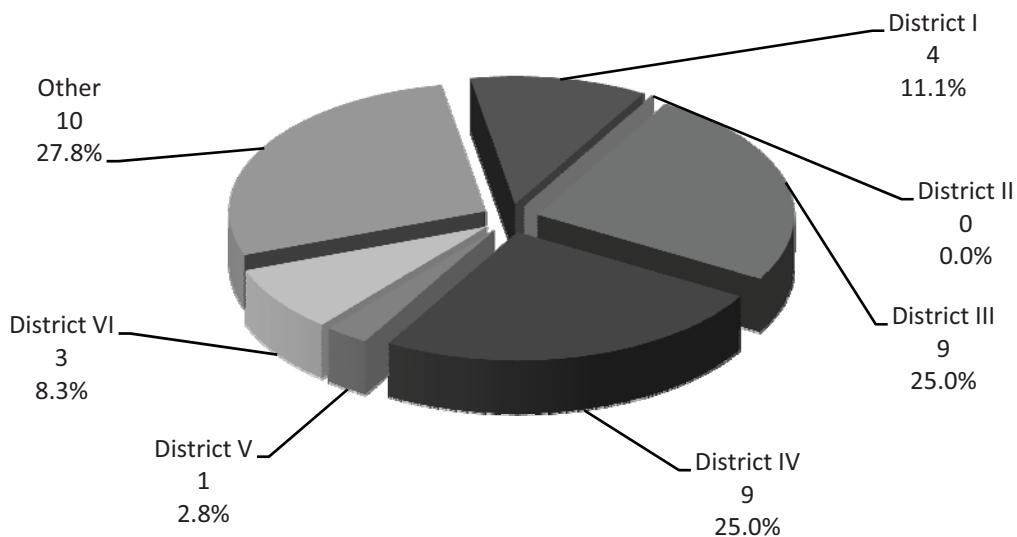


Chart 12
DISTRIBUTION OF ALLEGATIONS
20 Ethics/Credibility Violation Allegations

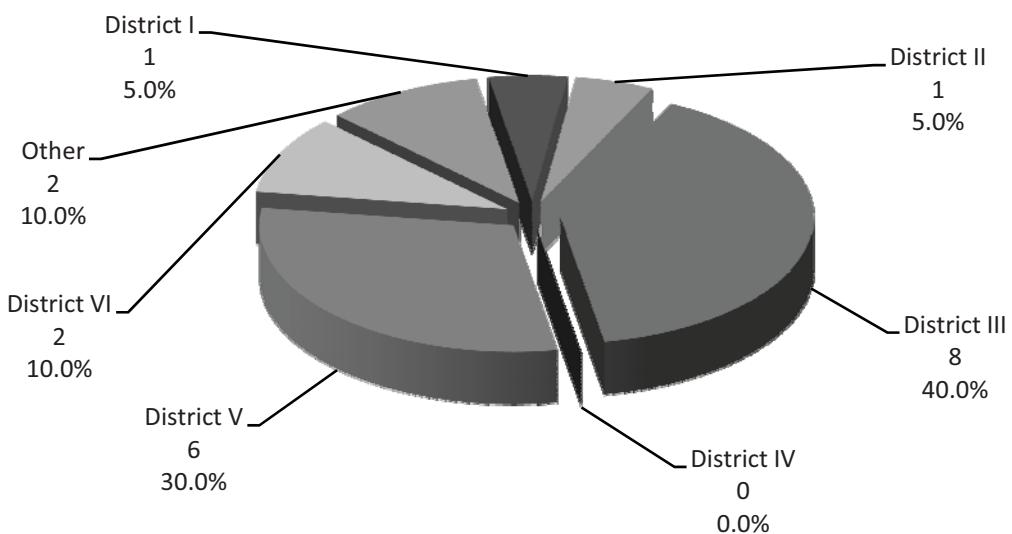


Chart 13
DISTRIBUTION OF ALLEGATIONS
20 Firearm Discharge Allegations

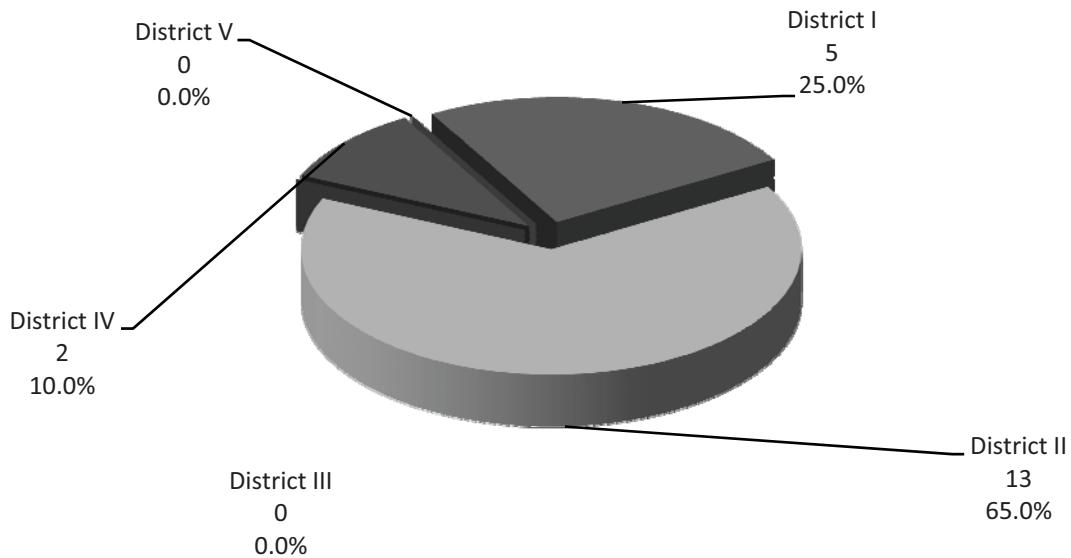


Chart 14
DISTRIBUTION OF ALLEGATIONS
168 Uses of Force Allegations

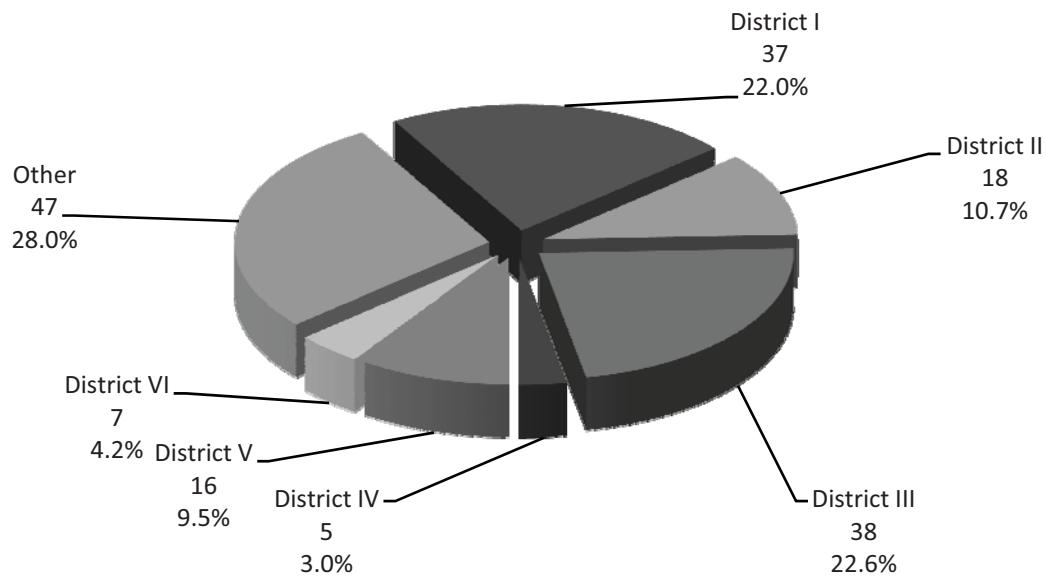


Chart 15
DISTRIBUTION OF ALLEGATIONS
3 Harassment Allegations

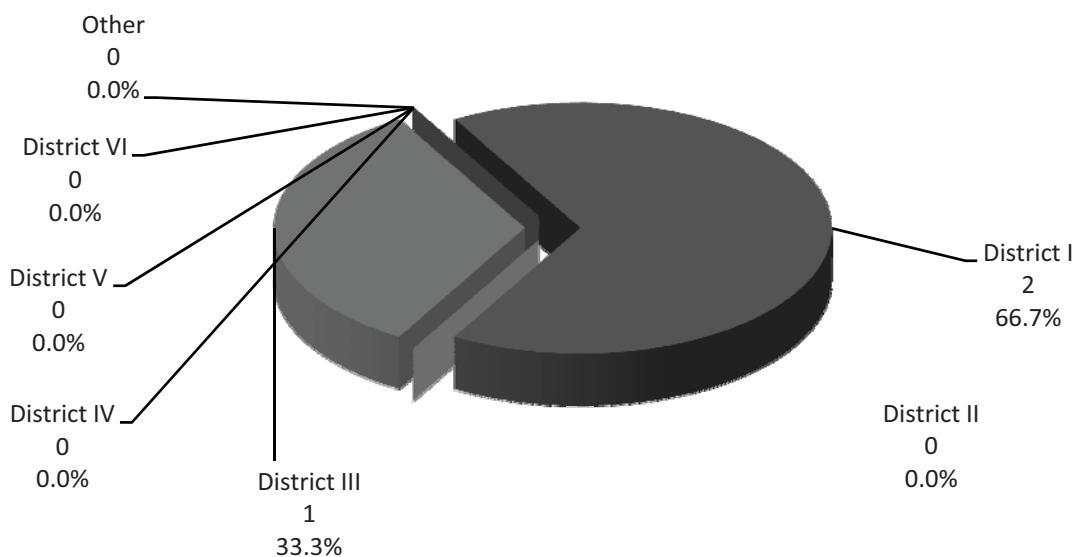


Chart 16
DISTRIBUTION OF ALLEGATIONS
95 Language Allegations

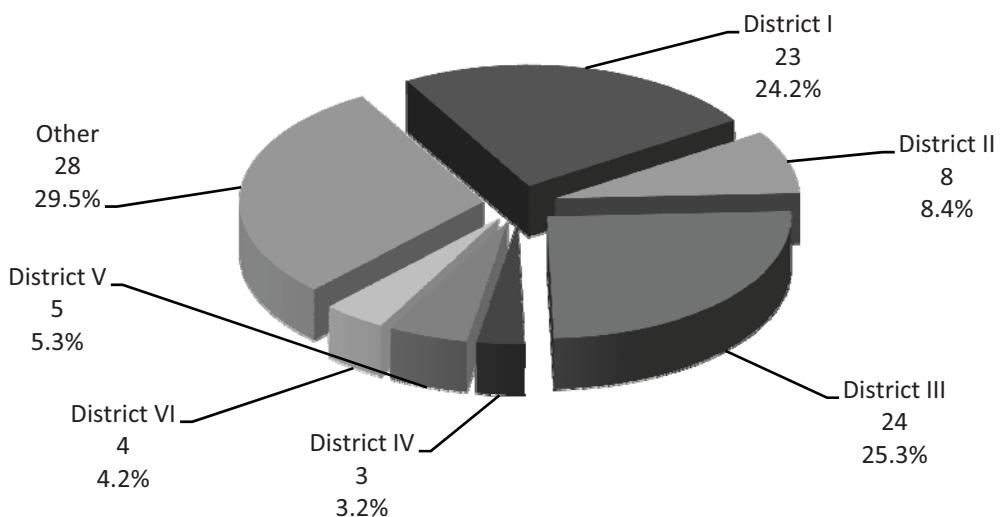
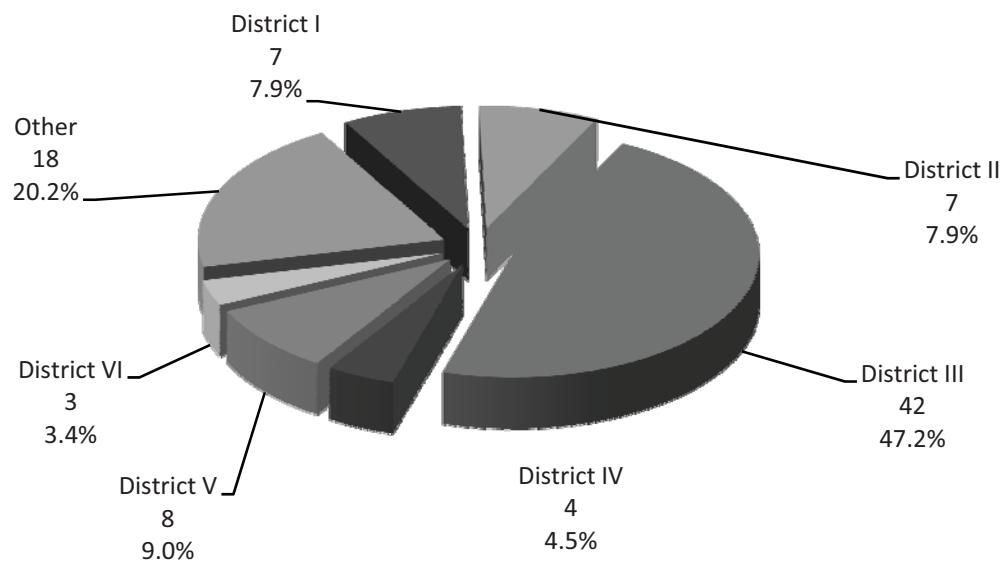


Chart 17
DISTRIBUTION OF ALLEGATIONS
89 Procedure Violation Allegations



2. Distribution of Allegations within Districts

Chart 18
DISTRIBUTION OF ALLEGATIONS
District I
93 Allegations

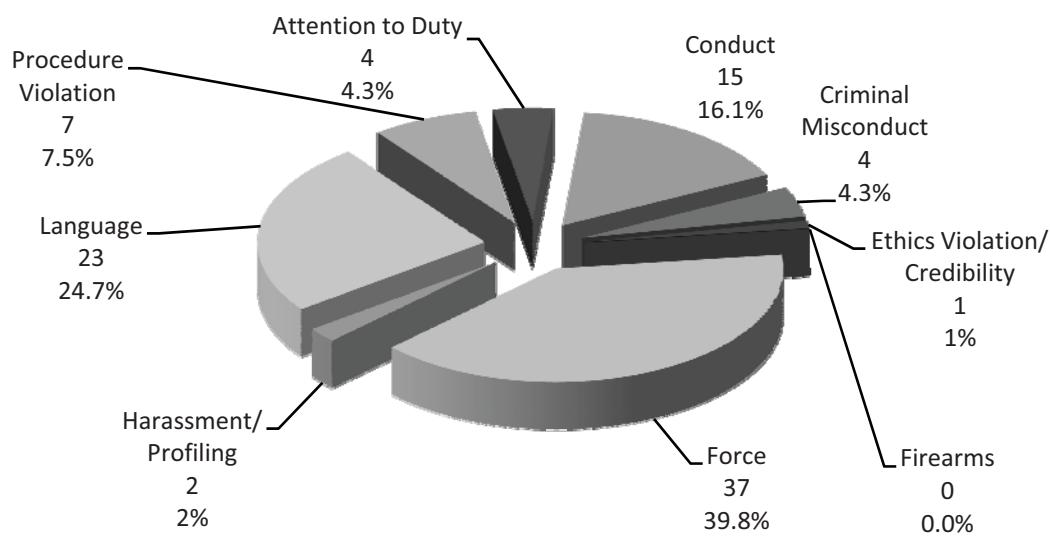


Chart 19
DISTRIBUTION OF ALLEGATIONS
District II
52 Allegations

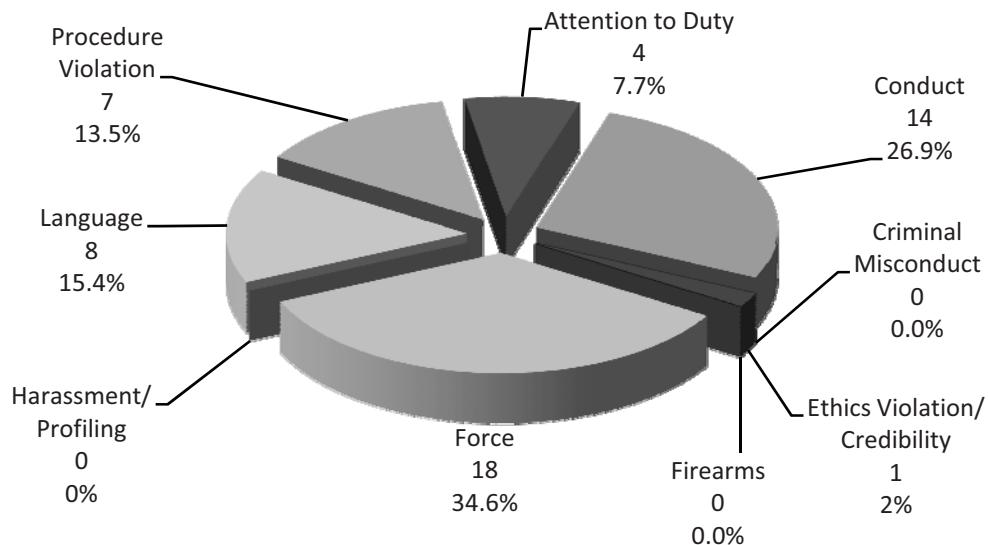


Chart 20
DISTRIBUTION OF ALLEGATIONS
District III
161 Allegations

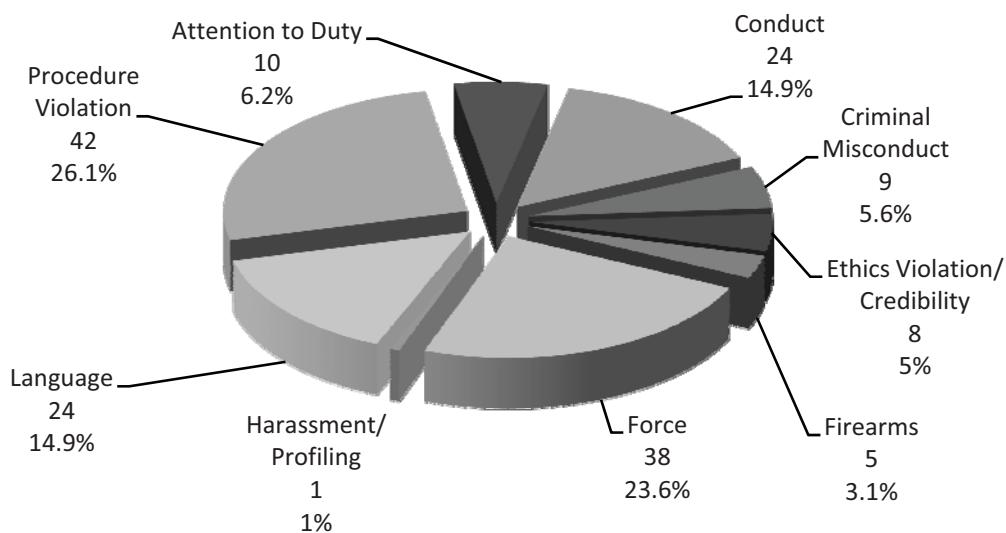


Chart 21
DISTRIBUTION OF ALLEGATIONS
District IV
54 Allegations

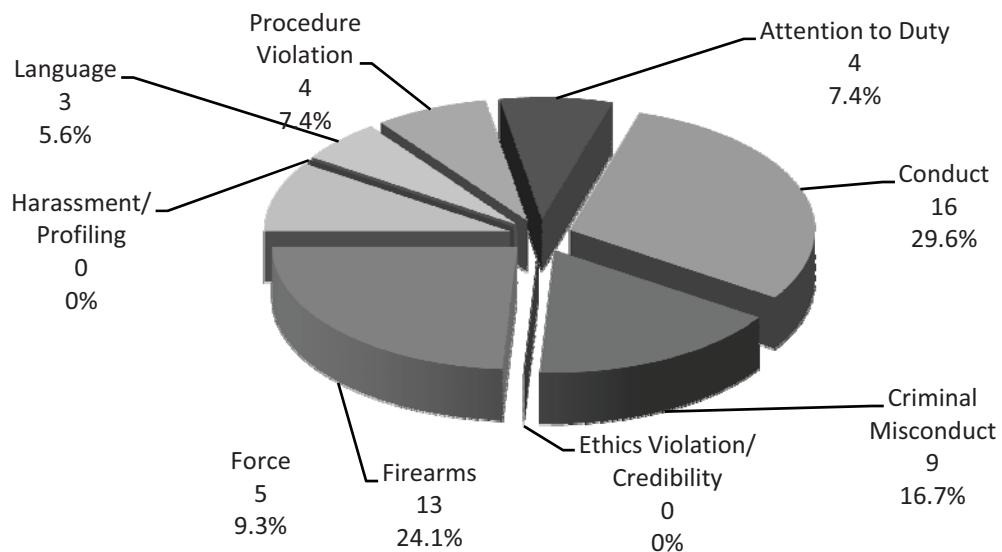


Chart 22
DISTRIBUTION OF ALLEGATIONS
District V
47 Allegations

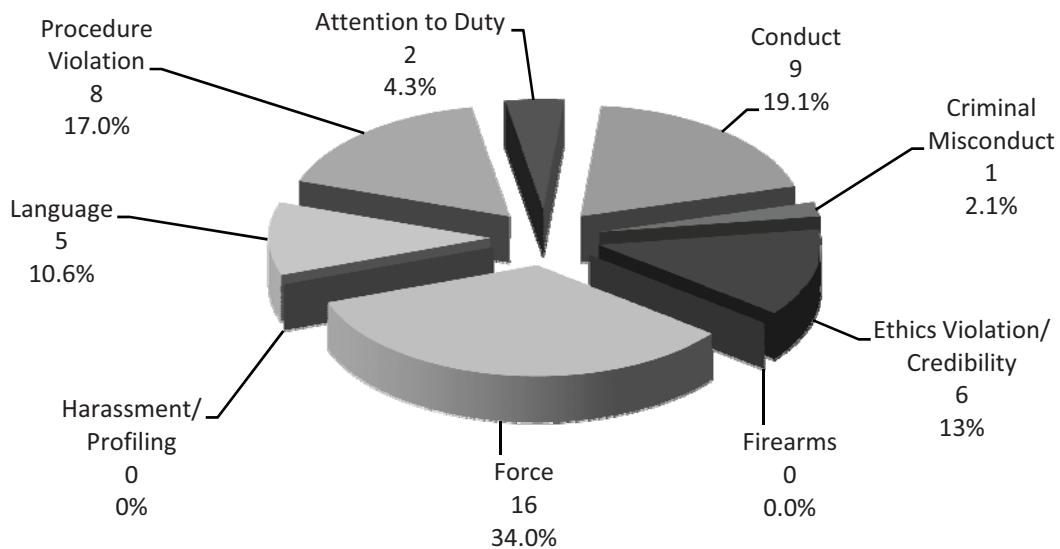


Chart 23
DISTRIBUTION OF ALLEGATIONS
District VI
35 Allegations

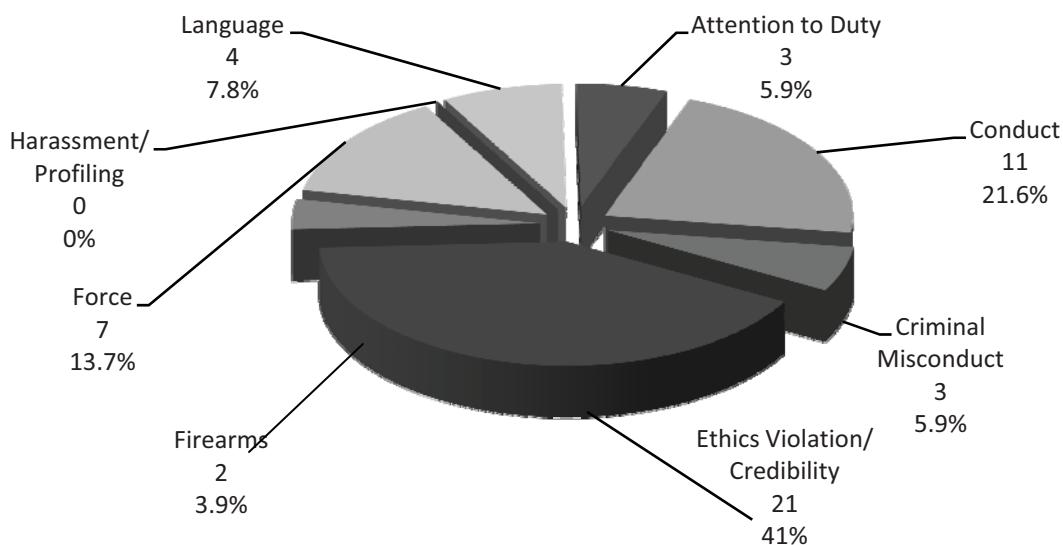
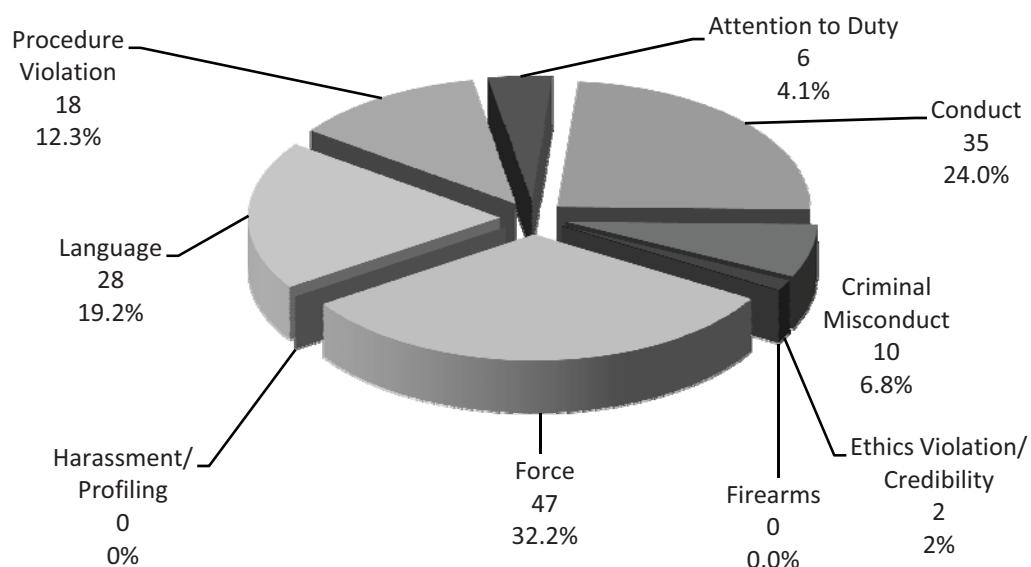


