



CITIZEN COMPLAINT OVERSIGHT PANEL

Prince George's County, Maryland

2016 & 2017 Combined*
ANNUAL REPORT



Rushern L. Baker, III
County Executive

2016 & 2017 Combined Annual Report

***Citizen Complaint Oversight Panel
9201 Basil Court, Suite 466
Largo, Maryland 20774***

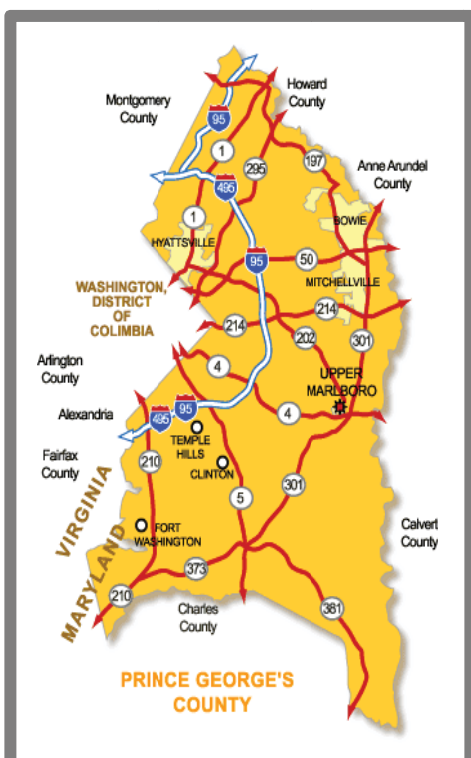
301-883-5042 Phone

301-883-2655 Fax

Click below to visit our webpage

<http://www.princegeorgescountymd.gov/644/Citizen-Complaint-Oversight-Panel>

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LETTER FROM THE CHAIR



Dear Citizens and Residents:

Since its establishment in 1990, the Prince George's County Citizen Complaint Oversight Panel (CCOP) has been part of a police accountability process that ensures anyone with a complaint regarding the conduct of an officer of the Prince George's County Police Department is able to formally submit that complaint, that their complaint is treated and investigated properly, and that there is independent oversight of the investigative process. As such, the Panel is a separate county government entity, independent of the police department comprised of citizens from throughout the county who dedicate their time to complete that mission.

For the past 28 years, the Panel has worked to ensure that police operations in Prince George's County are accountable and transparent to the citizens. As community-police relations continue to grip the national consciousness and the actions of the Prince George's County Police Department are placed under increased scrutiny, our role as a Panel needs to meet that challenge as well. It is crucial that the Panel maintains an independent and objective position that is non-apologetic in this process. Our primary mandate is to ensure that complaints against officers of the Prince George's County Police Department are thoroughly and impartially investigated. But we also need to do more to ensure that the community in Prince George's County knows about the CCOP's work and has access to its overall findings in a timely and transparent manner.

The Panel can and must do more to ensure the second part of that charge. This combined 2016-2017 Annual Report is the first step in that process. Due to long-term technical problems related to data extraction, the CCOP reluctantly had to adjust the publication of the annual report. As the problem continued to persist into early 2018, the Panel adjusted its internal processes and worked diligently over the past several months to compile the data manually as best as possible to assure that our reporting would not fall further behind. Therefore, we are publishing this combined report for 2016 and 2017. As we work out the technological challenges that hindered our most recent reporting periods, we will issue addendums to this combined report in the near future.

Nonetheless, I can attest to the earnest and diligent work that the CCOP members have put into their efforts to facilitate an accountability process that earns the confidence of the public and the police. Our primary goal is to mitigate unnecessary acts of force, violence and other incidents of misconduct. But we need to do more to communicate that to the public. Our annual reports provide valuable insights on police conduct to County residents and visitors. We will continue to evaluate our reporting process to ensure that we are accountable and transparent.

As part of our efforts to strengthen information sharing with the community, I have been working with my fellow Panel members and staff to develop a more vibrant outreach strategy. After all, the CCOP was instituted as a response to the public's call for better oversight of policing in our community. As such, we need to ensure that our work is as accessible as possible to our community.