Chart 24
DISTRIBUTION OF ALLEGATIONS
Other
146 Allegations



C. IAD RECOMMENDATIONS

When the Internal Affairs Division of the Police Department completes its investigation, the investigator makes recommendations regarding the findings for each allegation in the case. These recommendations are as follows:

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure;

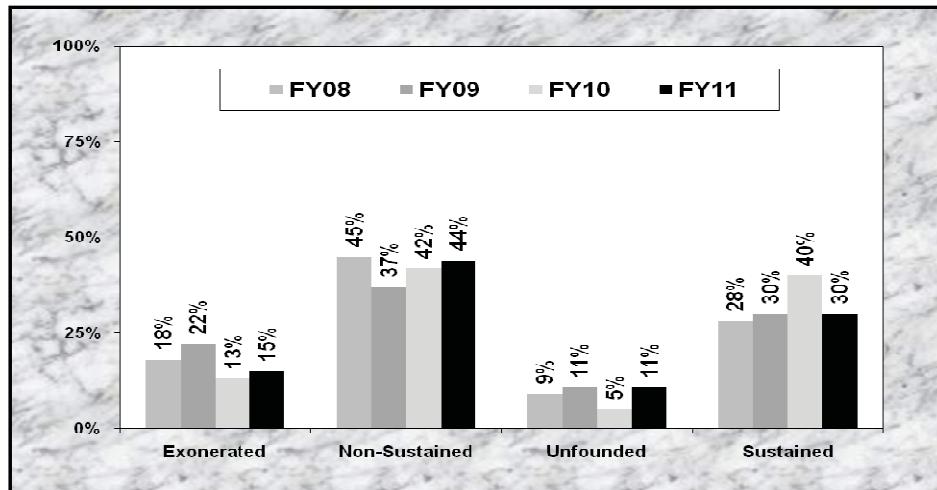
Non-Sustained - The evidence fails to prove or disprove that alleged act(s) occurred;

Exonerated (Proper Conduct) - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and

Unfounded - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Of the 588 allegations reported for FY11, IAD referred 582 and the CCOP, based on its reviews, recommended an additional six. As shown in Chart 25 above, for the recommendation referred by IAD, non-sustained was the most frequent recommendation in FY11, with sustained as the next highest. In FY11, there was a decrease in the percentage distribution for recommendations made to sustain allegations, down from 40% in FY10 to 29.7% in FY10. There was also a corresponding increase in recommendations to exonerated or unfound allegations of misconduct. Recommendations to exonerate were up from 13% on FY10 to 15.3% in FY11 and recommendations to unfound were up from 5% in FY10 to 10.8% in FY11. Chart 26 below shows the four-year trend for the distribution of recommendations.

Chart 25
HISTORICAL DISTRIBUTION OF RECOMMENDATIONS



As shown in Tables 3a and 3b below, Procedural Violations (71%), Ethics Violations (75%) and Criminal Misconduct (36%) allegations were most likely to have a recommendation to sustain. Conduct, Use of Force and Use of Language allegations were most likely to be non-sustained, 52%, 50% and 74% respectively. Exonerated was the overwhelming recommendation for Firearms allegations, with 75%. Sustained was the most likely recommendation for Ethics/Credibility allegations, also 75%. Tables 3a and 3b below show the distributions of these findings.

Table 3a – Distribution of Recommendations by Allegation Type – Percentages

	Exonerated	Non-Sustained	Unfounded	Sustained
Attention to Duty	3%	45%	21%	30%
Conduct	1%	52%	15%	31%
Criminal Misconduct	14%	28%	22%	36%
Ethics/Credibility Violations	5%	15%	5%	75%
Firearms	75%	0%	0%	25%
Use of Force	32%	50%	10%	8%
Harassment/Profiling	0%	33%	67%	0%
Use of Language	2%	74%	6%	18%
Procedure Violation	11%	15%	3%	71%

Table 3b – Distribution of Recommendations by Allegation Type –Actual Count

	Exonerated	Non-Sustained	Unfounded	Sustained
Attention to Duty	1	15	7	10
Conduct	1	65	19	39
Criminal Misconduct	5	10	8	13
Ethics/Credibility Violations	1	3	1	15
Firearms	15	0	0	5
Use of Force	54	84	17	13
Harassment/Profiling	0	1	2	0
Use of Language	2	70	6	17
Procedure Violation	10	13	3	63

Table 4 shows the percentage distribution of recommended findings by allegation type among the six police districts and the category “Others”. For illustrative purposes only, Chart 5 further breaks downs these findings by allegations type within each district.

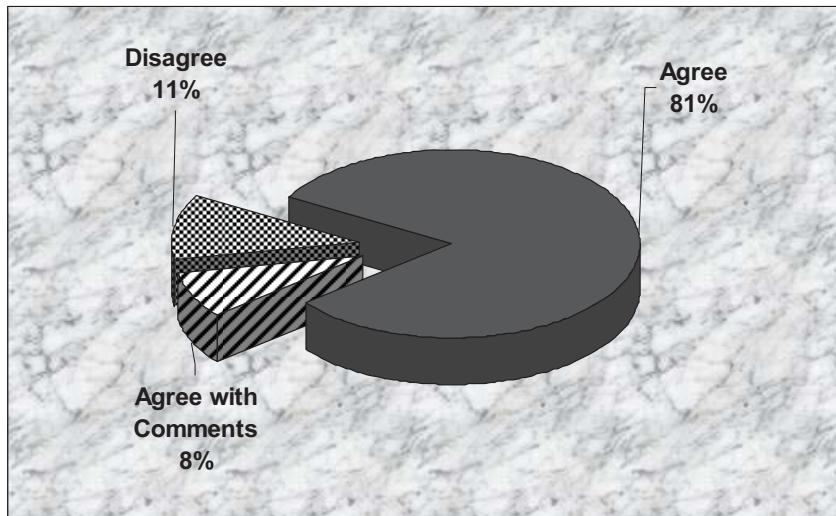
Table 4 – Distribution of Recommendations by Allegation Type and Districts

	District I	District II	District III	District IV	District V	District VI	Other
Exonerated	14%	16%	14%	25%	7%	15%	14%
Sustained	16%	22%	38%	29%	69%	36%	30%
Non-Sustained	58%	64%	42%	43%	25%	44%	48%
Unfounded	5%	4%	5%	6%	1%	3%	8%

D. CCOP RECOMMENDATIONS

When the CCOP disagrees with IAD recommendations, identifies additional allegations, or has comments regarding questionable aspects of an investigation, the CCOP submits a letter detailing its findings to the Chief of Police. In FY11, the CCOP disagreed with IAD findings, rendered comments or recommended additional allegations in 21% of the investigations reviewed by the CCOP. This was an approximate 2 point increase from the FY10 rate of 19%. See Chart 26 below.

Chart 26
DISTRIBUTION OF CCOP RECOMMENDATIONS for FY11



The CCOP takes pride in the part it plays in assuring that the Department holds officers fully accountable for their conduct. The Panel has noted several improvements in the scope and quality of IAD investigations that the Panel believes is, in part, due to its diligence and insistence on impartiality and thoroughness. Investigations were more thorough and broader in scope and investigators were more diligent in delineating and fully charging officers.

While there was improvement in these areas, the Panel continued to receive investigations it deemed incomplete or missing evidence. In these instances, the Panel either remanded the investigations back to IAD to correct the deficiencies or recommended that additional allegations be added to the list of charges.

In instances where the CCOP disagrees with the IAD recommendation, the CCOP researches the issue and presents recommendations for alternative findings, policy changes and/or training. After reviewing the CCOP's recommendations, the Chief renders a final disposition for the investigations. Only data for final dispositions received in FY11 are included in this report. At the end of FY10, there were 14 letters pending a disposition from the Chief.

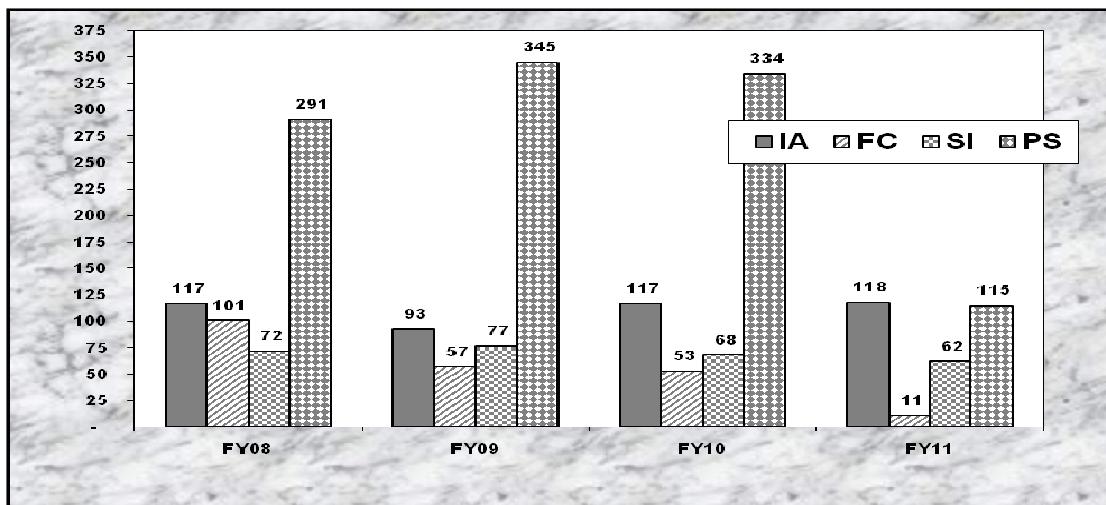
E. INCOMING COMPLAINTS

In FY11, the CCOP received notice of 306 new complaints. PS complaints represented 115 of these and will most likely result in investigations that will not require the CCOP's full

review. The remainder will result in complete Internal Affairs investigations that are referred to the CCOP in the current or a subsequent year. These 191 incoming complaints will become 118 IA, 11 FC, and 62 SI investigations. Chart 28 above shows a 4-year comparison by complaint type.

The investigations for many of these complaints will not be referred to the CCOP until next fiscal year or later. Therefore, the exact type and number of allegations contained in these complaints, as well as the factors related to these increases, were not known at the time of this report.

Chart 27
DISTRIBUTION OF COMPLAINTS BY CATEGORY



*** These complainants are initiated by police supervisory staff regarding an officer's performance of or failure to perform specific administrative functions. They are also related to traffic and other citations received by officers.

As noted previously, the CCOP was advised of a new process implemented by the Police Department in FY11 that drastically changed the way in which complaints are being processed, as well as the nature of the resulting investigations

F. OFFICER AND COMPLAINANT DEMOGRAPHICS

Table 5 below gives a comparative overview of officer and complainant demographics across gender and race for investigations reviewed by the CCOP. The demographic information is consistent with prior years' distributions

Table 5 – Officer and Complainant Demographics

	SEX			RACE			
	Male	Female	Unknown*	African-American	White	Other	Unknown*
County Demographics	47%	53%	N/A	69%	22%	9%	N/A
Officer Demographics	91%	9%	N/A	48%	42%	9%	1%
Complainant Demographics	72%	28%	N/A	86%	4%	8%	2%

*Unknown is due to anonymous complaints where sex or gender was not indicated by the complainant or the identity of the officer or the complainant could not be determined or was not clearly noted in the investigation.

G. CASE PROCESSING TIME FRAME

As the number and complexity of investigations and allegations increased, the CCOP adjusted its meeting schedule to meet the increase. The Panel now meets 1–2 evenings per week to review and discuss cases. Additionally, some members spend non-meeting hours in the CCOP office reviewing case files, videotapes and other evidence to prepare for review meetings. Even with these special efforts, however, the CCOP is sometimes unable to meet the legislatively mandated time of no more than 40 days to complete case reviews and prepare recommendations to the Chief. In FY11, the average processing time for cases remained at 48 days.

Outreach and Education

Key to the CCOP's mission is its mandate to strengthen the relationship between the police and the community. The CCOP's efforts to achieve this are normally concentrated in three main areas:

**Community Relations
Partnership Building
Improved Training for Panel Members**

Again in FY11, the CCOP's participation in outreach was limited due to budget limitations. For the most part, FY11 outreach was limited to the distribution full color brochures and posters available in both Spanish and English, a kiosk-style PowerPoint presentation on the CCOP services and activities, and a large exhibition display. These were made available upon request.

The CCOP continued to inform the public of its services via its web pages found on the Prince George's County Government's web site located at www.princegeorgescounty.md.gov. The CCOP's web pages offer a complete step-by-step guide to the complaint process. The 1072 Complaint Form, in both English and Spanish, can also be downloaded from the site. The site also provides an email link to the CCOP, as well as links to PDF versions of the CCOP's current and prior annual reports. As of FY2008, the CCOP's annual report is published online only.

The CCOP was included in the 2011 Directory of Organizations published by the Prince George's County Memorial Library System. This list identified the CCOP's willingness to provide speakers for educating the public on the complaint process, the CCOP's functions, and the role of law enforcement oversight panels in general. Additionally, staff continued to work with the Department Compliance Unit to ensure compliance with the standards and improvements made under the Department of Justice monitoring.

Panel members continued to be available to provide information on the CCOP and citizen/police interaction at various professional and community meetings. The CCOP office continued to provide outreach materials upon request.

Partnerships

The CCOP continued to foster and strengthen its partnerships with stakeholders in law enforcement, government and the community. A major part of this effort is periodic meetings with its two major stakeholders, the Office of the County Executive and Chief of Police. During this reporting period, the CCOP conducted meetings and attended training conducted by senior staff from the PGCPD's Bureau of Professional Responsibility and Special Investigate Response Team (SIRT) units.

Training

The CCOP maintains membership in the National Association for Civilian Oversight of Law Enforcement (NACOLE). Since its focus is on the work of similar oversight groups across the United States, NACOLE is of particular interest and significance to the CCOP, and has become a valuable resource. As a result, the CCOP instituted a modified version of its recommended training program for civilian oversight panels. A major component of this program includes participation in NACOLE's training provided at its annual conference. The

focus of the NACOLE conference is to provide a national debate on civilian oversight and policing in the United States. NACOLE speakers and panelists from diverse countries, professions and backgrounds provide invaluable information and insight at these conferences. Panel discussions cover a wide range of issues including: 1) types of civilian oversight best suited for a given community; 2) trends in civilian oversight and their effect on various types of oversight; and 3) suggested policy changes and best practices.

The CCOP also attended in a PGCPD led training session on the Department's early warning system. The Panel also conducted several meetings with IAD commanders and investigators to discuss pertinent case issue and concerns.

Issues and Concerns

Long Standing Issue SECONDARY EMPLOYMENT

Recurring Issues

LACK OF MOBILE VIDEO SYSTEM DURING TRAFFIC STOP
DELAY OF FAILURE TO CLERLY PROVIDE OFFICE IDENTIFICATION INFO
INVESTIGATIVE PROCESS
GENERAL ORDERS MANUAL

New Issues

PROPERTY MANAGEMENT
IMPLEMENTATION OF NEW CATEGORY FOR COMPLAINT PROCESSING

Each year, the CCOP's annual report outlines critical issues related to the CCOP's operations, the PGCPD policies and training, as well as community and citizen relations. This section includes continuing issues and new issues for FY11.

A. CONTINUING ISSUES

1. Secondary Employment

ISSUE: Per the General Orders Manual, Extra Duty Employment /Secondary Employment is any paid employment that results from being a departmental employee (e.g. police officers) and is not county sponsored. The police officers act within the scope of their police duties when working secondary employment. Secondary employment is an issue that has resulted in numerous citizens and Department initiated complaints over the past few years. Some stem from secondary employment at nightclubs and often relate to incidents that occur at the end of an evening, when officers are actively assisting with egress from the property. A typical complaint is that officers are rude and abusive in their attempt to quickly clear the crowd from a parking lot. Others stem from incidents related to officers working inside establishments, such as bars and restaurants, and are enforcing the rules of management under the guise of their police power and duties. These cases are often difficult to investigate and for the CCOP to review the resulting investigations. In these situations, the reporting and recordkeeping processes for tracking officers working secondary employment needs improvement. The CCOP has reviewed situations where officers simply call in to report where they will be working and all the information is recorded in handwritten logs. When complaints are lodged, this often makes it difficult for investigators to determine which officer is working where and on what date and what shift.

RECOMMENDATIONS: The Panel continues to recommend that the Department develops a process for stricter reporting and monitoring to govern officers' participation in part-time employment. Additionally, the panel also recommends that ways to mitigate the County's liability regarding officers on secondary employment, especially for nightclub assignments, be investigated. The CCOP also recommends that the Department develop and implement a computerized process for reporting and tracking officers' off-duty assignments, not just for nightclub employment, but all secondary employment.

STATUS: Realizing that this issue had reached critical mass as it relates to risk and liability for the County, during his phase as the interim police chief, Police Chief Magaw created an "*Office of Secondary Employment*" to review, revise, and provide ongoing management of policies and issues related to secondary employment. This new office has already implemented a new process for the officers to notify their commanders when and where they will be working secondary employment. The CCOP looks forward to the full implementation of the new program and to receiving reports regarding its progress and outcomes.

2. Lack of Functioning Mobile Video Systems during Traffic Stops

ISSUE: In many cases, video evidence could have helped to more clearly resolve several allegations. Numerous cases which involved traffic stops may have benefited from properly used

or adequately functioning audio visual equipment. Unfortunately, a pattern appears to be emerging where many older police cruisers either have no audio visual equipment, have obsolete or malfunctioning equipment or officers have demonstrated a lack of training in properly deploying the equipment.

RECOMMENDATIONS: In FY10, the CCOP recommended that the Department develop a long-term plan to provide for proper video monitoring equipment to be installed in all departmental vehicles as soon as possible. The CCOP continues to make this recommendation. Additionally, the CCOP recommended that officers be given periodic training to remind them of the necessity and benefit to properly functioning video monitoring equipment.

STATUS: With regard to insuring that vehicles are equipped with operational MVS systems, the CCOP has been advised that as fleet vehicles are retired, they are replaced with vehicles that are equipped with the technology to do audio and video recording of required stops. This replacement cycle will continue as vehicles are retired and updates to technology are dictated. The CCOP has received no status regarding its recommendation to insure updated training on MVS.

3. Delay or Failure to Clearly Provide Officer Identification Information

ISSUE: In FY10, the CCOP noted a continuing pattern in cases where officers are not providing identification information to citizens or not providing it in the manner dictated by the GOM, Volume I, Chapter 32, Section 21, which states that when confidentiality is not an issue, “an employee will provide their name, rank and identification number upon request, The identification will be clearly provided.” Cases reviewed in FY11, further illustrated this pattern. Statements and video evidence included in the investigative files continue to serve as sufficient evidence to document incidents in which this information has not been clearly provided. As stated in the FY10 report, in some incidents, citizens who are unaware that officers no longer have “badge numbers”, ask for badge numbers. Officers in many of these instances have only responded that they do not have badge numbers and failed to provide any officer identification information. In other instances, the citizen had to request the identification information multiple times, only to receive vague or unclear responses or no response. In other instances, the information is provided in a manner that would not be deemed as clear or sufficient by any standard.

RECOMMENDATION: The CCOP continues to recommend that officers be required to promptly respond to requests for identification, regardless of how the request is phrased and reiterates its initial concerns. The CCOP is aware that the GOM specifies that the information does not have to be provided in writing. However, to improve community relations and to prevent further escalation of situations where a citizen does not understand the information verbally provided by the officer, the CCOP suggests that the officer provide citizens with a business card. The CCOP further recommended that the Department consider providing officers with generic Police Department business cards that include space for officers to write their specific identification information.

STATUS: While the Panel was advised that its recommendation would be taken under consideration, again in FY11, no formal response was received.

4. Investigative Process

ISSUE: As in the FY09 and FY10 annual reports, the CCOP continues to note that, in some cases, investigators fail to fully investigate or address all the charges applicable to a complaint. Specifically, the Panel reiterates that some investigators do not take into consideration:

- a. All allegations outlined in the original written complaint;
- b. Additional allegations made by the complainant or witness(es) during taped or written statements; and
- c. Additional charges or allegations made during a 911 call or other requests for assistance.

RECOMMENDATIONS: The CCOP recommended that the Department explores national best practices to identify processes and procedures for conducting police accountability investigations and interviews that will ensure all aspects of a complaint are fully identified and investigated. It is also recommended that investigators be trained or re-trained on interrogation techniques.

STATUS: While the CCOP has seen improvements in the delineation of charges, the Panel noted a new concern; investigators who recommend dispositions for charges without outlining or explaining the evidence that supports their recommendations. The CCOP met with IAD command staff in FY10 and advised them of this concern.

5. General Order Manual Format

ISSUE: As part of its Department of Justice Memorandum of Agreement compliance efforts, the Department revised its GOM. The CCOP continues to state that the revised GOM is difficult to navigate, is not intuitive and is not user-friendly. The CCOP expressed this concern in its FY07, FY08, FY09, FY10, and FY11 annual reports and in conversations with Department representatives. The GOM, in its current format, makes locating and reviewing GOM provisions cumbersome and time-consuming.

RECOMMENDATION: The CCOP recommended, that at a minimum, the Department adds a subject index to the format. This would provide users with a logical base to begin a search for specific GOM provisions. However, to make the GOM a more responsive document, the Panel also recommends that it be published in an electronic format, with word, topic and citation search capabilities.

STATUS: No changes to the GOM or formal response have been received.

B. NEW ISSUES FOR FY11

1. Police Property Management

ISSUE: The CCOP noted, in two key cases, an emerging pattern where officers had failed to appropriately handle and track evidence or property in a case. One particular case resulted in a complainant losing a specific amount of cash, despite the officer acknowledging having seen the money. In another more troubling case, it became apparent to the panel that the department has a

system-wide challenge of properly recording and subsequently tracking both evidence and property. Upon further inquiry with the department, it became clear that the property and evidence management system was highly decentralized and full of opportunities for error and mismanagement. If not corrected, this could prove challenging in a number of ways, particularly when related to prosecuting cases or properly returning property to citizens.

RECOMMENDATION: The CCOP recommends that the department review the overall system of handling and tracking property and evidence and establish a single, standardized method that reduces the chances for misplacing, mislabeling, or simply losing materials.

STATUS: The CCOP met with IAD command staff in FY11 on several occasions to review the status of the property and evidence tracking system. By the end of FY11, the CCOP had been informed that the department was in the process of installing a completely revised and updated property management system and that all of the police districts throughout the county would be updated before the end of the next fiscal year.

2. Implementation of New Category for Complaint Processing

ISSUE: Sometime in FY11, the Department implemented a new inquiry process for handling incoming complaints. However, the CCOP was not made aware of the implementation of this process until the beginning of FY12, when the CCOP began reviewing its yearly statistics and noted an overall decrease in the number of complaints and completed investigation referred to the CCOP. The CCOP sought an explanation for this trend the Panel was first advised by the Department that it had implemented new inquiry processing procedures in early 2012. The Panel had a number of concerns regarding the implications of the inquiry process, not only for the processing of complaints, but also for the quantity and quality the investigations resulting from this process. These concerns were expressed in an initial meeting with the Deputy Chief Administrative Officer for Public Safety and Commander of the Office of Professional Responsibility. As a result, incoming complaints that were processed as inquiries, to-date for FY12, were retroactively forwarded to the CCOP for review. Sixty-two inquiries, dated July 5 - October 5, 2011, were forwarded to CCOP. After reviewing these 62 inquiries, the CCOP disagreed with the Department's decision not to conduct an IAD investigation for 59%. There is an additional undetermined number of incoming complaints for FY11 that were not referred to the CCOP or investigated by IAD. Therefore, the CCOP had no data to report on these complaints or subsequent dispositions for FY11.

RECOMMENDATION: As the inquiry process is currently implemented, the CCOP is not receiving notification of the complaints or the inquiry, until after the Department has made the decision to conduct an inquiry vs. an Internal Affairs investigation, and the complainant has been notified. Because of its concerns regarding the the inquiry process, the Panel has requested that complaints designated for the inquiry process be forwarded to the Panel for review and recommendation prior to final determination of the complaint status.

STATUS: The CCOP has scheduled meetings in FY12 with the Chief of Police, Commander of the Office of Professional Responsibility and the Deputy Chief Administrative Officer for Public Safety to review, discuss and make recommendations regarding this new process.

Appendices

Glossary of Terms

Enabling Legislation

**Complaint against Police Practices
Form (1072)**

Police District Map

Selected Case Summaries

A. Glossary of Terms

The terms defined below pertain to CB-25-1990, and CB-59-2001 which engendered new terms and definitions.

ALLEGATION - The specific charge for each act or behavior investigated in complaints alleging that a law enforcement officer has violated standards imposed by law or the Prince George's County Police Department (PGCPD) procedures. The allegations investigated by IAD and reviewed by CCOP include, but are not limited to the following categories:

Use of Force:

Aggressive Force - Force unreasonable in scope, duration, or severity under circumstances (e.g., continued use of force when resistance has ceased).

Excessive Force - Intentional, malicious, or unjustified use of force resulting in injury or potential for injury.

Unnecessary Force - Force inappropriate to effect an arrest or control a situation; includes use of force when none is necessary.

Use of Language:

Abusive Language - Harsh, violent, profane or derogatory language that would demean the dignity of any person.

Discriminatory Language - Demeaning, derogatory or abusive language, or other unbecoming conduct relating to the race, color, national origin, gender, or religion of a person(s).

Inappropriate Language - Name calling, sarcastic remarks or other unnecessary language which serves to belittle, or embarrass a citizen, or otherwise inflame an employee/citizen contact.

Conduct - Refers to excessive, unwarranted or unjustified behavior that reflects poorly on the officer the department or on the county government, regardless of duty status. This category includes allegations of misconduct, unbecoming conduct, and unreported misconduct.

Harassment - Repeated, unwarranted verbal or physical annoyances, threats or demands including sexual harassment.

Credibility - Allegations of dishonest behavior that may diminish public trust and undermine the credibility, effectiveness or integrity of the officer or contribute to the corruption of others.

Process Violations - Failure to comply with specific policies and directives related to operational procedures.

Firearms - Complaints or cases related to the intentional and unintentional discharge

CB-25-1990 - The legislation establishing the Citizen Complaint Oversight Panel (CCOP) that sets forth its duties and responsibilities and the composition of its members. (See Appendix B)

CB-44-1994 - The legislation that changed the length of terms of panel members from two years to four years, and provided for the staggering of the terms. (See Appendix C)

CB-59-2001 - The legislation that amended CB-25-1990. (See Appendix D)

**CCOP - The Citizen Complaint
Oversight Panel**

COMPLAINT - Any written allegation, signed by the complainant and submitted to the Prince George's County Police Department (PGCPD), alleging that the conduct of a law enforcement officer violated standards imposed by law or the PCGPD procedures. A complaint can also be filed using Form #1072 (PGCPD form).

FORM #1072 - Complaint Against Police Practices - A Prince George's County Government Form for filing complaints against the Prince George's County Police Department.
IAD - Internal Affairs Division of the Prince George's County Police Department.

LETTER OF DETERMINATION - Refers to the summary report of investigations conducted by the HRC prior to January 11, 2001. This function was made obsolete by CB-59-2001.

RECOMMENDATIONS - CCOP's conclusions submitted to the Chief of Police for each of the allegations listed in the Internal Affairs ROI, and are based on IAD's investigation, comments, recommendations, and, when applicable, CCOP's investigation. The CCOP can concur with the IAD findings in their entirety or the CCOP may disagree and make its own recommendations to the Chief of Police with any of

the following conclusions or recommendations" for each allegation as follows:

Sustain - A preponderance of the evidence proves that the alleged act(s) occurred and that the act(s) violated Department policy and procedures.

Not Sustained - The evidence fails to prove or disprove that the alleged act(s) occurred.

Proper Conduct - Also referred to as "Exonerated" is a finding that the investigation found the alleged acts did occur, but they were justified, lawful and proper.

Unfounded - The investigation found the alleged acts did not occur or did not involve police employees.

Panel Investigation - Substantive issues were not adequately or impartially addressed by the Internal Affairs investigation; the Panel may conduct its own investigation; or
Remand to Chief of Police - The Panel defers disposition to send complaint back to the Chief for further investigation and/or additional investigation.

**REPORT/REPORT OF
INVESTIGATION**

(ROI)- The report by IAD that is the written record of its investigation.

B. Enabling Legislation

1 COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2 Legislative Session 1990

3 Bill No. CB-25-1990

4 Chapter No. 30

5 Proposed and Presented by The Chairman (by request -
County Executive)

6 Introduced by Council Members Bell, Mills and Pemberton

7 Co-Sponsors _____

8 Date of Introduction June 12, 1990

9 BILL

10 AN ACT concerning

11 Citizen Complaint Oversight Panel

12 FOR the purpose of establishing the Citizen Complaint Oversight
13 Panel; providing for the composition and terms, powers and duties of
14 the Panel; and establishing certain procedures to be followed by the
15 Panel, the Chief of Police and the Human Relations Commission when a
16 complaint of excessive force, abusive language or harassment is
17 filed against a Prince George's County Police Officer.

18 BY repealing:

19 SUBTITLE 2. ADMINISTRATION.

20 Section 2-231,

21 The Prince George's County Code
22 (1987 Edition, 1988 Supplement).

23 BY adding:

24 SUBTITLE 2. ADMINISTRATION.

25 Section 2-231,

26 The Prince George's County Code
27 (1987 Edition, 1988 Supplement).

SUBTITLE 18. POLICE.

Sections 18-186.01 through

18-186.08, inclusive.

The Prince George's County Code

(1987 Edition, 1988 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 2-231 of the Prince George's County Code be and the same is hereby repealed.

SUBTITLE 2. ADMINISTRATION.

DIVISION 12. HUMAN RELATIONS COMMISSION.

Subdivision 8. Discrimination by Law Enforcement Officers.

[Sec. 2-231.]

SECTION 2. BE IT FURTHER ENACTED that new Sections 2-231 and 18-186.01 through 18-186.08, inclusive, be and the same are hereby added to the Prince George's County Code to read as follows:

SUBTITLE 2. ADMINISTRATION.

DIVISION 12. HUMAN RELATIONS COMMISSION.

Subdivision 8. Discrimination by Law Enforcement Officers

Sec. 2-231. Complaints against members of the Prince George's County Police Department.

(a) Notwithstanding the provisions of Section 2-230, if a complaint pursuant to Section 2-229 involves a member of the Prince George's County Police Department the Human Relations Commission shall complete its investigation, conduct a public hearing before three members of the Law Enforcement Panel of the Commission, in

1 accordance with Sections 2-205 and 2-206 of this Code and shall
2 report in writing its comments and recommendations to the Chief of
3 Police and to the Citizen Complaint Oversight Panel, within twenty
4 (20) working days after the completion of the investigation by the
5 Internal Affairs Division, in accordance with the provisions of
6 Sections 18-186.01 through 18-186.08 of this Code.

7 SUBTITLE 18. POLICE.

8 DIVISION 5. POLICE DEPARTMENT.

9 Subdivision 3. Citizen Complaint Oversight
10 Panel.

11 Sec. 18-186.01. Legislative Findings.

12 (a) The procedures to be used when any law enforcement officer
13 is subject to investigation or interrogation for any reason which
14 could lead to disciplinary action, demotion or dismissal are
15 established under Article 27, Sections 727-734D of the Annotated
16 Code of Maryland ("Law Enforcement Officers' Bill of Rights") and
17 are in no way supplanted by the procedures set forth in this
18 Subdivision.

19 (b) It is found and declared that when a complaint is filed or
20 an incident is reported in which a Prince George's County Police
21 Officer is alleged to have used excessive force, abusive language or
22 harassment involving a citizen, the public needs assurance that the
23 investigation is complete, thorough, and impartial, and that the
24 report and recommendations of the investigating unit are reasonable
25 and appropriate under the circumstances.

26 (c) It is declared that the purpose of the Citizen Complaint
27 Oversight Panel is to review the report of the investigation and to
 advise the Chief of the Prince George's County Police Department if

the investigation was complete, thorough, and impartial.

(d) It is a further declared purpose of the Citizen Complaint Oversight Panel to review the processing of complaints of excessive force, abusive language or harassment and to comment on the action taken on such complaints, to report its comments and recommendations to the Chief Administrative Officer upon the final disposition of each case, and to issue an annual report to the public.

Sec. 18-186.02. Definitions.

(a) As used herein, the following words shall have the following meanings:

(1) "Abusive language" means harsh, violent, profane or derogatory language which would demean the dignity of any person. "Abusive language" includes, but is not limited to, profanity, and racial, ethnic or sexist slurs.

(2) "Chief of Police" means the Chief of the Prince George's County Police Department.

(3) "Excessive force" means the use of greater physical force than reasonably necessary to repel an attacker or terminate resistance and shall not include that force which is reasonably necessary to effect a lawful purpose.

(4) "Harassment" means repeated, unwarranted verbal or physical annoyances, threats, or demands.

(5) "Hearing Board" means the Police Hearing Board as defined in Article 27, Section 727 of the Annotated Code of Maryland.

(6) "Human Relations Commission" means the Prince George's County Human Relations Commission.

(7) "Law enforcement officer" means a sworn officer of

the Prince George's County Police Department.

(8) "Panel" means the Citizen Complaint Oversight Panel.

Sec. 18-186.03. Citizen Complaint Oversight Panel created; composition; appointment; compensation.

(a) There is hereby created a Citizen Complaint Oversight Panel.

(b) The Panel shall consist of seven (7) members who shall be appointed by the County Executive and confirmed by the County Council.

(c) Of the initial appointments, three (3) shall be for a term of one (1) year and four (4) shall be for a term of two (2) years. Thereafter, all appointments shall be for two (2) year terms. In the event that a member does not complete a term, the vacancy shall be filled in the same manner as initial appointments. No member shall be appointed for more than two (2) consecutive full terms.

(d) Members shall be residents of Prince George's County and broadly representative of the citizens of the County; however, no person may be appointed nor serve as a member who is a municipal, bi-county, County or State employee, or who is a municipal, County or State elected official or candidate for any such elected office, or who is employed by any law enforcement organization.

(e) Members may be reimbursed for reasonable expenses incurred in the performance of their duties and shall be compensated at the rate of Fifty Dollars (\$50) per hour for meetings, but no member shall receive more than Ten Thousand Dollars (\$10,000) in any twelve (12) month period.

(f) The County Executive shall designate a member to serve as Chairperson of the Panel.

1 form. The law enforcement officers shall advise such individuals of
2 the correct procedures to be followed under this Section. Upon
3 request, a copy of the citizen complaint form will be mailed to the
4 complainant at the address furnished.

5 (c) The Police Department shall place posters in all police
6 stations, and elsewhere throughout the County to explain the
7 procedure for filing a complaint.

8 (d) An explanation of the complaint procedure shall be made to
9 all officers of the Prince George's County Police Department in a
10 General Order to be included in the Manual of Rules and Procedures
11 of the Police Department, and shall be included in the training
12 program for all new officers.

13 Sec. 18-186.05. Investigation of Complaints.

14 (a) The Internal Affairs Division of the Police Department,
15 upon receipt of any citizen complaint form which alleges that a law
16 enforcement officer used excessive force, abusive language or
17 harassment shall commence an investigation within a reasonable
18 amount of time, ordinarily within thirty (30) calendar days from the
19 date of receipt of such complaint. The purpose of such
20 investigation shall be to evaluate the merits of the complaint in an
21 objective manner. Before taking the duress statement from the law
22 enforcement officer under investigation, the Internal Affairs
23 Division shall provide the officer and his representative the
24 opportunity to read the complaint.

25 (b) Upon the completion of its complaint investigation, the
26 Internal Affairs Division shall immediately forward to the Chief of
27 Police a full report of its investigation including comments and
 recommendations, if any, either that the complaint should be

1 (g) The County Executive shall provide appropriate staff,
2 including an Administrator who shall be an attorney admitted to the
3 practice of law in the State of Maryland. The Administrator shall
4 be compensated as provided in the annual budget.

5 (h) The chairperson shall designate five (5) members of the
6 Panel to review each complaint referred to the Panel pursuant to
7 this Subdivision. A quorum of four (4) members of the Panel shall
8 be required to conduct the business of the Panel.

9 Sec. 18-186.04. Citizen Complaints.

10 (a) Whenever an individual believes that he or she has been
11 the object of police misconduct, such individual may file a written
12 complaint with the Chief of Police on a form provided by the Police
13 Department.

14 (1) The complaint shall include the name of the
15 complainant, and to the extent known, the name of the law
16 enforcement officer allegedly involved, and the time, place and
17 circumstances involved in the incident. The complaint shall also
18 include an explanation of the conduct that is deemed to be wrongful.

19 (2) Sufficient supplies of citizen complaint forms shall
20 be readily available at every Prince George's County Police station,
21 every public library branch within the County, and at a designated
22 office in the County Administration Building. These written
23 complaint forms may be submitted in person or sent by mail to any
24 office of the Prince George's County Police Department or to any
25 office of the Panel.

26 (b) Individuals who present oral complaints by telephone or in
27 person to police headquarters or to individual law enforcement
 officers shall be instructed to fill out a written citizen complaint

1 sustained, not sustained or dismissed, or for exoneration.

2 Sec. 18-186.06. Duties of Chief of Police.

3 (a) The Chief of Police shall send to the Human Relations
4 Commission a copy of every signed and sworn complaint alleging use
5 of excessive force, abusive language or harassment by a law
6 enforcement officer. The copy of the complaint shall be sent within
7 twenty-four (24) hours after the initial evaluation by the Police
8 Department, and shall be accompanied by a statement indicating
9 whether the Internal Affairs Division will conduct a full
10 investigation of the alleged incident. The Chief of Police shall
11 send the law enforcement officer under investigation a written
12 notice that the complaint has been received. The notice shall
13 include the time, date and place of the conduct which is the subject
14 of the complainant as well as a brief description of the nature of
15 the complaint and shall be sent within twenty-four (24) hours after
16 the initial evaluation by the Police Department.

17 (b) Within twenty-four (24) hours after receipt, the Chief of
18 Police shall send to the Panel a copy of the Internal Affairs
19 Division report of the investigation of every case alleging use of
20 excessive force, abusive language or harassment by a law enforcement
21 officer and shall notify the Human Relations Commission that the
22 investigation has been completed.

23 (c) The Chief of Police shall direct a member of the Internal
24 Affairs Division to attend, upon request of the Panel, the meeting
25 of the Panel for the purpose of providing clarification of any
26 information in the report.

27 (d) The Chief of Police shall give due consideration to the
 comments and recommendations of the Panel, and shall instruct the
 30

Internal Affairs Division to continue the investigation if, in the judgment of the Chief of Police, substantive issues have not been adequately or impartially addressed.

(e) After the Chief of Police has reviewed the comments and recommendations of the Panel, the Chief of Police may proceed to act upon the recommendations of the Internal Affairs Division in accordance with the provisions of Article 27, Sections 727 through 734D of the Annotated Code of Maryland.

(f) The Chief of Police shall notify the Panel within two (2) working days of the final disposition of the case.

Sec. 18-186.07. Duties of the Human Relations Commission.

(a) The Human Relations Commission shall investigate every case alleging use of excessive force, abusive language or harassment by a law enforcement officer in accordance with the provisions of the Human Relations Code. If the allegation is also being investigated by the Internal Affairs Division, the Human Relations Commission shall conduct its investigation simultaneously, shall conduct a public hearing before three members of the Law Enforcement Panel of the Commission, in accordance with Sections 2-205 and 2-206 of this Code and shall report in writing its comments and recommendations to the Chief of Police and to the Panel, within twenty (20) working days after the completion of the investigation by the Internal Affairs Division.

(b) If requested by the Panel, the Human Relations Commission shall direct the person who conducted the investigation to attend the meeting of the Panel for the purpose of providing clarification, if needed, of any information in the report.

(c) The investigation and hearing by the Human Relations

Commission shall not be construed to constitute an investigation or
hearing that could lead to disciplinary action, demotion or
dismissal of a law enforcement officer. The comments and
recommendations may be used by the Panel to assist the Panel in its
evaluation of the completeness and impartiality of the investigation
by the Internal Affairs Division.

Sec. 18-186.08. Duties of the Panel.

(a) For every investigation into alleged use of excessive
force, abusive language or harassment by a law enforcement officer,
the Panel shall review the report of the Internal Affairs Division
and the report of investigation and hearing by the Human Relations
Commission, if provided by the Human Relations Commission within the
time set forth in Sections 2-231 and
18-186.07 (a) of this Code.

(b) Within ten (10) working days after receiving the report of
the investigation and hearing by the Human Relations Commission, but
no later than thirty (30) working days after the completion of the
report of the Internal Affairs Division, the Panel shall review the
reports received and shall issue to the Chief of Police a written
report as to the completeness and impartiality of the reports
together with any of the following recommendations:

- (1) Sustain the complaint;
- (2) Approve, disapprove or modify the recommendations of
the Internal Affairs Division;
- (3) Dismiss the complaint because of lack or
insufficiency of evidence;
- (4) Exonerate the police officer because of the absence
of clear and convincing evidence;

Commission shall not be construed to constitute an investigation or hearing that could lead to disciplinary action, demotion or dismissal of a law enforcement officer. The comments and recommendations may be used by the Panel to assist the Panel in its evaluation of the completeness and impartiality of the investigation by the Internal Affairs Division.

Sec. 18-186.08. Duties of the Panel.

(a) For every investigation into alleged use of excessive force, abusive language or harassment by a law enforcement officer, the Panel shall review the report of the Internal Affairs Division and the report of investigation and hearing by the Human Relations Commission, if provided by the Human Relations Commission within the time set forth in Sections 2-231 and 18-186.07 (a) of this Code.

(b) Within ten (10) working days after receiving the report of the investigation and hearing by the Human Relations Commission, but no later than thirty (30) working days after the completion of the report of the Internal Affairs Division, the Panel shall review the reports received and shall issue to the Chief of Police a written report as to the completeness and impartiality of the reports together with any of the following recommendations:

- (1) Sustain the complaint;
- (2) Approve, disapprove or modify the recommendations of the Internal Affairs Division;
- (3) Dismiss the complaint because of lack or insufficiency of evidence;
- (4) Exonerate the police officer because of the absence of clear and convincing evidence;

(5) Remand the complaint for further investigation to the Internal Affairs Division.

(c) Upon written application to the Chief of Police and for good cause shown, the Chief of Police may grant an extension of time, not to exceed ten (10) additional working days, to the Panel to complete their review and report. If the Panel is unable to complete their review and report within the time allowed, including any extension granted by the Chief of Police, then the report of the Internal Affairs Division and the report of investigation and hearing by the Human Relations Commission, if available, shall be forwarded to the Chief of Police without comment for action as provided in Section 18-186.06 (e).

(d) The Panel shall base its comments and recommendations solely on the investigative reports. It shall not conduct its own investigation, nor hear from witnesses. The Panel may request a member of the Internal Affairs Division and an investigator from the Human Relations Commission to attend the Panel meetings to provide clarification, if needed, of any material in the respective reports of investigation.

(e) The Administrator of the Panel shall advise the Panel on all legal issues, including but not limited to rules of evidence and confidentiality of information. The Panel shall protect confidentiality but may otherwise make public its comments and recommendations no sooner than one (1) working day after submitting its report to the Chief of Police.

(f) Upon direction of the Chairperson of the Panel, a member or staff of the Panel shall observe the proceedings of a hearing board, if one is convened.

1 (g) The Panel shall report its comments and recommendations in
2 writing to the Chief Administrative Officer in each case upon the
3 closing of the case by the Chief of Police.

4 (h) The Panel shall make public an annual report of its
activities.

5 SECTION 3. BE IT FURTHER ENACTED that if any section,
6 subsection, paragraph, sentence, clause, or phrase of this Act
7 should be declared invalid for any reason whatsoever, such decision
8 shall not affect the remaining portions of this Act, which shall
9 remain in full force and effect, and for this purpose, the
10 provisions of this Act are hereby declared to be severable.

11 SECTION 4. BE IT FURTHER ENACTED that this Act shall take
12 effect forty-five (45) calendar days after the date it becomes law.

13 Adopted this 3rd day of July, 1990.

14 COUNTY COUNCIL OF PRINCE
15 GEORGE'S COUNTY, MARYLAND

16 BY: Jo Ann T. Bell
17 Jo Ann T. Bell
18 Chairman

19 ATTEST:

20 Jean M. Schmeltz
21 Jean M. Schmeltz, CMC
22 Clerk of the Council

23 APPROVED:

24 BY: Parris N. Glendening
25 Parris N. Glendening
26 County Executive

27 KEY:

Underscoring indicates language added to existing law.
(Brackets) indicate language deleted from existing law.

1 COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
23 Legislative Session 19944 Bill No. CB-44-19945 Chapter No. 566 Proposed and Presented by The Chairman (by request -
County Executive)7 Introduced by Council Member Pemberton

8 Co-Sponsors _____

9 Date of Introduction June 14, 1994

10 BILL

11 AN ACT concerning

12 Citizen Complaint Oversight Panel

13 For the purpose of changing the length of terms of panel members from two
14 years to four years, and providing for the staggering of the terms.

15 BY repealing and reenacting with amendments:

16 SUBTITLE 18. POLICE.

17 Section 18-186.03,

18 The Prince George's County Code

19 (1991 Edition, 1992 Supplement).

20 SECTION 1. BE IT ENACTED by the County Council of Prince George's
21 County, Maryland, that Section 18-186.03 of the Prince George's County Code
22 be and the same is hereby repealed and reenacted with the following
23 amendments:

24 SUBTITLE 18. POLICE.

25 DIVISION 5. POLICE DEPARTMENT.

26 Subdivision 3. Citizen Complaint Oversight Panel.
27

1 Sec. 18-186.03. Citizen Complaint Oversight Panel created; composition;
2 appointment; compensation.

3 (a) There is hereby created a Citizen Complaint Oversight Panel.
4 (b) The Panel shall consist of seven (7) members who shall be
5 appointed by the County Executive and confirmed by the County Council.

6 (c) [Of the initial appointments, three (3) shall be for a term of one
7 (1) year and four (4) shall be for a term of two (2) years. Thereafter,
8 all appointments] Appointments shall be for [two (2)] four (4) year terms.
9 In the event that a member does not complete a term, the vacancy shall be
10 filled in the same manner as initial appointments. No member shall be
11 appointed for more than two (2) consecutive full terms.

12 * * * *

13 SECTION 2. BE IT FURTHER ENACTED that individuals appointed to fill
14 vacancies in terms beginning in 1994 or 1995, who have already served one
15 or more consecutive terms of one year or two years may serve three
16 consecutive terms provided that the total amount of consecutive service
17 shall not exceed eight years.

18 SECTION 3. BE IT FURTHER ENACTED that of the four positions becoming
19 vacant in 1995, two shall be filled for terms of four years, expiring in
20 1999, and two shall be filled for terms of only two years, expiring in
21 1997. Thereafter, no more than three positions shall expire in any one
22 year.

23 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect
24 forty-five (45) calendar days after it becomes law and shall be retroactive
25 to January 1, 1994.

1 Adopted this 19th day of July, 1994.

2
3 COUNTY COUNCIL OF PRINCE
4 GEORGE'S COUNTY, MARYLAND

5 BY:

6 F. Kirwan Wineland
Chairman

7 ATTEST:

8 Joyce J. Sweeney
9 Joyce J. Sweeney
Clerk of the Council

10 APPROVED:

11 DATE: August 2, 1994

12 BY: Parris N. Glendening
13 Parris N. Glendening
County Executive

14 KEY:

15 Underscoring indicates language added to existing law.

16 [Brackets] indicate language deleted from existing law.

17 Asterisks *** indicate intervening existing Code provisions that remain
unchanged.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2001 Legislative Session

Bill No. CB-59-2001

Chapter No. 51

Proposed and Presented by Council Members Estep, Bailey and Russell

Introduced by Council Members Estep, Bailey and Russell

Co-Sponsors _____

Date of Introduction October 16, 2001

BILL

1 AN ACT concerning

2 Citizen Complaint Oversight Panel

3 For the purpose of amending the responsibilities of the Chief of Police, the Human Relations
4 Commission, and the Citizen Complaint Oversight Panel in the investigation of complaints
5 against County law enforcement officers; and generally relating to the Citizen Complaint
6 Oversight Panel.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 2. ADMINISTRATION.

9 Sections 2-229 and 2-231,

10 The Prince George's County Code

11 (1999 Edition, 2000 Supplement).

12 SUBTITLE 18. POLICE.

13 Sections 18-186.01, 18-186.02, 18-186.05,

14 18-186.06, 18-186.07, and 18-186.08,

15 The Prince George's County Code

16 (1999 Edition, 2000 Supplement).

17 SECTION I. BE IT ENACTED by the County Council of Prince George's County,

18 Maryland, that Sections 2-229, 2-231, 18-186.01, 18-186.02, 18-186.05, 18-186.06, 18-186.07,

19 and 18-186.08, of the Prince George's County Code be and the same are hereby repealed and

20 reenacted with the following amendments:

1 **SUBTITLE 2. ADMINISTRATION.**2 **DIVISION 12. HUMAN RELATIONS COMMISSION.**3 **Subdivision 8. Discrimination by Law Enforcement Officers.**4 **Sec. 2-229. Prohibited acts by law enforcement officers.**

5 (a) The Human Relations Commission shall have the authority to investigate, and hold a
6 formal hearing, on any sworn complaint against any law enforcement officer operating within the
7 County, except a complaint against a member of the Prince George's County Police Department,
8 which alleges any of the following categories of complaints that are defined and prohibited by
9 law or regulation:

- 10 (1) Police harassment;
11 (2) The excessive use of force in the performance of his duties;
12 (3) The use of language which would demean the inherent dignity of any person.

13 (b) The Commission's staff shall upon receipt of a sworn complaint, transmit a copy of any
14 such complaints to the Chief of any Law Enforcement Agency involved, and the State's Attorney
15 promptly after filing.

16 * * * * * * * *

17 **Sec. 2-231. Complaints against members of the Prince George's County Police
18 Department.**

19 Notwithstanding the provisions of [Section 2-230, if a complaint pursuant to] Section 2-229
20 if a complaint filed with the Commission involves a member of the Prince George's County
21 Police Department, the [Human Relations] Commission shall [complete its investigation,
22 conduct a public hearing before three members of the Law Enforcement Panel of the
23 Commission, in accordance with Sections 2-205 and 2-206 of this Code, and shall report in
24 writing its comments and recommendations] forward a copy of the complaint and all related
25 documents to the Chief of Police and to the Citizen Complaint Oversight Panel, within [twenty
26 (20) one working day(s) after the receipt of the complaint by the Commission [completion of
27 the investigation by the Internal Affairs Division, in accordance with the provisions of Sections
28 18-186.01 through 18-186.08 of this Code].

29 **SUBTITLE 18. POLICE.**30 **DIVISION 5. POLICE DEPARTMENT.**31 **Subdivision 3. Citizen Complaint Oversight Panel.**

1 Sec. 18-186.01. Legislative Findings.

2 (a) The procedures to be used when any law enforcement officer is subject to investigation
3 or interrogation for any reason which could lead to disciplinary action, demotion, or dismissal
4 are established under Article 27, Sections 727-734D of the Annotated Code of Maryland ("Law
5 Enforcement Officers' Bill of Rights"), and are in no way supplanted by the procedures set forth
6 in this Subdivision.

7 (b) It is found and declared that when a complaint is filed or an incident [is reported]
8 occurs in which a Prince George's County Police Officer is alleged to have [used excessive force,
9 abusive language, or harassment involving a citizen] discharged a firearm in an attempt to strike
or control another person regardless of whether injury occurs, accidentally discharged a firearm,
10 a person dies during a law enforcement officer's use of force or while in the custody of a law
11 enforcement officer, or a law enforcement officer or other person has filed a complaint with the
12 Prince George's County Police Department or the Citizen Complaint Oversight Panel regarding
13 the conduct of a law enforcement officer, the public needs assurance that the investigation is
14 complete, thorough, and impartial, and that the report and recommendations of the investigating
15 unit are reasonable and appropriate under the circumstances.

16 (c) It is declared that the purpose of the Citizen Complaint Oversight Panel is to review the
17 report of the investigation and to advise the Chief of the Prince George's County Police
18 Department if the investigation was complete, thorough, and impartial.

19 (d) It is a further declared purpose of the Citizen Complaint Oversight Panel to review the
20 processing of complaints [of excessive force, abusive language, or harassment] by law
21 enforcement officers or other persons and to comment on the action taken on such complaints, to
22 report its comments and [recommendations] conclusions to the Chief Administrative Officer
23 upon the final disposition of each case, and to issue an annual report to the public.

24 (e) It is a further declared purpose of the Citizen Complaint Oversight Panel, that, if in the
25 judgment of the Citizen Complaint Oversight Panel, substantive issues have not been adequately
26 or impartially addressed by the investigation of complaints by the Internal Affairs Division, the
27 Citizen Complaint Oversight Panel may conduct its own investigation.

28 Sec. 18-186.02. Definitions.

29 (a) As used herein, the following words shall have the following meanings:

1 [(1) Abusive language means harsh, violent, profane, or derogatory language which
2 would demean the dignity of any person. "Abusive language" includes, but is not limited to,
3 profanity and racial, ethnic, or sexist slurs.]

4 [(2) 1 Chief of Police means the Chief of the Prince George's County Police
5 Department.

6 (2) Complaint means any written allegation, signed by the complainant, that the
7 conduct of a law enforcement officer violated standards imposed by law or departmental
8 procedures.

9 [(3) Excessive force means the use of greater physical force than reasonably
10 necessary to repel an attacker or terminate resistance and shall not include that force which is
11 reasonably necessary to effect a lawful purpose.]

12 [(4) Harassment means repeated, unwarranted verbal or physical annoyances, threats,
13 or demands.]

14 [(5) 3 Hearing Board means the Police Hearing Board as defined in Article 27,
15 Section 727 of the Annotated Code of Maryland.

16 [(6) Human Relations Commission means the Prince George's County Human
17 Relations Commission.]

18 [(7) 4 Law enforcement officer means a sworn officer of the Prince George's
19 County Police Department.

20 [(8) 5 Panel means the Citizen Complaint Oversight Panel.

21 (6) Police Department means the Prince George's County Police Department.

22 (7) Use of force means but is not limited to, any action taken by a law enforcement
23 officer to strike or control another person including the use of firearms, canine dogs, impact
24 weapons, electrical stun devices, chemical or natural agents, physical contact and restraint
25 devices.

26 * * * * *

27 Sec. 18-186.05. Investigation of Complaints.

28 (a) The [Internal Affairs Division of the] Police Department, [upon receipt of any citizen
29 complaint form which alleges that] in all cases where a law enforcement officer [used excessive
30 force, abusive language, or harassment] discharged a firearm in an attempt to strike or control
31 another person regardless of whether injury occurs, accidentally discharged a firearm.

1 a person dies during a law enforcement officer's use of force or while in the custody of a law
2 enforcement officer, or a law enforcement officer or other person has filed a complaint with the
3 Prince George's County Police Department or the Citizen Complaint Oversight Panel regarding
4 the conduct of a law enforcement officer, shall commence an investigation within a reasonable
5 amount of time, ordinarily within thirty (30) calendar days from the date of receipt of such
6 complaint. The purpose of such investigation shall be to evaluate the merits of the complaint in
7 an objective manner. [Before taking the duress statement from the law enforcement officer
8 under investigation, the Internal Affairs Division shall provide the officer and his representative
9 the opportunity to read the complaint.]

10 (b) Upon the completion of [its complaint] the investigation, the [Internal Affairs Division
11 shall immediately forward to the] Chief of Police shall receive a full report of [its] the
12 investigation including comments and recommendations, if any, either that the complaint should
13 be sustained, not sustained or dismissed, or for exoneration.

14 Sec. 18-186.06. Duties of Chief of Police.

15 (a) The Chief of Police shall notify the Panel within twenty-four (24) hours or the next
16 business day after a law enforcement officer discharged a firearm in an attempt to strike or
17 control another person regardless of whether injury occurs, accidentally discharged a firearm, a
18 person dies during a law enforcement officer's use of force or while in the custody of a law
19 enforcement officer, or a law enforcement officer or other person has filed a complaint with the
20 Prince George's County Police Department or the Citizen Complaint Oversight Panel regarding
21 the conduct of a law enforcement officer.

22 [(a)] (b) The Chief of Police shall promptly send to the [Human Relations Commission]
23 Panel a copy of every signed [and sworn] complaint [alleging use of excessive force, abusive
24 language, or harassment by a law enforcement officer] against a law enforcement officer. The
25 copy of the complaint [shall be sent within twenty-four (24) hours after the initial evaluation by
26 the Police Department, and] shall be accompanied by a statement indicating whether the Internal
27 Affairs Division will conduct a full investigation of the alleged incident. [The Chief of Police
28 shall send the law enforcement officer under investigation a written notice that the complaint has
29 been received. The notice shall include the time, date and place of the conduct which is the
30 subject of the complainant as well as a brief description of the nature of the complaint and shall
31 be sent within twenty-four (24) hours after the initial evaluation by the Police Department.]

1 [(b)] (c) Within twenty-four (24) hours or the next business day after receipt, subject to the
2 provisions of State law, the Chief of Police shall send to the Panel a complete copy of the
3 [Internal Affairs Division] report of the internal affairs investigation of every case [alleging use
4 of excessive force, abusive language, or harassment by a law enforcement officer] that a law
5 enforcement officer discharged a firearm in an attempt to strike or control another person
6 regardless of whether injury occurs, accidentally discharged a firearm, a person dies during a law
7 enforcement officer's use of force or while in the custody of a law enforcement officer, or a law
8 enforcement officer or other person has filed a complaint with the Prince George's County Police
9 Department or the Citizen Complaint Oversight Panel regarding the conduct of a law
10 enforcement officer, and shall notify the [Human Relations Commission] Panel that the
11 investigation has been completed.

12 (d) If the Chief of Police determines that the disclosure of information to the Panel
13 mandated under subsections (a) through (c) would reasonably be expected to compromise or
14 impede a pending criminal or internal affairs investigation, within twenty-four (24) hours or the
15 next business day after receipt of the information, the Chief of Police may petition the County
16 Executive or his designee for a temporary exemption. Such a petition shall be in writing, must
17 contain all information that subsections (a) through (c) requires to be disclosed to the Panel and
18 shall provide specific facts demonstrating that the disclosure would reasonably be expected to
19 compromise or impede the pending investigation. The County Executive or his designee shall
20 respond in writing and may grant a temporary exemption from the mandated disclosures of no
21 longer than thirty (30) days. At the expiration of a temporary exemption, the Chief of Police
22 may renew his petition and the County Executive or his designee may grant additional temporary
23 exemptions of no longer than thirty (30) days every time the petition is renewed.

24 [(c)] (e) The Chief of Police shall direct [a member of the Internal Affairs Division] the
25 internal affairs investigator to attend, upon request of the Panel, the meeting of the Panel for the
26 purpose of providing clarification of any information in the report.

27 [(d)] (f) The Chief of Police shall give due consideration to the comments and
28 recommendations] conclusions of the Panel, and shall instruct the Internal Affairs Division to
29 continue the investigation if, in the judgment of the Chief of Police, substantive issues have not
30 been adequately or impartially addressed.

1 [(e)] (g) After the Chief of Police has reviewed the comments and [recommendations]
2 conclusions of the Panel, the Chief of Police may proceed to act upon the recommendations of
3 the Internal Affairs Division in accordance with the provisions of Article 27, Sections 727
4 through 734D of the Annotated Code of Maryland.

5 (h) The Chief of Police shall provide copies of the following to the Panel concurrent with
6 service, transmittal, or notice to a law enforcement officer:

7 (1) All administrative charges served upon a law enforcement officer;
8 (2) All notices of hearing boards or suspension hearings served upon a law
9 enforcement officer;

10 (3) All notices of suspension of police powers and/or pay served upon a law
11 enforcement officer;

12 (4) All reports of the hearing board transmitted to the Chief of Police; and
13 (5) All notices of disciplinary action issued by the Chief of Police.

14 [(f)] (i) The Chief of Police shall notify the Panel within two (2) [working] business days
15 of the final disposition of the case.

16 Sec. 18-186.07. [Duties of the Human Relations Commission] Reserved.

17 (a) The Human Relations Commission shall investigate every case alleging use of
18 excessive force, abusive language, or harassment by a law enforcement officer in accordance
19 with the provisions of the Human Relations Code. If the allegation is also being investigated by
20 the Internal Affairs Division, the Human Relations Commission shall conduct its investigation
21 simultaneously, shall conduct a public hearing before three members of the Law Enforcement
22 Panel of the Commission in accordance with Sections 2-205 and 2-206 of this Code, and shall
23 report in writing its comments and recommendations to the Chief of Police and to the Panel
24 within twenty (20) working days after the completion of the investigation by the Internal Affairs
25 Division.

26 (b) If requested by the Panel, the Human Relations Commission shall direct the person
27 who conducted the investigation to attend the meeting of the Panel for the purpose of providing
28 clarification, if needed, of any information in the report.

29 (c) The investigation and hearing by the Human Relations Commission shall not be
30 construed to constitute an investigation or hearing that could lead to disciplinary action,
31 demotion, or dismissal of a law enforcement officer. The comments and recommendations may

1 be used by the Panel to assist the Panel in its evaluation of the completeness and impartiality of
2 the investigation by the Internal Affairs Division.]

3 **Sec. 18-186.08. Duties of the Panel.**

4 (a) For every investigation [into alleged use of excessive force, abusive language, or
5 harassment by a law enforcement officer] alleging that a law enforcement officer discharged a
6 firearm in an attempt to strike or control another person regardless of whether injury occurs,
7 accidentally discharged a firearm, a person dies during a law enforcement officer's use of force
8 or while in the custody of a law enforcement officer, or a law enforcement officer or other person
9 has filed a complaint with the Prince George's County Police Department or the Citizen
10 Complaint Oversight Panel regarding the conduct of a law enforcement officer, the Panel,
11 subject to the provisions of State law, shall review the complete internal affairs investigation
12 [report of the Internal Affairs Division and the report of investigation and hearing by the Human
13 Relations Commission, if provided by the Human Relations Commission within the time set
14 forth in Sections 2-231 and 18-186.07(a) of this Code].

15 (b) All testimony, information or material obtained or created by the Panel shall be
16 considered confidential and shall not be disclosed except in the performance of its functions.

17 [(b)] (c) [Within ten (10) working days after receiving the report of the investigation and
18 hearing by the Human Relations Commission, but no] No later than thirty (30) working days
19 after the completion of the internal affairs investigation report [of the Internal Affairs Division],
20 the Panel shall review the reports received and shall issue to the Chief of Police a written report
21 as to the completeness and impartiality of the reports together with any of the following
22 [recommendations] conclusions for each allegation in a complaint:

- 23 (1) Sustain the complaint;
24 (2) Approve, disapprove, or modify the recommendations of the Internal Affairs
Division;
25 (3) Dismiss the complaint because of lack or insufficiency of evidence;
26 (4) Exonerate the police officer because of the absence of clear and convincing
evidence;
27 (5) Remand the complaint for further investigation to the Internal Affairs Division.]
28 (1) Sustained. A preponderance of the evidence proves that the alleged act or acts
occurred and that the act or acts violated Department policy or procedure;

1 (2) Not Sustained. The evidence fails to prove or disprove that the alleged act or acts
2 occurred.

3 (3) Proper Conduct. The evidence proves that the alleged act or acts occurred;
4 however, the act or acts were justified, lawful, and proper.

5 (4) Unfounded. The evidence proves that the alleged act or acts did not occur or that
6 the accused law enforcement officer was not involved.

7 (5) Panel Investigation. If, in the judgment of the Panel, substantive issues have not
8 been adequately or impartially addressed by the investigation of complaints by the Internal
9 Affairs Division, the Panel may conduct its own investigation.

10 (6) Remand to Chief of Police. The Panel may defer disposition to remand a
11 complaint back to the Chief of Police for further investigation and/or additional reports.

12 [(c)] (d) Upon written application to the Chief of Police and for good cause shown, the
13 Chief of Police may grant an extension of time, not to exceed ten (10) additional working days,
14 to the Panel to complete [their] its review and report. If the Panel is unable to complete [their] its
15 review and report within the time allowed, including any extension granted by the Chief of
16 Police, then the internal affairs investigation report [of the Internal Affairs Division and the
17 report of investigation and hearing by the Human Relations Commission, if available,] shall be
18 forwarded to the Chief of Police without comment for action as provided in Section 18-
19 186.06(e).

20 [(d)] (e) The Panel shall base its comments and [recommendations solely] conclusions on
21 the investigative reports. [It shall not conduct its own investigation, nor hear from witnesses.]
22 The Panel may request the internal affairs investigator [a member of the Internal Affairs Division
23 and an investigator from the Human Relations Commission] to attend the Panel meetings to
24 provide clarification, if needed, of any material in the respective reports of investigation.

25 [(e)] (f) The Panel may conduct its own investigation independently from, but
26 concurrently with, the internal affairs investigation.

27 [(f)] (g) The Panel may, upon a majority vote of the members present, apply to the County
28 Council for the issuance of subpoenas upon any person to require such person to attend, testify
29 under oath, and produce documents and records regarding the subject of any investigation by the
30 Panel in accordance with the Annotated Code of Maryland. A complete record, either written,
31 typed, or transcribed, shall be kept of a person's testimony. All testimony, information and

1 material obtained or created by the Panel during its investigation will be sent to the Chief of
2 Police for consideration.

3 [(e)] (h) The Administrator of the Panel shall advise the Panel on all legal issues,
4 including, but not limited to, rules of evidence and confidentiality of information. The Panel
5 shall protect confidentiality but may otherwise make public its comments and
6 [recommendations] conclusions no sooner than one (1) [working] business day after submitting
7 its report to the Chief of Police.

8 [(f)] (i) Upon direction of the Chairperson of the Panel, a member or staff of the Panel
9 shall observe the proceedings of a hearing board, if one is convened.

10 [(g)] (j) The Panel shall report its comments and [recommendations] conclusions in
11 writing to the Chief Administrative Officer in each case[upon the closing of the case by the Chief
12 of Police] in a timely manner.

13 [(h)] (k) The Panel shall make public an annual report of its activities. The annual report
14 shall contain summary reports of case conclusions, a statistical analysis of cases by type and
15 disposition, including discipline imposed, any recommendations for policy changes, recruitment,
16 supervision, operational procedures and training, and any other information that the Panel deems
17 appropriate.

- 18 (l) The Panel shall inform the complainant of the following in a timely manner:
19 (1) Notice of the time and location of any hearing board; and
20 (2) Final disposition of a complaint.

21 SECTION 2. BE IT FURTHER ENACTED that this Act shall take forty-five (45) calendar
22 days after it becomes law.

Adopted this 6th day of November, 2001.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: Ronald V. Russell
Ronald V. Russell
Chairman

ATTEST:

Joyce T. Sweeney
Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: 26 Nov 2001

BY: Wayne K. Curry
Wayne K. Curry
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

C. Complaint against Police Practices Form (1072)



PRINCE GEORGE'S COUNTY POLICE DEPARTMENT COMPLAINT AGAINST POLICE PRACTICES

HEADQUARTERS:
7600 BARLOWE ROAD
PALMER PARK, MARYLAND 20785
(301) 336-8800

INTERNAL AFFAIRS:
6707 GROVETON DRIVE
CLINTON, MARYLAND 20735
(301) 856-2600

TODAY'S DATE

YOUR NAME:	LAST	MIDDLE	FIRST	DATE OF BIRTH
YOUR ADDRESS:	(STREET)			ZIP CODE
	OFFICE OR HOME	OFFICE	OFFICE	PHONE NUMBER WITH AREA CODE
WHERE CAN YOU BE REACHED DURING THE DAY?				PHONE NUMBER WITH AREA CODE
IF YOU ARE VISITING THE METROPOLITAN WASHINGTON AREA, WHERE CAN YOU BE CONTACTED IN THIS AREA?				PHONE NUMBER WITH AREA CODE
WORK				PHONE NUMBER WITH AREA CODE
WHEN AND WHERE DID THE INCIDENT THAT YOU ARE COMPLAINING ABOUT OCCUR?				DATE AND TIME
DETAILS OF INCIDENT OR COMPLAINT IN DETAIL				
LIST THE NAME(S) OF THE OFFICER(S) INVOLVED IF YOU KNOW THEM				
(1)	ID	(2)	ID	
(3)	ID	(4)	ID	
ARE THESE OFFICERS FROM THE PRINCE GEORGE'S COUNTY POLICE DEPARTMENT OR FROM SOME OTHER AGENCY? PRINCE GEORGE'S COUNTY POLICE _____ OTHER (PLEASE LIST) _____				
PLEASE LIST ANY IDENTIFICATION OF THE OFFICER(S) THAT YOU KNOW (CAR NUMBER, PHYSICAL DESCRIPTION, ETC)				
LIST THE NAME(S) AND ADDRESS(ES) OF ANY WITNESS(ES) TO THE EVENT YOU ARE COMPLAINING ABOUT				
(1)	(2)			
WHAT IS YOUR COMPLAINT AND PLEASE DESCRIBE WHAT HAPPENED IN YOUR OWN WORDS (USE EXTRA PAPER IF NECESSARY AND ATTACH TO THIS FORM)				
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>				

PLEASE READ THE REVERSE SIDE OF THIS FORM

YOUR SIGNATURE

WITNESS TO YOUR SIGNATURE

RECEIVED BY THE POLICE DEPARTMENT
BY:

ID BY MAIL

IN PERSON
DATE

TIME

THE FOLLOWING INFORMATION IS PROVIDED FOR COMPLAINTS OF EXCESSIVE FORCE OR POLICE BRUTALITY. THIS INFORMATION IS NOT INTENDED TO DISCOURAGE LEGITIMATE COMPLAINTS AGAINST POLICE OFFICERS. IN FACT THE VALIDITY OF A THOROUGH INVESTIGATION DEPENDS UPON TIMELY AND TRUTHFUL INFORMATION.

Maryland Law, Article 27, Section 728 (b) (4)

A complaint against a law enforcement officer, alleging brutality in the execution of his duties, may not be investigated unless the complaint be duly sworn to by the aggrieved person, a member of the aggrieved person's immediate family, or by any person with firsthand knowledge obtained as a result of the presence at, and observation of, the alleged incident, or by the parent or guardian in the case of a minor child before an official authorized to administer oaths. An investigation which could lead to disciplinary action under this subtitle for brutality may not be initiated and an action may not be taken unless the complaint is filed within 90 days of the alleged brutality.

Maryland Law, Article 27, Section 734C

Any person who knowingly makes a false statement, report or complaint in the course of an investigation or any proceeding conducted under the provisions of this subtitle is subject to the same penalties as provided in Article 27, § 150. (1977, ch. 366.)

Maryland Law, Article 27, Section 150

Any person who makes a false statement, report or complaint, or who causes a false statement, report or complaint to be made, to any peace or police officer of any county, city or other political subdivision of this State, knowing the same, or any material part thereof, to be false and with intent to deceive and with intent to cause an investigation or other action to be taken as a result thereof, shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than \$500 or be imprisoned not more than 6 months, or both.

THIS SECTION MUST BE COMPLETED FOR COMPLAINTS OF EXCESSIVE FORCE OR POLICE BRUTALITY

I do solemnly declare and affirm under penalty of perjury that I have read or have had read to me the foregoing laws pertaining to this complaint and that the contents of this document are true and correct to the best of my knowledge and belief.

SIGNATURE (IN PRESENCE OF NOTARY)

(DATE)

STATE OF MARYLAND

188

COUNTY OF _____

I HEREBY CERTIFY THAT ON THIS _____ DAY OF _____, 20_____
BEFORE ME A NOTARY PUBLIC OF SAID STATE AND COUNTY AFORESAID PERSONALLY
APPEARED _____ AND MADE OATH IN
DUE FORM OF LAW THAT THE MATTERS AND FACTS RELATED HEREIN ARE TRUE.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC



**DEPARTAMENTO de POLICIA del CONDADO de PRINCE GEORGE
QUEJA con RESPECTO a PRACTICAS de la POLICIA**

Oficina Central
7600 Belvoir Road
Palmer Park, Maryland 20785
(301) 856-8800

División de Asuntos Internos
6707 Groveton Drive
Clinton, Maryland 20735
(301) 856-2660

(Fecha de Hoy): _____

Su Nombre:	(Nombre)	(Nombre)	(Nombre de Hacienda)
Su Dirección:	(Número)	(Número)	(Número de Apartamento)
	(Ciudad)	(Estado)	(Número de la calle)
	(Número)	(Número)	Teléfono de su hogar
¿Dónde se le puede encontrar durante el día?	(Número)	(Número)	Teléfono de su hogar
Si usted está visitando el área metropolitana de Washington, ¿dónde se le puede encontrar en el área?	(Número)	(Número)	Teléfono

¿Cuándo y Dónde ocurrió el incidente que inició esta queja?

(Fecha y hora)

Escriba el(s) nombre(s) del(es) oficial(es) implicado(s), si es que lo sabe (ID significa el número de identificación del agente o número de la placa).

(1) _____ ID _____ (2) _____ ID _____
(3) _____ ID _____ (4) _____ ID _____

¿Pertenecen estos oficiales al Departamento del Condado de Prince George o de otra agencia que ejecuta la ley? Policía del Condado de Prince George _____ otra (por favor haga lista) _____

Por favor indique cualquier identificación del oficial que usted sepa (por ejemplo, Número de ID, placa de matrículación, descripción física): _____

Indique los nombre(s) y dirección(es) de cualquier persona que fue testigo del incidente al cual se refiere en su queja:

(1) _____ (2) _____

¿Cuál es su queja?, y por favor describa qué sucedió en sus propias palabras (si es necesario use más papel y adjúntelo a este formulario).

Favor de leer el reverso de este formulario

Su firma	Testigo a su firma
RECEIVED BY THE POLICE DEPARTMENT BY: _____	BY MAIL _____ IN PERSON _____ ID: _____ DATE: _____ TIME: _____

La siguiente información concierne las quejas causadas por el uso de fuerza excesiva o brutalidad policiaca. Esta información no es para desanimar quejas legítimas contra oficiales de la policía, ya que el valor de una investigación minuciosa depende de información oportuna y veraz.

Artículo 27, Sección 728 (b) (4)

Una queja contra un agente de la policía, alegando brutalidad en la ejecución de sus deberes, no podrá ser investigada a menos que la queja sea debidamente jurada por la persona agravuada, un miembro cercano de la familia de la persona agravuada o por cualquier persona con conocimiento de primera mano obtenido a causa de presenciar el incidente alegado, o por el padre o guardián en el caso de un niño menor de edad frente a un oficial autorizado para administrar juramentos. Una investigación que pudiera resultar en una acción disciplinaria bajo este título por brutalidad no podrá ser iniciada, ni tomada a menos que la queja sea registrada en el espacio de 90 días, Artículo 27, Sección 734c.

Cualquier persona que a sabiendas haga una declaración, informe o queja falsa durante el transcurso de una investigación o procedimiento, será víctima de las mismas penalidades como estipulado en el artículo 27, § 150. (1977, capítulo 366.)

Artículo 27, Sección 150

Cualquier persona que haga una declaración, informe o queja falsa, o que cause una declaración, informe o queja falsa, a un oficial de paz o la policía de cualquier condado, ciudad u otra subdivisión política de este estado, sabiendo que la misma, o alguna parte material de la misma, es falsa y con intención de engañar y causar una investigación u otra acción que pueda ser tomada como resultado de ello, será considerada culpable de crimen de menor entidad, y al momento de convicción sera sujeto a una multa de no más de \$500 o encarcelamiento durante no más de 6 meses, o ambos.

La sección del Notario tiene que ser llenada para quejas de uso de fuerza excesiva o brutalidad policiaca.

(THIS SECTION MUST BE COMPLETED FOR COMPLAINTS OF EXCESSIVE FORCE OR POLICE BRUTALITY)

Juro solemnemente y afirmo bajo pena de perjurio que he leído o me han leído las leyes pertinentes a esta queja y que el contenido de este documento es cierto y correcto según mi entendimiento y conocimiento. (I do solemnly declare and affirm under penalty of perjury that I have read or have had read to me the foregoing laws pertaining to this complaint and that the contents of this document are true and correct to the best of my knowledge and belief.)

La firma (en presencia del Notario)
SIGNATURE (IN PRESENCE OF NOTARY)

Fecha (DATE)

Estado de Maryland

(STATE OF MARYLAND)

Condado de:

(COUNTY OF)

: 88

Yo certifico que este día

de

19

/ HEREBY CERTIFY THAT ON THIS XXXXXX DAY OF XXXXXXXXXXXXXXXXXXXXXX, 19XX,
en mi presencia, Notario Público del estado y condado arriba mencionados, hizo su presencia

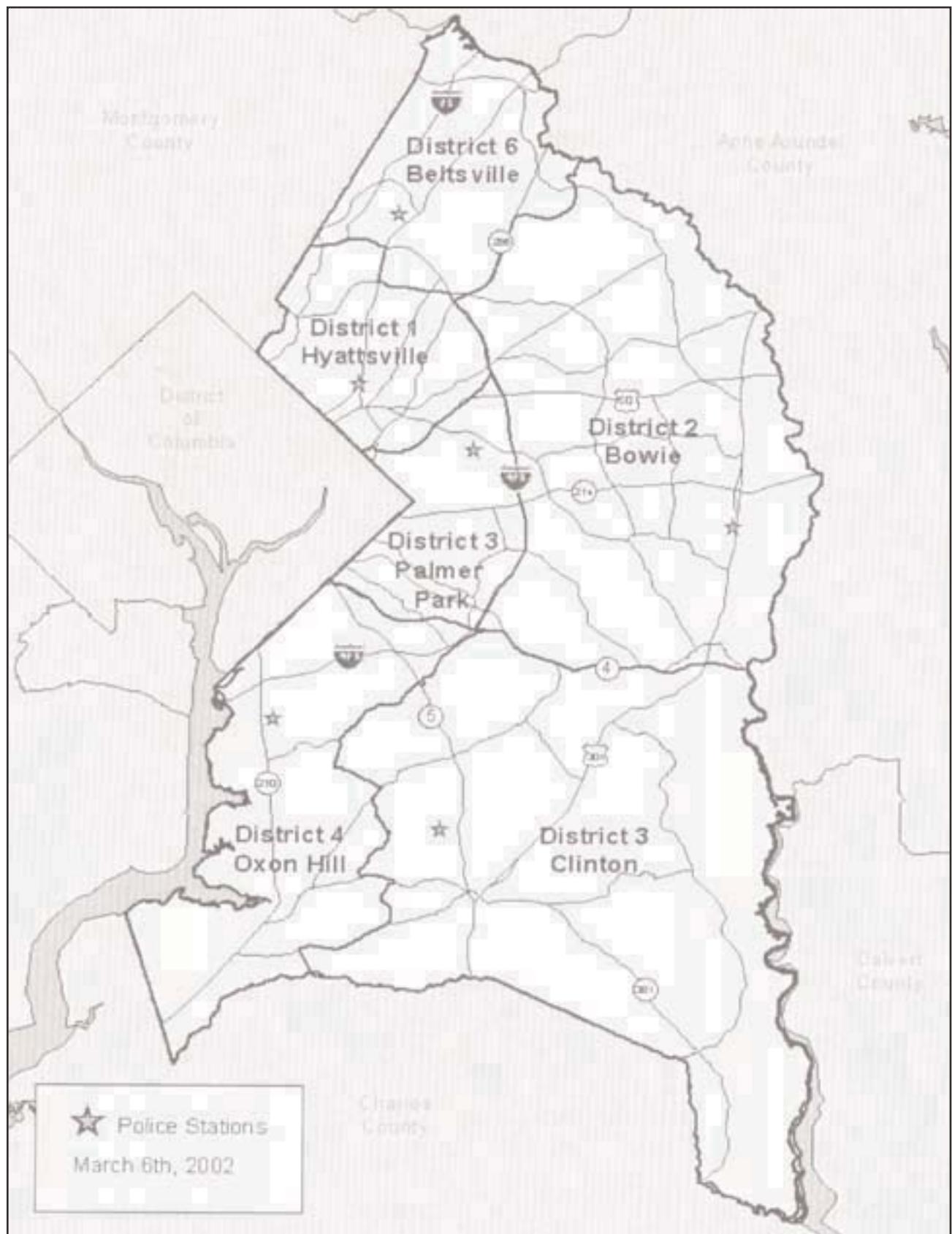
(BEFORE ME A NOTARY PUBLIC OF SAID STATE AND COUNTY AFORESAID PERSONALLY APPEARED
XXXXXXXXXXXXXXXXXXXXXX and I JURÉ DE ACUERDO DE LA LEY QUE LOS HECHOS Y CASOS
RELATADOS AQUÍ SON CIERTOS. JARO HALLÉ DATH IN DUE FORM OF LAW THAT THE MATTERS AND FACTS RELATED HEREIN ARE TRUE.)

Mi comisión expira el

(MY COMMISSION EXPIRES)

Notario Público (NOTARY PUBLIC)

D. Police District Map



E. Selected Case Summaries

FY2011

Case Summaries

IAD Recommendations

	Allegations	IAD Recommendations
IAD 10-00001	The Complainant alleged that the Respondents pushed him against a wall during a "stop and frisk". The Respondents are also accused of misrepresenting the facts as they relate to this incident.	MISREP. OF FACTS UNBECOMING CONDUCT USE OF FORCE MISREP. OF FACTS USE OF FORCE REVIEW STOP & FRISK REPORT
-SI 10-00001	Special Investigative Team responded for a domestic incident involving an officer.	SUSTAINED UNBECOMING CONDUCT UNBECOMING CONDUCT CRIMINAL MISCONDUCT
-SI 10-00002	The Respondent attempted to place the Involved Citizen under arrest for disorderly conduct. The Involved Citizen resisted arrest and the Respondent deployed his pepper spray. When the Involved Citizen continued to resist being handcuffed, the Respondent deployed an arm bar take down maneuver.	SUSTAINED SUSTAINED SUSTAINED
	CCOP RESPONSE: The investigation failed to produce a preponderance of evidence to support the Respondent's actions as lawful and proper. There was no statement from the Involved Citizen nor video tape evidence nor any witnesses to the interaction between the Involved Citizen and the Respondent. The CCOP found that the investigation failed to prove or disapprove the Use of Force allegation and recommended that the allegation be Non-Sustained.	EXONERATED
IAD 10-00003	The Complainant fled when several unmarked police vehicles surrounded him. He struck an unmarked police vehicle. He alleged that when he saw the police emergency lights, he immediately stopped. He also alleged that officers then pulled him out of his vehicle, through the window, slammed his head against the pavement and kicked him in his jaw. He was transported to a local hospital and received several stitches.	USE OF LANGUAGE USE OF FORCE USE OF LANGUAGE USE OF FORCE USE OF LANGUAGE UNBECOMING CONDUCT USE OF LANGUAGE USE OF FORCE
IAF 10-00003	The Complainant alleged unbecoming conduct by the Respondent when she stopped and issued a citation to the Complainant for speeding.	UNBECOMING CONDUCT
-SI 09-00003	The Respondents were posing as drug users when they purchased illegal drugs from the Involved Citizen. The Involved Citizen was taken into custody and a search of his vehicle produced suspected crack cocaine. The Involved Citizen denied making the drug transaction and filed a complaint alleging that officers forced him to the ground, punched him, handcuffed him, and continued to kick and punch him while he was on the ground. He alleged that he sustained serious injury to his face.	USE OF FORCE USE OF FORCE USE OF FORCE

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and **Unfounded** - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

IAD Recommendations	
Allegations	
-SI 10-00003	The Respondent lost control of his vehicle. The vehicle struck a guard rail, flipped over several times, and then came to rest on the roadway. The Respondent reported to Prince George's Hospital as a result of injuries sustained in the accident. The Respondent was cited via Maryland Uniform Complaint and Citation for traffic violations that lead to this accident.
	CRIMINAL MISCONDUCT CRIMINAL MISCONDUCT UNBECOMING CONDUCT CRIMINAL MISCONDUCT EMPLOYEE DUI EMPLOYEE DUI
	SUSTAINED SUSTAINED SUSTAINED SUSTAINED SUSTAINED SUSTAINED
IAD 10-00004	The Complainant alleged that when she was pulled over, officers were rude and malicious. She alleged that she was searched by Respondent #1 in a manner that made her feel uncomfortable and disrespected. She also alleged that the Respondent used profanity. The Complainant was issued two tickets, and alleged that after she signed the tickets, her license and registration were thrown at her. The Complainant felt that she and her vehicle were searched without probable cause.
	USE OF LANGUAGE UNBECOMING CONDUCT
	NON-SUSTAINED NON-SUSTAINED
-SI 10-00004	The Respondent and his canine responded to an activated alarm at a local school. The Respondent observed suspects exit the building carrying electronic equipment. When they failed to comply with orders to stop, the Respondent released his canine. The canine seized the Involved Citizen and the Involved Citizen was taken into custody.
	USE OF FORCE EXONERATED
IAD 10-00005	The officers allegedly approached a vehicle and kicked the passenger door, causing damage to the vehicle. It was also alleged that the officers dragged Witness #2 out of the vehicle and slammed him against the vehicle. Respondent #1 approached the Complainant at the rear of the vehicle, patted him down, then lifted him off his feet and slammed him onto the trunk of the vehicle, causing injury to his ribs. Respondent #1 searched the Complainant's vehicle while Respondent #2 searched his person. It was also alleged that Respondent #1 and Respondent #2 refused to give the Complainant their names or badge numbers. The Complainant stated that after the Respondents left the scene he discovered he was missing a check from his wallet.
	PROCEDURE VIOLATION CRIMINAL MISCONDUCT USE OF FORCE PROCEDURE VIOLATION USE OF FORCE
	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED UNFOUNDED
-SI 10-00005	The Respondents are involved in a domestic confrontation. Both sustained minor injuries and were placed under arrest. Additionally, both Respondents had taken their assigned cruisers to their out-of-the-county residence, while off-duty and without authorization.
	UNBECOMING CONDUCT UNBECOMING CONDUCT VEHICLE USE OFF DUTY VEHICLE USE OFF DUTY CRIMINAL MISCONDUCT CRIMINAL MISCONDUCT
	SUSTAINED SUSTAINED SUSTAINED SUSTAINED UNFOUNDED
IAD 10-00006	The Complainants alleged that the Respondents cursed at them and punched Complainant #1 after he was asked to sit on the ground. The Respondents were also accused of making inappropriate comments and one respondent was accused of misrepresenting facts when questioned about the incident.
	USE OF LANGUAGE USE OF FORCE UNBECOMING CONDUCT USE OF LANGUAGE UNBECOMING CONDUCT
	SUSTAINED SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s)

Allegations		IAD Recommendations
	UNBECOMING CONDUCT MISREP. OF FACTS	NON-SUSTAINED SUSTAINED
-SI 09-00007	The Respondent followed a vehicle that matched the description of a carjacked vehicle to confirm the tag number. The pursued vehicle spun out of control and headed in the direction of the Respondent's vehicle. When the Respondent realized that the pursued vehicle was still operational and was accelerating towards him, he drew his weapon and fired at the driver, as he jumped back into his cruiser. As the pursued vehicle passed, it struck the open driver's door of the cruiser. This caused the cruiser door to strike the Respondent's left leg, which was still exposed after he jumped into his cruiser.	EXONERATED
IAD 10-00008	Complainant alleged that the Respondent told him to step out of his vehicle after he was stopped for speeding and that he was placed under arrest. He alleged that his head was banged on the hood of his car. He stated that he was thrown to the ground and kicked in his eye, neck and back. Complainant was placed in the police vehicle and he requested to go to the hospital.	NON-SUSTAINED SUSTAINED SUSTAINED
IAD 10-00009	Complainant alleged that the Respondent arrested her son after a hit and run accident and did not place his cellular phone in property. Her accusation was based on the fact that calls were allegedly placed on the phone in question while it was supposed to be in property. The unauthorized calls were allegedly placed to Ethiopia.	NON-SUSTAINED SUSTAINED
-SI 10-00008	The Respondent and the Involved Citizen engaged in an argument. The Involved Citizen obtained a protective order for the Respondent. The protective order was subsequently rescinded. However, the Respondent failed to appear for an ordered appointment.	NON-SUSTAINED SUSTAINED
IAD 10-00010	The Complainant alleged that she was waiting at the bus stop when a fight between high school students started. She alleged that when the Respondent arrived he began yelling and saying that she had to leave. She claimed that she was not involved in the fight and that when she advised the Respondent that she was waiting for the bus he grabbed the back of her shirt, pulled her across the parking lot and threw her into a bush.	NON-SUSTAINED SUSTAINED
IAD 09-00010	The Complainants alleged that the Respondents were inattentive in their duties while investigating a first degree assault involving the Complainants.	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED
IAD 10-00010	The Respondent arrested the Complainant. The Complainant alleged that during the arrest, the Respondent slammed her head against a brick wall and a fire alarm box. She further alleged that the Respondent hit her several times, dragged her on the ground and down a set of steps. She also alleged that the Respondent handcuffed her wrist so tight that it cut off the circulation to her hands. She stated that the Respondent used profanity, and was rude and unprofessional while transporting her to the district station for processing.	NON-SUSTAINED ATTENTION TO DUTY ATTENTION TO DUTY ATTENTION TO DUTY ATTENTION TO DUTY
IAD 10-00010	CCOP RESPONSE: This investigation is related to an incident where the Complainant alleged that the Respondent used excessive physical force that resulted in injuries. However, while the force and a hospital transport were reflected throughout the investigative file, no medical report or evidence regarding the hospital visit was included in the case file. In fact, there is no indication that the medical evidence was ever requested or reviewed by the investigator. There have been other cases submitted for the Panel's review that were also missing medical evidence related to hospital transports. Thus far, the missing evidence has not been crucial to the CCOP's review of those investigations. This may not always be the case, and CCOP brought this matter to the Department's attention.	NON-SUSTAINED USE OF FORCE USE OF LANGUAGE

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; Non-Sustained - The evidence fails to prove or disprove that alleged act(s) occurred; Exonerated (Proper Conduct) - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and Unfounded - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations

IAD Recommendations

Exonerated (Proper Conduct) – The evidence proves that the alleged act(s) did not occur. The evidence disproves that all alleged act(s) occurred. However, if the act(s) were instituted, laid and honest, and Unfounded – The evidence proves that all alleged acts did not occur.

Allegations

IAD Recommendations

IAD 10-00013	The Complainant alleged that when he was confronted by two Prince George's County police officers at a local hotel, he was pushed into a wall. He further alleged that he was grabbed and shoved to the floor and that the Respondents stood on his hands, neck, and feet. The Complainant later complained to a witness that his ankle was injured during the encounter.	USE OF FORCE USE OF FORCE	NON-SUSTAINED
IAF 10-00013	The Complainant stated he became involved in a verbal dispute with a female while he shopped at a local store. The female followed him while screaming profanities at him. As the Complainant walked down the aisle he observed three or four males running down the aisle towards him. The Complainant believed he was in immediate danger of being assaulted and drew his service weapon. All of the males fled. However, the Complainant was able to detain suspect.	UNBECOMING CONDUCT	UNFOUNDED
IAD 10-00014	The Respondent was the acting Shift Commander and responded to the scene. The Complainant alleged that the Department did not properly pursue and investigate the matter. The Complainant also alleged that the Respondent seemed irritated that he had to respond to the scene. The Complainant felt the Respondent "questioned me as if I was the suspect."	USE OF FORCE ATTENTION TO DUTY USE OF FORCE	EXONERATED EXONERATED UNFOUNDED
-SI 09-00014	Police were dispatched for a suspect armed with a handgun. The Involved Citizen was observed sitting at a bus stop and officers conducted a pat-down search for a weapon; none was found. The Involved Citizen was asked to sit on the bench while the officers conducted a field interview and checked the area for weapons. The Involved Citizen sat and began to eat and drink food. Respondent #3 alleges that the Involved Citizen was asked to stop eating and drinking until they concluded their field interview. Respondent #3 moved the Involved Citizen's cup away from him and the Involved Citizen grabbed the cup, causing it to collapse and the contents to spill. Respondent #3 alleged that he attempted to do the same with the Involved Citizen's bag of food, and the Involved Citizen stood up and shoved Respondent #3 with both hands. Respondent #3 alleges that the Involved Citizen advanced towards him and he pushed the Involved Citizen with a closed hand and struck the Involved Citizen on the side of the face. The Involved Citizen fell to the ground, with Respondent #3 falling on top of him. Respondents #1 and #2 came to Respondent #3's aid. Following a brief struggle, the Involved Citizen was handcuffed. He was transported to a hospital, where he was treated for a broken nose. The Involved Citizen refused to make a statement to police regarding the injury to his nose.	USE OF FORCE USE OF FORCE USE OF FORCE	EXONERATED EXONERATED EXONERATED
IAD 10-00015	The Complainant alleged that the Respondent used force that was inappropriate during an arrest.	USE OF FORCE USE OF FORCE USE OF FORCE	EXONERATED EXONERATED EXONERATED
-SI 10-00015	The Complainant reported for a scheduled spa treatment she received as a gift. The Respondent was the masseuse scheduled to provide a massage for the Complainant. The Complainant alleged that during the massage, the Respondent touched her breast inappropriately touched her breast and penetrated her with his fingers. The Complainant advised that she expressed to other spa employees her displeasure in reference to the inappropriate contact; however, the employees could not recall the Complainant making the described comments.	CRIMINAL MISCONDUCT UNBECOMING CONDUCT	NON-SUSTAINED NON-SUSTAINED
IAD 10-00016	The Complainant alleged that the Respondent approached her in court and made inappropriate comments.	RETALIATORY ACTS	NON-SUSTAINED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; Non-Sustained - The evidence fails to prove or disprove that alleged act(s) occurred; Exonerated (Proper Conduct) - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and Unfounded - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations**IAD Recommendations**

	USE OF LANGUAGE	NON-SUSTAINED
-SI 08-00016	The Respondent was involved in a departmental shooting while working secondary employment at a local apartment complex, after he observed what he believed to be a drug transaction in progress. The Respondent alleged that he saw one of the suspects make a throwing motion and began to walk away. The Respondent further alleged that when he ordered the suspects to stop, one suspect continued to walk away. The Respondent chased and took the suspect to the ground.	
CCOP RESPONSE: The CCOP disagreed with Exonerated for the Use of Force allegation. None of the multiple witness statements and evidence documented in the case file supports that shooting the Involved Citizen was lawful or proper. Additionally, none of the evidence supported the Respondent's allegation that the Involved Citizen struck him. There was no corroboration that the Involved Citizen took the actions the Respondent said precipitated him discharging his weapon and striking the Involved Citizen. Therefore, the CCOP found that the investigation failed to prove or disprove that the Respondent's lethal discharge of a weapon was justified and lawful and recommended that the allegation be Non-sustained.		
	USE OF FORCE	EXONERATED
IAF 10-00017	The Complainant alleged that the Respondents failed to maintain a strong personal commitment to perform their duties properly by showing favoritism to one of the parties involved in a dispute.	
	ATTENTION TO DUTY	NON-SUSTAINED
	ATTENTION TO DUTY	NON-SUSTAINED
-SI 09-00017	The Respondent was at the scene of a Departmental Shooting. The Respondent had contact with both the involved officer and the subject that had been shot. The Respondent submitted to a deposition with regards to a civil action in connection to a Departmental Shooting. During that deposition, the Respondent provided testimony that was greater detail than that he had provided to investigators. As a result the Associate County Attorney notified the Special Investigative Response Team.	
	USE OF FORCE	NON-SUSTAINED
IAD 10-00018	The Complainant alleged that the Respondents failed to maintain a strong personal commitment to perform their duties properly by showing favoritism to one of the parties involved in a dispute.	
	ATTENTION TO DUTY	NON-SUSTAINED
	ATTENTION TO DUTY	NON-SUSTAINED
	UNBECOMING CONDUCT	NON-SUSTAINED
	CRIMINAL MISCONDUCT	NON-SUSTAINED
-SI 10-00017	Involved Citizen and her husband Respondent were having a dispute. Respondent had visible scratches on his face, neck, and chest. According to Complainant, Involved Citizen had a small scratch on her left arm that would not show up in a picture. Involved Citizen grabbed at The Respondent's face in an attempt to prevent him from leaving. The Respondent then pushed The involved Citizen into a wall three times, causing her head to strike the wall each time. The Involved Citizen further alleges that the Respondent grabbed her by her shirt and ripped her shirt, as he ran out of the house. As a result, both parties were arrested and transported to separate stations for processing.	
	USE OF FORCE	NON-SUSTAINED
	UNBECOMING CONDUCT	NON-SUSTAINED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; Non-Sustained - The evidence fails to prove or disprove that alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and Unfounded - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations

IAD Recommendations

-SI 10-00018 The Respondent, a canine handler, responded to assist a patrol officer with the location and apprehension of three suspects that had bailed out of a carjacked vehicle. The vehicle was also reported to have been involved in a fatal pedestrian hit and run in the District of Columbia. Three occupants fled from the vehicle on foot. The Involved Citizen discarded a handgun as he exited the vehicle. The MVS captured the Involved Citizen discarding the handgun as he fled. The Respondent initiated a track that led to the location of the Involved Citizen and Witness #1. The Respondent confronted them and issued loud commands for them both to surrender. Witness #1 immediately complied with the command, but the Involved Citizen did not. The Involved Citizen stood and turned to flee. The canine was deployed. After the canine was deployed, Witness #2 observed the Involved Citizen go to the ground and comply with orders issued by the Respondent. The Respondent then removed the canine and the Involved Citizen was taken into custody without further incident.

USE OF FORCE

EXONERATED

IAD 10-00019 The Complainant advised that in the District III Investigative Section Office the Respondent and Witness #1 were engaged in a conversation, when he approached them and advised Witness #1 to stop discussing a case. The Complainant stated that the Respondent became insubordinate and also struck him.

INSUBORDINATION

SUSTAINED

USE OF FORCE

NON-SUSTAINED

IAD 10-00020 The Complainant alleged that two officers stopped and frisked her sons and nephew in a parking lot. She further alleged that they were patted down and forced to sit on the wet ground. The Complainant also alleged that while the young men were detained, they were called derogatory names and that racial slurs were used in reference to their skin color and dreadlocks. She alleged that an officer kicked one of the boys in the ribs and pulled his hair.

USE OF LANGUAGE

NON-SUSTAINED

USE OF FORCE

NON-SUSTAINED

USE OF LANGUAGE

NON-SUSTAINED

USE OF FORCE

NON-SUSTAINED

-SI 10-00020 The Department was notified by the Sheriff's Office in a neighboring county that a Temporary Protective Order had been issued for the Respondent. The allegation was that the Respondent had grabbed the Involved Citizen who is a minor and put his hands around the Involved Citizen's throat, then threw and pinned her against a wall. A witness, the Involved Citizen's mother, petitioned the court for a Temporary Protective Order for the Respondent. At the hearing for the Final Protective Order, the witness withdrew the petition. The witness subsequently declined to cooperate with this investigation and did not allow the investigator access to the Involved Citizen.

UNBECOMING CONDUCT

NON-SUSTAINED

IAD 10-00021 The Complainant was engaged in a verbal altercation with two officers. A physical altercation ensued and the Complainant was pepper sprayed in a tightly enclosed area and handcuffed.

CCOP RESPONSE: The CCOP disagreed with Exonerated for the Use of Force allegation. The Respondent indicated that he and another officer were escorting the Complainant and another woman from the hotel for disturbing the peace when the Complainant struck him in the neck and that he immediately deployed his OC Spray. He stated that he did not give a warning because he did not want her to assault him again. This was done in a confined space and although there were others present at the time. Without corroboration or a preponderance of evidence to show that the Complainant struck the Respondent, his use of force can not be exonerated. The CCOP recommended that the allegation be Non-Sustained. Additionally, the CCOP questioned the Respondent's decision to deploy OC spray in a confined space, with another officer and a citizen present.

USE OF FORCE

EXONERATED

USE OF LANGUAGE

NON-SUSTAINED

-SI 10-00021 Police Witness #1 stated there had been several robberies in the area and stopped both Complainants to conduct a field interview. For officer safety, Police Witness #1 and Police Witness #2 responded to his location. During the interview, a check of Civilian Witness #1's backpack was conducted and a 25 caliber semi-automatic handgun was located. In order to render the weapon safe, the Respondent attempted to remove the duct tape and magazine. During this action, the weapon discharged, firing one round into the ground causing a small chip in the roadway.

FIREARMS

SUSTAINED

IAD 10-00022 The Complainant alleged that he was sitting in his vehicle when he was approached by the Respondent. He alleged that the Respondent pepper sprayed him, pulled him out of his vehicle, punched him, struck him with the ASP baton and arrested him.

USE OF FORCE

EXONERATED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) did not occur or the accused officer was not involved.

Allegations		IAD Recommendations
	USE OF FORCE USE OF LANGUAGE USE OF FORCE USE OF FORCE	EXONERATED NON-SUSTAINED EXONERATED EXONERATED
IAF 10-00022	Complainant alleged that the Respondent's conduct was unbecoming when the Respondent stopped him and issued him a citation for a traffic violation.	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED
-SI 09-00022	The Complainant alleged that she had been assaulted by the Respondent. The Complainant alleged that the Respondent approached her from behind, punched her in the head and threatened to kill her with her service weapon during a Sunday church service.	SUSTAINED NON-SUSTAINED
	USE OF LANGUAGE CRIMINAL MISCONDUCT	
IAF 10-00022	The Respondent was accused of attempting to initiate an unauthorized traffic stop on one of the Complainant's associates near her home, allegedly threatening and harassing the Complainant and her friends, placing unauthorized mail in her friend's mailbox, and flattening one of her friend's vehicle tires. The Involved Citizen also alleged that the Respondent disobeyed a direct order from a police supervisor to stop contacting her. As a result, the Involved Citizen requested and received a Peace Order stipulating that the Respondent was to have no contact with the Involved Citizen.	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED
	CCOP RESPONSE: While the CCOP agreed with the finding for the allegations in this case, the Panel noted that the investigation failed to address why the Respondent was in the area near the Complainant's home. The Respondent and the Complainant were previously involved in a four-year relationship that ended and resulted in the Respondent's supervisor issuing a direct order for the Respondent to stop contacting the Complainant. One of the changes in the investigation is that the Respondent conducted an unauthorized traffic stop involving the Complainant's male associate and questioned the associate about his relationship with the Complainant. The alleged stop was conducted near the Complainant's home. The investigator did not attempt to determine why the Respondent was near the Complainants home. Since this was not his assigned district, the CCOP questioned if he lived in that area or had another legitimate purpose for being so close to her home?	UNFOUNDED NON-SUSTAINED NON-SUSTAINED
	UNBECOMING CONDUCT UNBECOMING CONDUCT UNBECOMING CONDUCT	
	FAILURE TO OBEY	SUSTAINED
IAD 10-00023	The Complainant observed officers checking young men and vehicles at her apartment complex. The Complainant alleged that she observed one of the Respondents slap a man in his head and knee him in his side. The Complainant alleged that she heard the man scream "stop, please stop." The Complainant alleged that when she asked for and received the Respondent's name and ID information, she called 911 to report the Respondent's actions.	NON-SUSTAINED
	USE OF FORCE	
IAD 10-00025	The Complainant observed officers checking young men and vehicles at her apartment complex. The Complainant alleged that she observed one of the Respondents slap a man in his head and knee him in his side. The Complainant alleged that she heard the man scream "stop, please stop." The Complainant alleged that when she asked for and received the Respondent's name and ID information, she called 911 to report the Respondent's actions.	NON-SUSTAINED NON-SUSTAINED
	USE OF FORCE UNBECOMING CONDUCT	

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) did not occur or the accused officer was not involved.

IAD Recommendations

Allegations	IAD Recommendations	
<p>-SI 10-00025 The Respondent spent the night with his the girlfriend at a local hotel and is accused of forcing her to have vaginal intercourse with him against her will. The Involved Citizen also alleged that the Respondent destroyed her cell phone by throwing it into a toilet.</p> <p>CRIMINAL MISCONDUCT UNBECOMING CONDUCT UNBECOMING CONDUCT UNBECOMING CONDUCT</p>	<p>NON-SUSTAINED</p> <p>UNFOUNDED UNFOUNDED SUSTAINED SUSTAINED NON-SUSTAINED</p>	
<p>IAD 10-00026 The Complainant, an acting lieutenant at the time, was notified by a sergeant of an incident involving the Respondents who were fellow squad members. The sergeant forwarded documentation of the incident that was received from a witness. The witness completed a memo stated that the Respondents were involved in a heated dispute in which curse words were used.</p>	<p>CCOP RESPONSE: While the aspects of the actions of the Respondents had been addressed in the context of Use of Force and Use of Language, the CCOP believed there was a need to further address their overall behavior in the context of Unbecoming Conduct. The argument between these Respondents occurred in a public setting and to the point where a superior had to stop them and advise them that their behavior was inappropriate. Their conduct violates the GOM, Volume 1, Chapter 32, Section 3, Unbecoming Conduct, which states, 'As the most visible representatives of the government, employee must display unblemished professional conduct are duty bound to avoid excessive, unwarranted or unjustified behavior that would reflect poorly on themselves, the Department, and County government, regardless of duty status.' Therefore, the CCOP recommended adding and sustaining an allegation of Unbecoming Conduct for both Respondents.</p> <p>USE OF LANGUAGE USE OF LANGUAGE UNBECOMING CONDUCT USE OF LANGUAGE USE OF LANGUAGE</p>	<p>SUSTAINED SUSTAINED ADDED ALLEGATION SUSTAINED SUSTAINED</p>
<p>-SI 09-00026 The Respondent was suspect in a local bank robbery.</p> <p>CRIMINAL MISCONDUCT CRIMINAL MISCONDUCT CRIMINAL MISCONDUCT CRIMINAL MISCONDUCT</p>	<p>SUSTAINED SUSTAINED SUSTAINED SUSTAINED</p>	
<p>-SI 10-00026 After receiving approval for deployment of his canine the Respondent played his canine announcement over his in-car PA system and waited for a response from the suspects. After receiving no response from the suspects, the Respondent and Witness approached the front door of the apartment. While at the front door, the Respondent gave several more verbal canine announcements. After receiving no response again, the Respondent released his K-9 off its lead into the apartment to conduct a search.</p> <p>DEPLOYMENT OF CANINE</p>	<p>EXONERATED UNFOUNDED</p>	
<p>IAD 10-00027 The Complainant was allegedly approached by the Respondent, who introduced himself as an officer and asked the Complainant to leave a parking lot. The Complainant stated that he requested that the Respondent produce identification to show that he was a police officer. He alleged that the Respondent pushed him several times. Complainant stated that in response, he pushed the Respondent. He also stated that the Respondent struck him, causing him to fall. A physical altercation between the Complainant and the Respondent continued until they were separated by another officer. The Complainant also alleged that he was pepper sprayed.</p> <p>ATTENTION TO DUTY</p>	<p>NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED</p>	
<p>IAD 10-00028 The Complainant stated that Witnesses #1, #2, and #3 were in the woods shooting a BB gun. When officers arrived on the scene the witnesses fled on foot and were apprehended a short distance away. The Complainant, her son, and Witness #1 stated that the Respondent punched the son in his face, kicked him in his ribs, kicked him in the back of this head, put his foot on his head and smashed his head into the ground.</p> <p>USE OF LANGUAGE USE OF FORCE USE OF LANGUAGE</p>	<p>NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED</p>	

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and **Unfounded** - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations**IAD Recommendations**

	Allegations	IAD Recommendations
-SI 09-00028	USE OF LANGUAGE The Respondent stated that the Involved citizen was combative and non-compliant and turned on the Respondent in an aggressive manner that led the Respondent to believe he was about to be assaulted. The Respondent struck the Involved Citizen with a closed hand in the face and took him to the ground. The Involved Citizen was transported to the hospital and diagnosed with a broken jaw that needed surgery to be repaired. The investigator unsuccessfully attempted to obtain statements from several independent witnesses.	NON-SUSTAINED
-SI 10-00028	CCOP RESPONSE: The only evidence in support of the Respondent's version of events is the statement of another officer involved in the saturation patrol and efforts to stop the involved citizen and the two other individuals. As there were no independent witness or evidence to corroborate the Respondent's statement, the investigation lacked the preponderance of evidence needed to support the investigator's recommended finding of Exonerated. The CCOP found the investigation failed to prove or disprove that the Respondent's use of force was necessary and lawful. The CCOP recommended the allegation be Non-Sustained. USE OF FORCE	EXONERATED
IAD 10-00029	Witness #1 notified the Prince George's County Police Department about the intoxicated actions of the Respondent. Witness #1 spoke with Witness #2, the Respondent's supervisor, and provided him with details of the Respondent's alleged behavior. Witness #2 then completed a Commander's Log detailing the chronological facts about the Respondent's behavior. UNBECOMING CONDUCT UNBECOMING CONDUCT UNBECOMING CONDUCT UNBECOMING CONDUCT UNBECOMING CONDUCT	SUSTAINED SUSTAINED SUSTAINED SUSTAINED SUSTAINED
-SI 11-00029	The witness complained about the circumstances that lead to the arrest of her neice, the Complainant. Police were called to a domestic disturbance at her home. As a result of the police response, the Complainant was arrested by the Respondent. The witness accused the Respondent of abusing his authority and falsifying the facts in his Statement of Probable Cause, which led to the Complainant's arrest. MISREP. OF FACTS ATTENTION TO DUTY USE OF FORCE	UNFOUNDED UNFOUNDED EXONERATED
-SI 10-00030	Involved Handler was called to assist with the arrest of a subject wanted for Armed Carjacking with the use of a handgun. Handler was granted approval for deployment of canine. Prior to approaching the residence officers showed the Handler a photograph of the Involved Citizen. When officers knocked on the door, they observed they Involved Citizen look out the door, turn and run through the residence toward the rear of the house. Involved citizen attempted to exit a window on the side of the house and observed the Handler with canine. The Handler ordered the Invoved Citizen to exit the residence and surrender. The Involved Citizen refused that fled back into the residence. Witness officer open the front door and spoke with witnesses in the residence, and they gave consent to search the residence, and advised that there was no one else in the house besides the Involved Citizen. Handler gave a loud verbal canine announcement at the top of the basement stairs of the residence, which also yeildled negative results. Handler released the canine. While checking the basement, the canine showed a behavior change when he approached a bedroom in the basement. Handler gave another loud canine announcement, with negative results. Canine was deployed into the bedroom. Once in the bedroom, the canine seized the Involved Citizen on the left arm as he attempted to hide under some bedsheets. Handler observed the Involved citizen was holding a steak knife, which he dropped when the canine seized him. Handler then ordered the Involved Citizen to surrender and comply with his commands. Once the Involved Citizen complied, the Handler immediately removed the canine. The involved citizen was handcuffed and transported to the hospital. CANINE SEIZURE	EXONERATED
-SI 10-00030	Witness #2 petitioned for a protection order related to the alleged child abuse of her son, Witness #1. Witness #2 stated that Witness #1 informed her that he feared being hit by his father, the Respondent. Witness #2 stated that Witness #1 informed her that between October and November of 2009, the Respondent would put his hands around his neck and pick him up by his neck. It was further alleged that when Witness #1 informed the Assistant Principal, the Respondent slapped and punched him. According to Witness #2, Witness #1 also informed Witness #2 that the Respondent has kicked him in the stomach. A temporary protective order was granted by Judge. UNBECOMING CONDUCT	UNFOUNDED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and **Unfounded** - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations

IAD Recommendations

IAD 10-00031	The Complainant alleged that the Respondent used demeaning language and profanity during a traffic stop.	CCOP RESPONSE: The CCOP disagrees with the unfounded recommendation for Use of Language. The investigator indicated that he was unable to reach the Complainant by certified mail or by phone to obtain a statement. However, the CCOP notes that no documentation of these attempts was provided as evidence. Irrespective of these attempts, the Complainant did provide a statement, on his signed 1072 form, alleging a Use of Language by the Respondent during a traffic stop. The substance of this allegation was not disproven by the witness statements the investigator was able to obtain. In fact, Witness Officer #1 stated that he did not recall the Respondent using profanity; Witness #2 was not at the scene during the initial stop, arriving after the stop was initiated, getting there after the Respondent already had the Complainant out of the car. These statements do not provide the preponderance necessary to prove that the alleged conduct did not occur. Therefore, the CCOP recommends that the allegation of Use of Language be Non-Sustained.	UNFOUNDED
IAF 10-00031	The Complainant alleged that the Respondent verbally abused, demeaned and insulted his employees. Additionally, the Complainant alleges that the Respondent has degraded their choice of occupation, harassed his customers, used her position to enforce her personal biases and unfairly targeted his shops with enforcement of State and Local laws. The Complainant wished to ban the Respondent from his stores.	CCOP RESPONSE: The Report of Investigation states that, "a review of the evidence revealed that the respondent's actions were due to her normal duties as a member of the Pawn Unit." The CCOP agrees with this assessment and find that the Respondent was enforcing the existing laws, that related to pawn shop operations. The Panel found no evidence to support that the Respondent's conduct or actions were outside of the scope of her authority and recommend that the allegation of Unbecoming Conduct be Exonerated.	NON-SUSTAINED
IAD 10-00032	The Complainant alleged that he was being harassed by the Respondent. He alleged that he had four contacts with the Respondent. He alleged that the fourth encounter occurred when he walked past Respondent in a grocery store. He alleged that when he left the store, the Respondent followed him through the parking lot, on foot, whistling. The Complainant stated that he felt that the Respondent's whistling was an attempt to intimidate or harass him.	UNBECOMING CONDUCT TO GIT UNBECOMING CONDUCT	NON-SUSTAINED
IAD 10-00033	The Complainant indicated that the Respondent came to his residence because his daughter had a dispute with the Respondent's sister. The Complainant alleged that the Respondent displayed his weapon and failed to identify himself as a police officer.	CCOP RESPONSE: The CCOP disagreed with Non-Sustained for the Unbecoming Conduct and Procedure Violation allegation related to the display of the weapon. The investigator indicated that the investigation did not reveal sufficient evidence to prove or disprove that the Respondent intentionally exposed his gun. As with accidental discharges of firearms, intent does not determine if a firearm safety has been violated. The GOM sets forth directives regarding firearm display and safety that are unambiguous in their intent and focus. The GOM, Volume II, Chapter 52, Weapons, clearly states that "Unless operationally necessary, firearms shall be concealed at all times from public view when officers are not in uniform." As such, it is an off-duty officer's responsibility to secure and conceal weapons in a manner that would prevent violation of the stated GOM policy. The Respondent failed to do so and his weapon was not concealed from public view at all times. As the GOM policy is clear in this regard, the CCOP recommended that allegation # 2- Procedural (Firearms) be sustained. With regards to Allegation #3- Procedural Violation (Identification), the CCOP disagree with Exonerated and recommended Unfounded. The GOM, Volume I, Chapter 32, Protocol only addresses an officer's responsibility to provide officer identification information "upon request". There are no statements or indication in the case file that the Respondent was asked to produce his identification, and as such had no obligation to voluntarily provide this information. Therefore, the CCOP found that a violation did not occur and that the allegation should be Unfounded.	NON-SUSTAINED PROCEDURE VIOLATION UNBECOMING CONDUCT PROCEDURE VIOLATION
-SI 09-00033	Respondent #2 was assigned by her supervisor, Witness #2 to patrol the parking lot where officials were attending a meeting. Witness #2 returned and found the parking lot empty. Respondent #2 was not in the lot. Witness #2 reported he made several attempts to contact Respondent #2 over the police radio and by telephone. Respondent #2 contacted Public Safety Communications and Witness #2 directed her to return to the lot. Respondent #2 responded and stated she had been with Respondent #1 since the meeting ended and that Respondent #1 was showing her around because she was unfamiliar with the area.	CCOP RESPONSE: The CCOP disagreed with Non-Sustained - The evidence fails to prove or disprove that alleged act(s) occurred; Exonerated (Proper Conduct) - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and Unfounded - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.	NON-SUSTAINED EXONERATED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; Non-Sustained - The evidence fails to prove or disprove that alleged act(s) occurred; Exonerated (Proper Conduct) - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and Unfounded - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations

	IAD Recommendations
PROCEDURE VIOLATION	SUSTAINED
UNBECOMING CONDUCT	NON-SUSTAINED
ATTENTION TO DUTY	SUSTAINED
DEDICATION TO DUTY	SUSTAINED
UNBECOMING CONDUCT	SUSTAINED
IAD 10-00034	The Complainant alleges that the Respondent used inappropriate language, pushed him up against his own vehicle, grabbed his hooded shirt and neck area before making him leave the parking lot.
USE OF LANGUAGE	NON-SUSTAINED
USE OF LANGUAGE	NON-SUSTAINED
PROCEDURE VIOLATION	SUSTAINED
USE OF FORCE	NON-SUSTAINED
USE OF FORCE	EXONERATED
-SI 10-00034	Members of the Washington Area Vehicle Enforcement (WAVE) Team responded to a stolen vehicle investigation. A vehicle was impounded. While conducting the impound inventory, the WAVE team located currency in the vehicle. The money was later reported missing by the vehicle owner. The case also involved a civilian employee of the Department of Resources. The civilian employee was investigated by the Police Department and allegations of Criminal Theft and failure to secure property were sustained for the civilian employee.
CRIMINAL MISCONDUCT	EXONERATED
PROCEDURE VIOLATION	EXONERATED
CRIMINAL MISCONDUCT	EXONERATED
PROCEDURE VIOLATION	EXONERATED
CRIMINAL MISCONDUCT	EXONERATED
PROCEDURE VIOLATION	EXONERATED
CRIMINAL MISCONDUCT	SUSTAINED
PROCEDURE VIOLATION	NON-SUSTAINED
CRIMINAL MISCONDUCT	EXONERATED
PROCEDURE VIOLATION	EXONERATED
CRIMINAL MISCONDUCT	EXONERATED
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PROCEDURE VIOLATION	EXONERATED
CRIMINAL MISCONDUCT	EXONERATED
PROCEDURE VIOLATION	EXONERATED
CRIMINAL MISCONDUCT	EXONERATED
IAD 10-00035	The Complainant submitted a letter complaining that officers used force against her nephew, Witness #1. The Complainant stated that she watched as Witness #1 was pulled over for a traffic violation by Respondents #1 and #2. The Complainant alleged that the Respondents were belligerent and rude. Additionally, she alleged that one of the Respondents removed some of his police gear and threatened Witness #3 by balling up his fists, as though he wanted to fight Witness #1.
UNBECOMING CONDUCT	UNFOUNDED
USE OF FORCE	EXONERATED
UNBECOMING CONDUCT	UNFOUNDED
USE OF FORCE	UNFOUNDED
-SI 10-00035	The Respondent reported to Witnesses #1 and #2 that she had been going to see her chiropractor three times a week for the previous two years. This statement from the Respondent was in response to her advising Witness #2, her supervisor that she needed to leave work early for a chiropractor appointment. The Respondent told Witness #2 that the appointment was related to an on-duty injury she incurred. However, the Respondent could not produce any paperwork justifying her leaving work to attend her appointment. Witness #1 then advised the Respondent to keep her appointment, but ordered her to produce documentation supporting her assertion she had been seeing a chiropractor two to three times a week for the past two years in connection with her injury. The Respondent was placed on a "No Duty" status as a result of an unrelated medical condition. Respondent's police powers were suspended by her commander.
DEDICATION TO DUTY	SUSTAINED
DEDICATION TO DUTY	SUSTAINED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; Non-Sustained - The evidence fails to prove or disprove that alleged act(s) occurred; Exonerated (Proper Conduct) - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and Unfounded - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations

	IAD Recommendations
UNBECOMING CONDUCT	SUSTAINED
PROCEDURE VIOLATION	SUSTAINED
CRIMINAL MISCONDUCT	UNFOUNDED
UNBECOMING CONDUCT	NON-SUSTAINED
DEDICATION TO DUTY	SUSTAINED
UNBECOMING CONDUCT	SUSTAINED
COMPLIANCE WITH ORDER	SUSTAINED
DEDICATION TO DUTY	SUSTAINED
PROCEDURE VIOLATION	SUSTAINED
DEDICATION TO DUTY	SUSTAINED
DEDICATION TO DUTY	SUSTAINED

IAD 10-00036

The Complainant stated that as he and his brother entered a club, his brother was instructed by an Officer to put his cigarette out. The Complainant stated that his brother complied, however, his brother was punched in the his face repeatedly. The Complainant alleged that when he attempted to stop Respondents #1 and #2 from punching his brother, he was knocked down the steps. The Complainant further alleged that he was able to gain his balance, however, he was hit again and knocked unconscious. The Complainant stated that he woke up with an Officer kicking him in his body and back.

CCOP RESPONSE: The CCOP disagrees with the finding of exonerated for Use of Force allegation #1 for Respondent #1 and the unfounded finding for Use of Force allegation #1 for Respondent #2. The CCOP reviewed the video evidence presented in this case and found that the evidence is not clear-cut. The angle of the camera capturing the initial contact that caused the incident does not provide a clear picture of what was happening. Additionally, the CCOP questions why, instead of using force, the Respondent did not simply step back to make more space between him and the Complainant. There is nothing to prove that smoke was intentionally blown in the officer's face or to support the need to use force on the Complainant. As such, the CCOP finds that the Use of Force allegation for Respondent #1 should be Non-Sustained. With regards to the Allegation, Use of Force, for Respondent #2, the CCOP disagrees with unfounded. There was no evidence presented in the case file to prove that the Respondent did not use force. In fact, from a review of the video evidence of the incident at the bottom of the stairs, there is no way to determine that the Respondent was not involved in the incident. The angle of the camera again obscures a full picture of the incident. Therefore, there is not a preponderance of evidence to prove that Respondent #2 did not use force. As such, the CCOP finds that the allegation should be Non-Sustained. The CCOP agreed with the Non-Sustained finding for the Attention to Duty allegation for the Respondent. However, it should be noted that this recommendation is not supported by the investigator's wording in the summary for the recommendation. His summary reads, "the investigation found sufficient evidence or testimony to show that the Respondent used force and failed to notify a supervisor and write an incident report."

ATTENTION TO DUTY	NON-SUSTAINED
USE OF FORCE	NON-SUSTAINED
USE OF FORCE	UNFOUNDED
USE OF FORCE	NON-SUSTAINED
ATTENTION TO DUTY	SUSTAINED
USE OF FORCE	EXONERATED
ATTENTION TO DUTY	SUSTAINED
USE OF FORCE	NON-SUSTAINED
USE OF FORCE	EXONERATED
USE OF FORCE	SUSTAINED

IAD 10-00037

The Complainant went into the restroom in a local retail establishment and was approached by the Respondent. When the Respondent asked the Complainant what was wrong with him physically, the Complainant advised the Respondent that he had suffered a stroke. The Complainant told the Respondent that he did not have anything inside his coat. The Complainant alleged that the Respondent cursed at him and ordered him out of the store.

NON-SUSTAINED
USE OF LANGUAGE

The charges in the case are related to an incident in which the Respondent was accused of domestic assault. SIRT investigated the incident.

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and **Unfounded** - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations	IAD Recommendations
UNBECOMING CONDUCT UNBECOMING CONDUCT PROCEDURE VIOLATION	NON-SUSTAINED SUSTAINED SUSTAINED
IAD 10-00038 The Respondent reported to the Complainant's home to settle a family dispute. The Complainant alleged that Respondent #1 was yelling and spitting in his face and head butted him in an attempt to provoke a fight and threatened him.	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED
IAF 09-00038 The Complainant alleged that the Respondent was at the Motor Vehicle Administration, dressed in his police uniform, and met with the Complainant, who is a MVA employee. The Complainant alleged that during the meeting, the Respondent became rude and disorderly, prompting the Complainant to contact their security officer.	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED
-SI 10-00038 The Complainant applied for and received a Temporary Protective Order against the Respondent for Domestic Violence. The Respondent was served with the Temporary Protective Order and suspended pending resolution.	
The Complainant applied for and received a criminal summons against the Respondent for a second degree assault that occurred at their home. UNBECOMING CONDUCT UNBECOMING CONDUCT	UNFOUNDED UNFOUNDED
IAD 10-00040 The Complainant alleged that when the Respondents extracted him from his vehicle, the Respondents punched and kicked him.	
CCOP RESPONSE: The stories of the police officer, officer witness and civilian witness were very different. The CCOP found that there was NOT preponderance of evidence sufficient to support a finding of Exonerated and recommended that both allegation be non-sustained.	EXONERATED EXONERATED EXONERATED
IAD 10-00041 An anonymous letter was sent to the Chief's Office. The letter alleged that Respondent #1 made inappropriate and sexual advances towards a student officer in session.	UNFOUNDED UNFOUNDED
-SI 10-00041 The Respondent was involved in a domestic dispute. As a result of the allegations made by the involved citizen, the Respondent was taken into custody and placed under arrest. The involved citizen was allowed to leave the scene and was not in the area when the investigator arrived later that night.	SUSTAINED NON-SUSTAINED NON-SUSTAINED
IAD 10-00042 The Respondent was investigating a kidnapping and armed robbery. Witness #1 responded to be interviewed by the Respondent. Witness #1 provided a written confession detailing his involvement in the armed robbery. Witness #1 was placed under arrest by the Respondent. Witness #1 sustained cuts to his wrists and neck from the glass of a fluorescent light bulb. The Commander's Information Report stated that Witness #1 broke the light and cut his wrists and neck with the glass. Complainant was advised by Witness #1 that the injuries were caused by the detectives who placed him under arrest.	NON-SUSTAINED NON-SUSTAINED UNFOUNDED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; Non-Sustained - The evidence fails to prove or disprove that alleged act(s) occurred; Exonerated (Proper Conduct) - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and Unfounded - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations**IAD Recommendations**

IAD 10-00043 Complainant alleged that she was involved in a dispute with the Respondent, who was working secondary employment at the location of the incident. She alleged that the Respondent threw her on the floor. She further alleged that after a witness helped her up, the Respondent pushed her out of the facility, there her against a police car, and handcuffed. She was later released from handcuffs/ She was not charged nor was a report written. She claimed that her wrist was injured when she was thrown to the floor by the Respondent.

USE OF FORCE	NON-SUSTAINED
PROCEDURE VIOLATION	SUSTAINED
PROCEDURE VIOLATION	SUSTAINED

IAD 10-00044 Complainant #1 and Complainant #2 submitted complaint forms. They alleged that they were pulled over and harassed by the Respondents. Complainant #1 advised that he was "snatched" from the vehicle and asked to sit on the curb of the center median. He further alleged that when a backup officer arrived, the officer drove his cruiser on the center median and almost hit Complainant #1 in his back. Complainant #1 stated that when the officer realized that Complainant #1 had tattoos of Ronnie White on his chest, he used profanity and became abusive. Complainant #1 alleged that the officers removed Complainant #2 and Witness out of the vehicle aggressively. He alleged that the officers threatened that if they moved, the officers would push them into the street, "so they could be run over like Ronnie White ran over Officer Findley." He alleged that the officers further threatened that they would wait until the Ronnie White incident calmed down, then kill him slow because he had a "cop killer's" name on his chest. He said the officers took his address and put it in their pockets. He stated that they trashed the inside of his vehicle and made them sit on the ground with no shirt or shoes for 3 hours.

USE OF LANGUAGE

UNBECOMING CONDUCT

UNBECOMING CONDUCT

UNBECOMING CONDUCT

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USE OF FORCE

USE OF LANGUAGE

UNBECOMING CONDUCT

USE OF FORCE

IAD 10-00045 The Complainant alleged that the Respondent assaulted her son, Complainant #2. It is alleged by Complainants that the Respondent grabbed Complainant #1 two times while at the playground area of an apartment complex. Additionally, Complainant #2 alleged that the Respondent used demeaning and inappropriate language.

USE OF LANGUAGE

UNFOUNDED

THEFT

UNFOUNDED

Allegations**IAD Recommendations**

-SI 09-00045 The Respondent was working routine patrol, when he observed an altercation between the Involved Citizen and Witness #1. Witness #1 was advising the Involved Citizen that he could no longer enter an establishment due to his intoxication. However, the Involved Citizen attempted to re-enter the establishment. The Respondent was escorting the Involved Citizen away from the establishment when the Involved Citizen pushed the Respondent and began cursing. The Involved Citizen resisted when the Respondent attempted to handcuff and arrest him. The Respondent used an arm bar, take-down technique to control the Involved Citizen. As the Involved Citizen was going to the ground, he struck his head on a brick wall.

USE OF FORCE

NON-SUSTAINED

-SI 09-00046 The Respondent was accused of making a bank transaction on a bank account without the Complainant's knowledge or permission. The Respondent stated that she contacted the Involved Citizen about the transaction for a mortgage payment and believed the Involved Citizen might have been intoxicated at that time. She stated that the Involved Citizen gave her the account information necessary to facilitate the transfer of funds from the personal checking account of the Involved Citizen to their joint account, they used to pay the mortgage and other bills. The Respondent stated that she did this transfer with the knowledge and consent of the Involved Citizen. She further stated that her nephew, Witness #2, was present and helped her accomplish the transfer.

UNBECOMING CONDUCT

NON-SUSTAINED

CRIMINAL MISCONDUCT

UNFOUNDED

IAD 09-00047 The Complainant alleged that the Respondents used demeaning and inappropriate language towards him and his cousins. The Complainant also alleged that he had prior contacts with Respondent #2 and that Respondent #2 stated at that time that he was going to having him evicted from his apartment.

CCOP RESPONSE: While the Panel agreed with the allegations in this case, it was noted that this case was also another example of the Panel's concerns regarding: (1) officers' reluctance and, in some cases refusal, to provide their officer identification information and (2) investigators' failure to completely address all the allegations detail in a complaint. The Complainants stated that officer identification info was requested and that the information was either not provided or was incorrect. This allegation was not addressed as a charge in the investigation, nor were Respondents asked questions related to the Complainant's allegation that they failed to provide the information upon request. The Panel recommended that officers be reminded of the GOM provision that requires them to "clearly" provide their identification information when it is requested, as a prompt response to a citizen request for this information could prevent the unnecessary escalation of some situations.

EXTRA DUTY EMPLOY. x3

SUSTAINED

EXTRA DUTY EMPLOY. x2

EXONERATED

EXTRA DUTY EMPLOY. x3

SUSTAINED

EXTRA DUTY EMPLOY. x3

SUSTAINED

EXTRA DUTY EMPLOY.

SUSTAINED

EXTRA DUTY EMPLOY. x3

SUSTAINED

EXTRA DUTY EMPLOY.

SUSTAINED

EXTRA DUTY EMPLOY.

SUSTAINED

EXTRA DUTY EMPLOY.

SUSTAINED

EXTRA DUTY EMPLOY. x3

SUSTAINED

EXTRA DUTY EMPLOY. x3

SUSTAINED

EXTRA DUTY EMPLOY. x3

SUSTAINED

EXTRA DUTY EMPLOY.

SUSTAINED

IAD 10-00047 Respondent allegedly violated a procedure while at his Lieutenant's promotional test review. Respondent used his cell phone to take pictures of test questions after he was instructed to stop.

PROCEDURE VIOLATION

NON-SUSTAINED

Allegations

IAD Recommendations

-SI 09-00047	The Respondent and Witnesses #1, 2, and 3 responded to the report of a suspicious vehicle possibly engaged in illegal drug activity parked in the area. The Respondent observed a vehicle backed into a parking space. The vehicle backed up onto the curb and into the bushes. Witness #3 ordered the vehicle to stop, several times. Witness #3 attempted to break the vehicles window in an effort to get the vehicle to stop. The vehicle accelerated in a direct line toward Witness #1, who was standing outside his vehicle. Witness #1 dived back into the vehicle to avoid being struck. The Respondent fired two rounds from his departmentally issued handgun at the driver of the vehicle. Witness #3 then ran back to his vehicle and immediately responded to the area where the fleeing vehicle was last observed. As the witness proceeded, he observed what appeared to be the Involved Citizen's vehicle stopped, with the driver's door open, and unoccupied. Witness #3 observed a large amount of blood inside the vehicle, on the driver's side and there was a trail of blood that led up the street. The Aviation and Canine Units responded to the scene. Witness #6, along with his canine partner, began a track for the Involved Citizens. Involved Citizen #1 was observed running from behind a storage shed. The canine brought the Involved Citizen to the ground by seizing him on his left hip/buttocks area. He was subsequently taken into custody. The canine went to the rear of the shed and seized Involved Citizen #2 on his left shoulder/tricep area. The Canine was immediately removed and the Involved Citizen was taken into custody.	DISCHARGE OF FIREARM	EXONERATED
-SI 10-00047	The Respondent was at the district station to complete administrative paperwork. As the Respondent was preparing to leave the station, he was adjusting his gun belt and placed his county issued handgun into the holster when one round was discharged from the weapon.	FIREARMS	SUSTAINED
IAD 10-00048	The Complainant stated that she telephoned the police when her husband violated a final protective order. When officers arrived, her husband had left the scene. The Complainant advised that she wanted him apprehended. According to her statement, she then followed police to help locate her husband. When she arrived on the scene, her husband had already been stopped by police. The Complainant stated that when she attempted to point her husband out, the Respondent "body slammed her, face first to the top of the hood of the police cruiser." She stated that she sustained an injury to her right middle finger, her first and fourth fingers, and her arm. The Complainant also stated that the Respondent threatened to arrest her if he saw her again.	USE OF FORCE USE OF LANGUAGE	NON-SUSTAINED NON-SUSTAINED
-SI 09-00048	The Respondent was returning to his home in his personal vehicle. As he pulled into the apartment building parking lot, he observed a couple of other vehicles driving into the lot. The Respondent parked his vehicle and then exited. The Respondent was then confronted by the Involved Citizen. The Involved Citizen was armed with a handgun. The Respondent was able to draw his service weapon and he and the Involved Citizen then exchanged gunfire. The Respondent was struck in his left hand by one of the Involved Citizen's rounds. The Involved Citizen then fled the location. Patrol units responded to the scene for an officer involved shooting. The Respondent was transported to a local hospital and the patrol units conducted a search of the area for the Involved Citizen.	USE OF FORCE USE OF LANGUAGE	EXONERATED
IAD 10-00049	The Complainant alleged he had entered a local bar when he realized that he did not have his identification with him. He informed the Respondent, who was working secondary employment at the bar, that he did not have his identification and went back to his vehicle to retrieve his ID. He alleged that when he returned with his ID, the Respondent used profanity while addressing him and made, what the Complainant felt, was an insulting remark.	USE OF LANGUAGE	NON-SUSTAINED
IAD 10-00050	The Complainant alleged that the Respondent punched him and banged his head against a wall during an arrest. The Complainant also alleged that he is being harassed by the Respondent and other officers.	HARASSMENT USE OF FORCE HARASSMENT USE OF FORCE	UNFOUNDED EXONERATED UNFOUNDED EXONERATED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and **Unfounded** - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations**IAD Recommendations**

Allegations		IAD Recommendations
IAD 10-00051	The Complainant received an inter-office memorandum advising that an accident report filed by the Respondent will conflict with the accident re-construction report.	SUSTAINED
IAD 10-00053	Respondent misplaced his issued handgun and reported it stolen. FIREARMS SECURITY	SUSTAINED
IAD 10-00054	Complainant submitted a Memorandum requesting that the Internal Affairs Division review a Use of Force packet involving the Respondent for compliance of departmental policy regarding the Use of Force.	SUSTAINED SUSTAINED SUSTAINED SUSTAINED
IAF 09-00054	The Respondents were allegedly discourteous to the Complainant while responding to a check weapon/disorderly call at the Complainant's residence. ATTENTION TO DUTY	NON-SUSTAINED
-SI 08-00054	Members of the Violent Crimes Unit noticed a vehicle with truck tags displayed on a passenger vehicle. When Respondent #2 approached the vehicle and requested the driver's license and registration card, the driver was asked to step out of the vehicle. The driver pushed Respondent #2 and attempted to flee. When Respondent #1 observed the struggle, he produced his ASP baton and ordered the Involved Citizen to stop resisting. The Involved Citizen grabbed the baton. However, Respondent #1 was able to free the baton and strike the Involved Citizen's torso area. When the involved Citizen was reportedly unfazed by the ASP strikes, Respondent #2 deployed his OC spray. The Involved Citizen continued to resist and a call for assistance was made. The Involved Citizen was handcuffed and medical personnel were requested for both officers and the Involved Citizen. USE OF FORCE USE OF LANGUAGE USE OF FORCE USE OF FORCE UNBECOMING CONDUCT USE OF FORCE	NON-SUSTAINED SUSTAINED SUSTAINED EXONERATED NON-SUSTAINED NON-SUSTAINED
-SI 09-00054	The Respondent, along with several other units, intercepted a carjacked vehicle as it was pursued from the District of Columbia into Prince George's County. When the pursuit ended, both the driver and the passenger "bailed out" of the vehicle and fled on foot. The Respondent saw the Involved Citizen run behind a residence. As the Respondent approached a shed where the Involved Citizen was hiding, the Involved Citizen attempted to grab the Respondent's issued firearm. As the Respondent pulled back, the weapon was unintentionally discharged. The Involved Citizen released the weapon when it discharged and he was taken into custody. USE OF FORCE UNINTENTIONAL DISCHARGE OF FIREARM	EXONERATED SUSTAINED
IAD 09-00055	The Complainant alleged that the Respondents assaulted him after he refused to let them or an amusement park security guard check his bag. The Complainant also alleged that one of the Respondents used derogatory language and that the officers removed their name tags to conceal their identity. USE OF FORCE PROCEDURE VIOLATION PROCEDURE VIOLATION USE OF FORCE USE OF LANGUAGE PROCEDURE VIOLATION USE OF LANGUAGE	NON-SUSTAINED SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and **Unfounded** - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations

IAD Recommendations

-SI 08-00055 Off-duty police officers were working secondary employment when several citizens were ejected from a club following being involved in a fight. The Respondent and Witness #1, escorted the unknown male citizens towards their vehicles. Witness #1 observed this male standing over another male that was lying on the ground. According to Witness #1, the male that was standing was about to "shoot him." This armed citizen noticed Witness #1, and the citizen put the handgun into his waistband and fled to an awaiting vehicle. However, realizing there were no available exits, the driver turned around and started driving in the direction of the Respondent and Witness. When the vehicle returned to the area of the Respondent and Witness, commands were made for the driver to "turn the vehicle off and show some hands." The driver refused to comply with the officers orders and accelerated the vehicle in the direction of the Respondent and struck a another vehicle. According to Witness #1, the Respondent, "fearing for his life", started running backward and discharged his firearm. The vehicle continued to flee and officers pursued the suspect vehicle. Witness #6 observed a handgun being thrown out of the passenger side window of the suspect vehicle. The suspect stopped the vehicle and the two front seat occupants bailed out and continued fleeing on foot. The other three suspects remained in the vehicle. Involved Citizens #2, 3, 4 and 5 were apprehended and placed under arrest. Involved Citizen #1 was able to make good of his escape. However, he later turned himself in.

IAD 09-00056 The Respondent allegedly punched an Involved Citizen during this incident. The Involved Citizen sustained a laceration to his face. IAD recommended that the Use of Force allegation be Exonerated,

CCOP RESPONSE

The CCOP found that the investigation failed to prove or disprove that the Respondent's use of force was necessary and lawful. Therefore, the CCOP recommended that the allegation be Non-Sustained.

PROCEDURE VIOLATION	EXONERATED
USE OF FORCE	EXONERATED

IAD 10-00056 The Respondent stated that after he approached the Complainant's vehicle, the Complainant's phone rang and the Complainant answered. The Respondent stated that for safety reasons he ordered the Complainant, several times, to put down the phone. He stated that the Complainant was non-complaint and that he reached into the car and ordered the Complainant to hand him the phone. When the Complainant did not, the Respondent grabbed the phone. As he did, the Complainant pulled away. After this forceful action, the Respondent noted a "small laceration on the left side of the Complainant's bottom lip. The Complainant, however, alleged that the Respondent struck him twice in the mouth, causing a laceration to his lip. The investigative file implied that forceable taking the Complainant's cell phone was not a use of force and, since a use of force had not occurred, a use of force report was not required.

CCOP RESPONSE: The Respondent admitted to taking a forceful action to confiscate the phone from the non-compliant complainant. He admitted to seeing a "small laceration" on the Complainant's lip and asked the Complainant if he needed medical attention. He offered him medical attention 3 times. Additionally, when another officer approached the scene, he too asked if a fireboard was needed. If there was evidence that a use of force did not occur, why would the Respondent feel compelled to offer medical attention multiple times and why would another officer inquire about the need for a fireboard? The preponderance of the evidence supports that an action of force requiring a use of force occurred. The Panel recommended that a Procedural Violation for failure to complete a Use of Force Report be added and Sustained.

USE OF FORCE	NON-SUSTAINED
USE OF FORCE	UNFOUNDED
USE OF LANGUAGE	NON-SUSTAINED
PROCEDURE VIOLATION	NON-SUSTAINED

-SI 09-00056 The Respondent was stopped by the Sheriff's Office in another jurisdiction, as a result of a broadcast for a drunk driver. Deputies determined that the Respondent was under the influence. The Respondent became belligerent and began using profanity. The deputies secured the Respondent's vehicle and took him home. However, the Respondent returned to his vehicle and the deputies found him at the vehicle when they were checking on the vehicle. The Respondent became belligerent and argumentative again, put on his body armor and duty belt. The Respondent consented to a PBT, which registered a 0.178.

UNBECOMING CONDUCT	SUSTAINED
UNBECOMING CONDUCT	SUSTAINED
FIREARMS & INTOXICANTS	SUSTAINED
USE OF LANGUAGE	SUSTAINED
USE OF LANGUAGE	SUSTAINED
LEAVE & DUTY STATUS	NON-SUSTAINED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and **Unfounded** - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations

	IAD Recommendations
-SI 09-00058	LEAVE & DUTY STATUS NON-SUSTAINED
IAD 09-00062	The Respondent reported his vehicle stolen. He then filed an insurance claim, and was paid for that claim. The vehicle was subsequently recovered out-of-state, when the driver of the vehicle was arrested for DWI. The arrested driver told police that he had been paid to get rid of the vehicle. The Attorney General's Office's Fraud Division was notified of the arrest and began an investigation. The Respondent voluntarily provided a statement at the Attorney General's Office. In that statement he admitted to staging the theft and to making a false police report and insurance claim. He stated he paid a subject to get rid of his vehicle. UNBECOMING CONDUCT CRIMINAL MISCONDUCT FALSE STATEMENT SUSTAINED SUSTAINED SUSTAINED
IAD 10-00062	The Complainant alleged that the Respondent was extremely aggressive and abusive when he questioned the Respondent about a disturbance near his home. He alleged that the Respondent poked him in the chest and that when he tried to walk around the Respondent, the Respondent pushed him into the bushes. The Complainant stated that when he continued to question the Respondent, the Respondent cursed at him and strangled him. CCOP RESPONSE: The investigator established, that the Respondent allegedly shoved or pushed the Complainant onto a police vehicle, but failed to add a related allegation of Use of Force to the investigation. The existing Use of Force allegation only addressed the alleged actions of bumping the Complainant in the chest, intentionally pushing him into the bushes and strangling him. Therefore, to cover all of the allegations identified in the investigation, the Panel recommended adding and non-sustaining an additional Use of Force allegation that addresses the alleged action of pushing the Complainant onto the vehicle. USE OF LANGUAGE UNBECOMING CONDUCT USE OF FORCE USE OF FORCE NON-SUSTAINED
IAD 10-00062	The Complainant alleged that the Respondent kicked him after pulling him over for driving too slowly. The Complainant also alleged that he was harassed by the Respondent. UNBECOMING CONDUCT UNBECOMING CONDUCT USE OF FORCE NON-SUSTAINED
IAD 10-00063	The Respondent observed the Complainant loitering in a parking lot. The Respondent approached the Complainant and several other males at that location, identified them and checked them for open warrants. Afterwards, all were advised to leave the property. The Complainant refused to leave and began complaining that he was missing a \$100 bill. Complainant was advised several more times he was trespassing and was told to leave the property. He refused and was arrested and transported to the Department of Corrections for processing. Upon arrival at the Department of Corrections, the Complainant stated he was having chest pains and was then transported to the hospital for treatment. Upon his discharge from the hospital, the Complainant was then transported back to the Department of Corrections and released into their custody. The Respondent stated the \$100 bill was submitted with the Complainant's property and given to the Department of Corrections personnel. However, according to the Department of Corrections Intake Money/Valuables Form, there was only twenty-four dollars in cash submitted with his property. CRIMINAL MISCONDUCT UNFOUNDED
-SI 09-00063	Respondent #1 conducted a traffic stop on a vehicle driven by the Involved Citizen. As Respondent #1 began to interview the Involved Citizen, the Involved Citizen started to reach inside of the center console compartment of the vehicle and was observed by the Respondent placing something under his seat. Concerned for his personal safety, the Respondent requested backup. Respondents #2 & #3 responded. After refusing officers' requests to exit the vehicle, the Involved Citizen attempted to restart the engine of the vehicle. Observing this, Respondent #3 broke out the passenger side window with his ASP baton. Respondent #2 unlocked and opened the driver's side door and officers forcibly pull the Involved Citizen from the vehicle. USE OF FORCE USE OF FORCE USE OF FORCE EXONERATED EXONERATED EXONERATED

Allegations

IAD Recommendations

-SI 07-00064 The Officer Witness initiated a traffic stop on the Respondent for failing to stop at a stop sign. Upon approaching the vehicle, the Officer Witness discovered the Respondent was in the company of a female, who he believed was a neighborhood prostitute. He had previously arrested the female for CDW and CDS. After initiating a wanted check, the Officer Witness discovered that the Respondent had an open warrant.

CCOP RESPONSE: The Panel noted that the investigation revealed that the Respondent was allegedly insubordinate and used inappropriate language during the incident under investigation.

CRIMINAL MISCONDUCT	NON-SUSTAINED
PROCEDURAL VIOLATIONS	SUSTAINED

IAD 10-00065 The Respondent observed what appeared to be the handle of a handgun in the waist area of the Complainant. The Respondent and Witness observed the Complainant get into his vehicle and drive into the parking lot of a local business. At that location, the police officers conducted a vehicle stop. The Complainant was ordered out of his vehicle and patted down. Complainant was then ordered to sit on the curb while his vehicle was being searched. Complainant became agitated and began demanding answers. The Respondent gave several commands for the Complainant to cross his legs. The Complainant did not comply. Respondent once again advised the Complainant to cross his legs. Complainant became even more agitated about the way he was being treated.

USE OF FORCE	UNFOUNDED
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-SI 09-00066 The Respondents reported to the scene of an armed robbery. The victim described the suspect and vehicle and a lookout for the vehicle was broadcast. The vehicle was spotted. The driver of the vehicle attempted to flee and a short vehicle pursuit ensued before the occupants of the vehicle "bailed-out". After a short foot pursuit, Civilian Witness #1 was apprehended and placed under arrest. One of the occupants was observed throwing a backpack as he fled on foot. The backpack was subsequently recovered and a gun was located inside, along with several items of property that the victim had reported stolen. Canine Handler responded to the scene to locate the second suspect. Involved Citizen #1 was discovered lying on a snow embankment. The Handler gave Involved Citizen #1 verbal commands to surrender. The Involved Citizen attempted to run towards the woods. The Handler deployed his canine on a 15 foot lead and he seized Involved Citizen #1's right forearm. The Involved Citizen stopped resisting.

USE OF FORCE	EXONERATED
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CCOP RESPONSE: Respondent #1 initiated a traffic stop on a vehicle driven by the Complainant. The Respondent's basis for the traffic stop was the dark window tint. The Complainant alleged that he was taken out of his vehicle by Respondent #1 and that the Respondent grabbed him by the back of his suit jacket and threw him to the ground, causing his jacket and vest to rip. The Complainant also alleged that his car was ransacked by Respondent #1 and Respondent #2.

CCOP RESPONSE: With regards to Use of Force #1, the Panel disagreed with Non-Sustained. An independent witness, who the investigation established was in proximity to have heard and witnessed the alleged behavior of Respondent, was very clear, concise and adamant that she observed the Respondent: (1) "slam" the Complainant against the car; (2) "slam" the Complainant to the ground; and (3) use profanity while speaking to the Complainant. The independent witness described actions that were overly aggressive, under the circumstance. Nothing presented in the investigation gave the Panel reason to doubt the independent witness's character, credibility, or veracity. The Panel also noted that this was another case presented for the CCOP's review that involved missing components of the MVS recording. The tape from Respondent #2's vehicle was missing the audio portion of the recording.

UNBECOMING CONDUCT	NON-SUSTAINED
USE OF FORCE	EXONERATED
USE OF LANGUAGE	SUSTAINED
UNBECOMING CONDUCT	NON-SUSTAINED
USE OF FORCE	EXONERATED

IAD 10-00066 The Complainant advised that he was arrested, taken to District III station, and interviewed by Respondents #1 and #2 in reference to a burglary. He alleged that when he denied involvement in the crime, the Respondents used force by hitting him in the face and pushing him against the wall. He alleged that the Respondents were also threatening and verbally abusive.

USE OF LANGUAGE	NON-SUSTAINED
USE OF LANGUAGE	NON-SUSTAINED
UNBECOMING CONDUCT	NON-SUSTAINED
USE OF FORCE	NON-SUSTAINED
UNBECOMING CONDUCT	NON-SUSTAINED

Allegations	IAD Recommendations
-SI 08-00066 Members of the Narcotics Enforcement Division (NED) Interdiction Team became aware of a package being delivered containing a large amount of marijuana. The NED team set up surveillance at the facility and waited for the suspect(s) to pick up the package. Members of NED were attempting to apprehend the suspects who picked up the package. Suspect #2 fled the scene on foot and members of NED gave chase. The Respondent pointed his issued firearm at Suspect #1 and gave him commands to show his hands. Suspect #1 reached out and grabbed the Respondent's handgun. A struggle over the handgun ensued and two rounds were discharged during the struggle. Witness #2 observed the Respondent bleeding from his hand and assisted with apprehending Suspect #1. The suspects were arrested and transported to District I processing by NED. USE OF FORCE	NON-SUSTAINED
-SI 09-00066 Members of another jurisdiction pursued the involved vehicle into Prince George's County. The involved vehicle matched the description of a vehicle that was wanted in reference to a robbery. After the vehicle pursuit entered our jurisdiction, the Respondent and witness maintained the pursuit. The suspects subsequently bailed out of the vehicle. The Respondent and his K-9 partner went into the woods and apprehended the suspects. A Sergeant responded to the scene to conduct a Use of Force review for the canine seizure. During the review, the Sergeant was made aware of concerns that Anne Arundel County Police K-9 Corporal had in reference to the need for the Respondent to deploy his K-9 partner and seize the Involved Citizen. The Sergeant recommended that this incident be referred to the Special Investigative Response Team (SIRT) for further investigation. A Sergeant of SIRT responded to the scene and assisted with the initial investigation USE OF FORCE	EXONERATED
IAD 10-00067 The Complainant alleged that the respondents struck her repeatedly with a baton upon her thigh, back, neck and head while using profanity. USE OF FORCE	NON-SUSTAINED
CCOP RESPONSE: The CCOP disagreed with the finding of Exonerated for Allegation #3, Use of Force, for Respondent #1. The Panel's disagreement is based on the fact that there is no independent corroboration (testimony, medical records, etc) to support the allegation that the Complainant was struck with an ASP baton to stop her from biting the Respondent. The police witness stated that he did not see the use of force, only saw a wet spot on the Respondent's sleeve. He also stated that he did not see a puncture mark and that no pictures of the alleged bite were taken. According to the statement of the only independent witness who according to her testimony saw the interaction between the police officer making the arrest, she saw the officers hit the Complainant. However, she was never questioned about this bite. The investigation failed to present a preponderance of independent testimony or evidence to prove or disprove that Respondent struck the Complainant as an attempt to stop her from biting the Respondent. Therefore, the Panel recommended that this allegation of Use of Force be closed as Non-Sustained. Additionally, the Panel made note of the investigator's failure to question witnesses thoroughly regarding the alleged bite. As stated earlier, the Witness said she observed the officers' interaction and the strike to the Complainant. However, she was never questioned about the bite, which was alleged to have precipitated the Respondent striking the Complainant. The investigator also failed to question or address the Respondent in reference to the fact that he deployed his OC spray into a crowd that had gathered. There were no further questions about the deployment of the OC spray and no allegation presented in the case to address this deployment of the OC spray as an additional use of force. USE OF LANGUAGE USE OF FORCE USE OF LANGUAGE USE OF FORCE USE OF FORCE USE OF LANGUAGE	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED EXONERATED NON-SUSTAINED
IAD 10-00068 The Complainant stated that she was walking to her apartment when the Respondents approached the Involved Citizen and began questioning him. The Complainant alleged that Respondent #2 cursed at the Involved Citizen when asking him to move. The Complainant alleged that Respondent #2 "slammed" the Involved Citizen against a car approximately ten times. Complainant also alleged that Respondent #2 continued to use profanity towards her and the Witness. The Complainant alleged that Respondent #1 "snatched" her car keys from her hand, ordered her to sit on the curb, cursed at her and searched her vehicle without permission. USE OF LANGUAGE USE OF FORCE USE OF LANGUAGE UNBECOMING CONDUCT UNBECOMING CONDUCT	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED UNFOUNDED

Allegations**IAD Recommendations**

IAD 10-00070	Respondent obtained the Complainant's telephone number as a witness to a traffic accident. Respondent later called the Complainant for personal reasons using the information garnered from the traffic investigation. The Respondent later responded to the Complainant's address, while on duty, to engage in sex.	NON-SUSTAINED
DEDICATION TO DUTY ETHICS	SUSTAINED	SUSTAINED

IAD 10-00071	The Complainant stated that Respondents searched him and his friend as they stood outside of a store. The Complainant alleged that when he reached in his pocket to retrieve his identification Respondent #1 struck him in the face two times. The Complainant further alleged that Respondent #2 stuck him in the back of his head. He also alleged that while he was on the ground, the respondents punched him in the face and head.	NON-SUSTAINED
USE OF FORCE USE OF LANGUAGE ATTENTION TO DUTY	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED	NON-SUSTAINED

IAF 09-00071	It is alleged that the Respondents failed to complete a police report and failed to complete an emergency psychiatric evaluation on an individual.	NON-SUSTAINED
UNBECOMING CONDUCT	NON-SUSTAINED	NON-SUSTAINED
UNBECOMING CONDUCT	NON-SUSTAINED	NON-SUSTAINED
ATTENTION TO DUTY	NON-SUSTAINED	SUSTAINED
USE OF LANGUAGE	NON-SUSTAINED	NON-SUSTAINED
ATTENTION TO DUTY	NON-SUSTAINED	NON-SUSTAINED

CCOP RESPONSE: The Panel notes and questions the lapse of time that occurred between the shooting incident and the Panel's receipt of the investigation. While the Respondent was interviewed within 3 months of the incident, it took almost 3 years to complete the investigation and refer to the CCOP, from November 2008 to March 2011.

In fact, because of the time delays in this investigation, the retention dates of useful video evidence requested for investigator's review had expired. Additionally, the case was submitted for the CCOP's review more than 1 ½ year after the case was reviewed by the Department's internal executive review committee. The CCOP requested an explanation to the delays in completing and referring this investigation.

DEPARTMENTAL SHOOTING
USE OF LANGUAGE
ATTENTION TO DUTY

EXONERATED
NON-SUSTAINED

IAD 09-00075 The Complainant alleged that the Respondents stopped her son for robbery. She alleged that the Respondents kicked, spat on, pulled her son by the hair and used racial slurs during the stop.

CCOP RESPONSE: The CCOP found that evidence in this case failed to prove or disprove the allegations against the Respondents and agreed with a finding of Non-Sustained for each allegation. However, it was noted that the summary of the findings offered by the investigator, did not support his recommendations of Non-Sustained. In the summation of his findings, the investigator concluded that the evidence "proved" that the Respondents "did not" perform the alleged behavior. If his intent was to establish that the officers should be absolved of any wrong doing, he failed to properly make that case. While his summations clearly provided a basis for unfounding these allegations, his recorded recommendation for each allegation was Non-sustained. This is indicative that the investigation failed to prove or disprove that the officer committed the alleged behavior. If the investigator truly believed that the investigation proved that the officers were innocent of the allegations, then his recorded recommendations did the officers a disservice. His recommendations of Non-sustained defeat this purpose and call in to question his assessment of the officers' behavior.

UNBECOMING CONDUCT
UNBECOMING CONDUCT
USE OF LANGUAGE
USE OF LANGUAGE
USE OF FORCE
USE OF FORCE
NON-SUSTAINED
NON-SUSTAINED
NON-SUSTAINED
NON-SUSTAINED
NON-SUSTAINED
NON-SUSTAINED

Allegations

IAD Recommendations

IAD 10-00076	The Complainant alleged that the Respondent refused to loosen her handcuffs after she complained that they were too tight. It is also alleged that the Respondent tightened the handcuffs once she complained that they were hurting her wrist. The Complainant further alleged that the Respondent bruised her hand and forearm while escorting her to his cruiser.	USE OF FORCE	NON-SUSTAINED
IAD 09-00077	Complainant stated that he was flagged down by the Respondents for a traffic violation. He alleged that once he signed the traffic citation and stated that he was going to dispute the citation in court, he was ordered out of his vehicle, handcuffed, and beaten. Respondent #1 allegedly pushed the Complainant to the ground and used profanity when he advised him that the handcuffs were too tight. Respondent #2 allegedly threatened the Complainant and pushed him to the ground while in handcuffs. Respondent #3 allegedly also pushed the Complainant to the ground. The Complainant alleged that Respondent #1 kicked him about the face and neck area, while Respondent #2 forcibly bent his legs towards his hands. The Complainant further alleged that the Respondents did not adjust the handcuffs that were cutting into his skin.	USE OF FORCE USE OF LANGUAGE USE OF FORCE USE OF LANGUAGE USE OF FORCE	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED
IAD 10-00077	The Complainant stated that the Respondent harassed him, falsified a police report, and made a false statement in the court documents he submitted. These allegations are related to the arrest of the Complainant by the Respondent.	UNBECOMING CONDUCT FALSE STATEMENT	UNFOUNDED UNFOUNDED
IAD 10-00078	The Complainant, the mother of Witness #1, alleged that the Respondent choked her son. The Complainant was not a witness to the incident. Complainant stated that the Respondent told her son to pick up trash that did not belong to her son. She stated that after her son refused to pick it up, the Respondent grabbed him by the neck and started choking him.	USE OF FORCE	NON-SUSTAINED
IAD 10-00079	The Complainant alleged that the Respondent hit him in the head with his hand, cursed at and threatened him.	USE OF FORCE USE OF LANGUAGE	NON-SUSTAINED NON-SUSTAINED
IAD 10-00080	The Complainant rented a room at a church for a wedding reception. The Complainant alleged that the Respondents used offensive language during a confrontation with the Complainant. The Complainant also contends that the behavior of both officers in dealing with the incident was unprofessional and unbecoming of an officer. Respondent #1 was working secondary employment at the location and Respondent #2 was on a street unit that responded as a back-up officer.	UNBECOMING CONDUCT USE OF LANGUAGE USE OF LANGUAGE UNBECOMING CONDUCT	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED
-SI 08-00080	The Respondent was involved in an altercation with an unidentified subject at a local club, while working secondary employment at the club next door. Witness #1 captured the event on his cell phone. The video clip showed the Respondent repeatedly striking the unidentified subject while the subject was lying on the ground. A second video clip showed the Respondent lifting the unidentified subject by his wrists as the subjects arms are secured behind him. The Respondent was also seen leading the unidentified subject to a waiting vehicle where he is placed in the rear passenger seat. A preliminary investigation revealed that the Respondent failed to make the proper notifications to a supervisor regarding his use of force and failed to document the incident by completing the required departmental reports.	ATTENTION TO DUTY PREPARATION & REVIEW OF REPORTS PERSONAL CAR PROGRAM UNBECOMING CONDUCT USE OF FORCE	SUSTAINED SUSTAINED SUSTAINED SUSTAINED SUSTAINED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and **Unfounded** - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations	IAD Recommendations
USE OF FORCE UNBECOMING CONDUCT	SUSTAINED
USE OF FORCE	SUSTAINED
RADIO PROCEDURES	SUSTAINED
ETHICS	SUSTAINED
UNBECOMING CONDUCT	SUSTAINED
CRIMINAL MISCONDUCT	UNFOUNDED
ATTENTION TO DUTY	SUSTAINED
IAD 09-00081 The Complainant alleged that she was hiding in her closet from the police, when more than six officers pulled her out of the closet and proceeded to "knock her around." She alleged that one of the officers slammed her head into the cruiser doorframe while placing her into the vehicle. She also alleged that she had bruises and scratches from the encounter.	
USE OF FORCE USE OF FORCE USE OF FORCE USE OF FORCE	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED
USE OF FORCE	UNFOUNDED
IAD 10-00081 Complainant alleges that when he was arrested by the Respondent, that the Respondent referred to his sister as a "one tidy whore."	
USE OF LANGUAGE ATTENTION TO DUTY	UNFOUNDED
IADF 08-00081 The Complainant alleged he placed a call to the Respondent regarding a vehicle that was not properly reported as being stolen. He alleged that the Respondent placed his call on hold for approximately seven to ten minutes and made a rude comment once he came back to the phone. He alleged that the Respondent did not exhibit a professional image of the agency while interacting with the Complainant.	
PROCEDURE VIOLATION USE OF LANGUAGE USE OF FORCE UNBECOMING CONDUCT	NON-SUSTAINED
IAD 10-00082 The Complainant alleged that the Respondent threatened him and used profanity. The Complainant stated that the Respondent retrieved a shotgun from his car and entered his residence without a warrant. The Complainant also alleged that the Respondent "grabbed" him by his shirt and pulled on his chain, pulled a knife, "sliced" the ticket he issued the Complainant and pointed the knife at the Complainant's wife.	
PROCEDURE VIOLATION USE OF LANGUAGE USE OF FORCE UNBECOMING CONDUCT	SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED
IAD 09-00085 The Complainant alleged that excessive force was used against his son. He stated that two unknown County police officers handcuffed his son, took him to a remote location, kicked him to the ground, and threatened to arrest him.	
PROCEDURE VIOLATION USE OF FORCE PROCEDURE VIOLATION USE OF FORCE	SUSTAINED EXONERATED SUSTAINED EXONERATED
IAD 10-00087 The Complainant alleged that he was stopped by the Respondent for no apparentin the face. The Complainant claims that he ran from the Respondent and was struck by a truck. The Complainant stated that when additional officers arrived on the scene, he became fearful for his life and ran again. The Complainant alleged that he was subsequently handcuffed, beat, and tasered, before being taken to the hospital for treatment.	
USE OF FORCE	NON-SUSTAINED NON-SUSTAINED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and **Unfounded** - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Exonerated (Proper Conduct) – The evidence proves that the alleged act(s) did not occur. The evidence disproves that all alleged act(s) occurred. However, if the act(s) were instituted, laid and honest, and Unfounded – The evidence proves that all alleged acts did not occur.

Allegations		IAD Recommendations	
	USE OF LANGUAGE USE OF FORCE		NON-SUSTAINED
IAD 09-00093	The Complainant drafted a memorandum and sent it through his chain of command at the Special Operations Division requesting a formal investigation into the actions of the Respondent. The Complainant alleged in his memorandum that the Respondent, while working a Redskins football game, left his assigned traffic post and provided an unauthorized vehicle escort for a former Redskin's motorcade. The Complainant further alleged that when he attempted to counsel the Respondent by telephone, in reference to this incident, the Respondent became abusive and profane during their conversation and ended the conversation by hanging up on him.	UNBECOMING CONDUCT PROCEDURE VIOLATION USE OF LANGUAGE	SUSTAINED NON-SUSTAINED
IAD 10-00093	The Complainant alleged that when Respondents arrested him after a chase, he was thrown to the ground, put in cuffs, and that officers kicked him in the head and stomach.	USE OF FORCE ETHICS VIOLATION PROCEDURE VIOLATION USE OF FORCE FALSE STATEMENT	SUSTAINED SUSTAINED SUSTAINED SUSTAINED SUSTAINED
IAD 09-00094	The Respondent was subpoenaed to court for three juvenile cases. She was also scheduled to work evening shift at a district station. Instead of reporting to Juvenile Court and evening shift, as schedules, she called in "Family Sick" and drove with her family out of state.	ETHICS PROCEDURE VIOLATION UNBECOMING CONDUCT	SUSTAINED SUSTAINED SUSTAINED
IAD 10-00094	The Respondent and Witness responded to a disorderly complaint. Upon arrival, the responding officers spoke with the manager and were told that the Complainant was advised to leave the property and had refused to leave. The manager asked the officers to escort the Complainant off the property. The responding officers advised the Complainant to leave the property per the request of the property manager. The Complaint alleged that the officers were rude and used profanity and force to remove her from the property.	USE OF FORCE PROTOCOL - COURTESY USE OF LANGUAGE	UNFOUNDED UNFOUNDED UNFOUNDED
IAD 09-00095	The Complainant alleged that she was boxed in by officers, causing her to stop in the middle of a traffic lane. She stated that the Respondent approached her vehicle and instructed her to pull to the right side of the roadway. She further alleged that he forcibly removed her from her vehicle and used excessive force by "throwing her up against the car" while removing her from the vehicle. She stated that she was not advised of the reason for the stop and that when she began to cry, the Respondent used profanity. She stated that other officers arrived on the scene and would not tell her why she was stopped and that they searched her vehicle without her permission.	PROCEDURE VIOLATION PROCEDURE VIOLATION PROCEDURE VIOLATION PROCEDURE VIOLATION	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; **Non-Sustained** - The evidence fails to prove or disprove that alleged act(s) occurred; **Exonerated (Proper Conduct)** - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and **Unfounded** - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

Allegations		IAD Recommendations
	USE OF LANGUAGE USE OF FORCE	NON-SUSTAINED NON-SUSTAINED
IAD 10-00095	The Complainant alleged that the Respondent knocked on her hotel room door. When she opened the door, her dog ran out of the room. The Respondent threatened to shoot the dog. Complainant also alleged that the Respondent struck her twice, knocking her to the ground.	USE OF FORCE UNFOUNDED
IAD 10-00096	The Complainant stated the Respondents used excessive force when arresting her, refused to provide medical assistance, and stole a pair of handcuffs from her residence. USE OF FORCE ATTENTION TO DUTY UNBECOMING CONDUCT ATTENTION TO DUTY USE OF FORCE ATTENTION TO DUTY UNBECOMING CONDUCT USE OF FORCE ATTENTION TO DUTY UNBECOMING CONDUCT ATTENTION TO DUTY USE OF FORCE ATTENTION TO DUTY UNBECOMING CONDUCT UNBECOMING CONDUCT USE OF FORCE	UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED UNFOUNDED
IAD 09-00098	The Respondent phoned the witness to express his displeasure to the witness about being removed from a department program. The Respondent is alleged to have used profanity related to the Chief of Police during this conversation. The Respondent was also alleged to have made several other profanity laced statements while speaking to the witness.	USE OF LANGUAGE NON-SUSTAINED
IAD 10-00098	The Complainant alleged that the Respondent was disorderly and used abusive and demeaning language during a citizen contact.	USE OF LANGUAGE NON-SUSTAINED NON-SUSTAINED
IAD 10-00099	The Complainant stated that he was stopped by the Respondents. The Complainant alleged that Respondent #1 punched him in the face twice and that Respondent #2 poured a can drink on the Complainant while he was sitting on the curb.	USE OF FORCE UNBECOMING CONDUCT NON-SUSTAINED NON-SUSTAINED
IAD 10-00100	The Complainant stated that he was stopped for a traffic violation. The Respondent was screaming and cursing at him during the traffic stop and that another officer had to calm the Respondent.	CCOP RESPONSE: As the conversation during the stop was not recorded by the MVS, as required, the CCOP recommended adding and sustaining a Procedural Violation allegation for Respondent's failure to check the audio on his MVS system. USE OF LANGUAGE USE OF LANGUAGE UNFOUNDED NON-SUSTAINED
IAD 10-00103	The Complainant alleged that the Respondent dislocated one of his limbs during an incident at an outside event.	USE OF FORCE UNFOUNDED NON-SUSTAINED

Sustained - A preponderance of the evidence proves the allegation violated departmental policy or procedure; Non-Sustained - The evidence fails to prove or disprove that alleged act(s) occurred; Exonerated (Proper Conduct) - The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper; and Unfounded - The evidence proves the alleged act(s) did not occur or the accused officer was not involved.

IAD Recommendations

	Allegations	IAD Recommendations
IAD 10-00106	Complainant alleged that the Respondents used more force than necessary while arresting her. USE OF FORCE USE OF FORCE	NON-SUSTAINED NON-SUSTAINED
IAD 10-00110	The Complainant stated that when she was denied entrance into a night club for lack of identification by the Respondents. She alleged that the Respondent pulled her arms and hair as she was attempting to leave. The Complainant alleged that the Respondents dragged her on the ground, used excessive force and abusive language while arresting her. The Complainant further alleged that the officers put her in a police cruiser without attaching a seatbelt and drove recklessly. She also alleged that the Respondents deleted videos she took of the incident from her cell phone. USE OF LANGUAGE USE OF FORCE USE OF LANGUAGE USE OF FORCE PROCEDURAL VIOLATION	NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED NON-SUSTAINED EXONERATED
IAD 10-00114	Complainant reported that while in a federal courthouse, he Respondent stood within a few inches of him, making threatening remarks. UNBECOMING CONDUCT	SUSTAINED
IAD 10-00115	The Complainant stated that the Respondent responded to her residence for a burglary call. The Complainant alleged that when the Respondent left her residence she received a text message on her cell phone from a number that she did not recognize. Complainant stated that she observed the Respondent sitting in his cruiser, texting from his phone as she was reading the message she received on her phone. UNBECOMING CONDUCT	SUSTAINED
IAD 10-00119	The Complainant alleged that the Respondent used force by snatching his keys and also used racially offensive language. The Complainant stated that he was pulled over by the Respondent. The Complainant that after waiting "30 minutes", he attempt to start his car with the intention of driving to a satellite police station located a short distance away. He stated that he was told by the Respondent not to move his vehicle and alleged that the Respondent "took my car's keys by force." He stated that the Respondent proceeded to refer to the Complainant using an ethnic slur. The Complainant received two traffic citations and alleged that he was racially profiled because the Respondent had called him an "African" and a "Nigerian." USE OF LANGUAGE USE OF FORCE	NON-SUSTAINED UNFOUNDED