Sincerely,

Dale A. Crowell

Dale A. Crowell
Chairman

HISTORY

Prince George's County Council legislation CB-25-1990 created the Citizen Complaint Oversight Panel (CCOP). This legislation was the result of 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 members of the Prince George's County Police Department (PGPD) for allegations of excessive force, harassment, and/or abusive language.

OVERVIEW

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 ensure their completeness, thoroughness, and impartiality. The Panel also commented on the reasonableness and appropriateness of the report recommendations.

Prince George's County Legislation CB-59-2001, effective January 10, 2002, 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. While investigative authority was given to the CCOP, the CCOP's budget did not include

funding for this initiative. CB 59-2001 also expanded the scope of investigations reviewed by the CCOP. The CCOP now reviews all complaints filed against a member of the PGPD 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 has the authority to make recommendations regarding policy changes, supervision, operational procedures, training and recruitment. 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 County demographics. The CCOP members cannot 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.

CHAIR
Dale A. Crowell

VICE-CHAIR
Mary Godfrey

MEMBERS
Michael Doaks
Andrew Ellis*
Florence Felix-Lawson**
Blanco High
Cardell Montague
Kimberlei Richardson**

STAFF
L. Denise Hall, Staff Director
Marva Jo Camp, Attorney/Administrator
Ashely M. Smalls, Administrative Aide

*Resigned 2017
**Appointed 2017

INVESTIGATIVE CLASSIFICATIONS

All incoming complaints are assigned to the following investigative categories:

Special Investigations - 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.



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



Police Supervisory Investigations (PS) - Complaints initiated by supervisory staff regarding an officer's performance or failure to perform his administrative duties. These investigations do not require the level of reviews conducted for the above categories.

Note: The Field Case (FC) classification for investigations has been eliminated. In 2014, the Department began assigning complaints designated as FC cases for IA or SI investigations.

RECOMMENDATION TYPES

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 also has the option of requesting a 10-day extension.

The Panel renders a recommendation regarding each allegation presented in the IAD Reports of Investigation and can make comments regarding the completeness and impartiality of the IAD report.

The CCOP makes recommendations on the following major types of findings offered by IAD for each charge in an investigation. They are:

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

The evidence proves that the alleged act(s) occurred, however, the act(s) were justified, lawful and proper conduct;

Unfounded

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

Additional Actions:

- **Add Allegation(s)** – The Panel’s review uncovers evidence of conduct that the Panel determines warrants a charge, but was not among the allegations listed in the investigation. The Panel outlines the

allegation, makes a recommendation that they be added and recommends a finding.

- **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 Panel also reviews investigations with a focus on identifying policy, training or disciplinary issues in need of review, update or evaluation. Concerns regarding these issues, along with recommendations are referred to the Chief of Police and noted in the annual report.

WORKLOAD **2016 & 2017**

The charts and information on the following pages provide various statistical data on cases referred to the CCOP from IAD for Calendar

Year 2016 and 2017. The data reflects the distribution of IAD investigations referred to the CCOP by type, findings, CCOP's recommendations and, in some cases, by County Councilmanic districts. The data is categorized in two major areas, investigations and allegations. Investigations refer to the number of case files referred to the CCOP for

review. Allegations refer to the number of individual incidents of alleged misconduct investigated in each case. One case file can include multiple allegations of misconduct.

The Workload section also includes several historical perspectives. Please note that 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 use of force allegations, ALL use of language allegations, departmental shootings, harassment, unbecoming conduct, criminal misconduct, procedural violations, ethical violations, and attention to duty.

Between 1991, the year it conducted its first investigation, and 2001, the year its authority was expanded, the CCOP reviewed 763 investigations. Since 2001, the CCOP has

9,818
Allegations
2001 to 2017

reviewed. Since 2001, the CCOP has reviewed 2,888* investigations for a grand total of 3,651* investigations reviewed since 1991.

The CCOP began reporting the number of allegations reviewed in 2001. Since 2001, a total of 9,818

2,888
Investigations
2001 - 2017



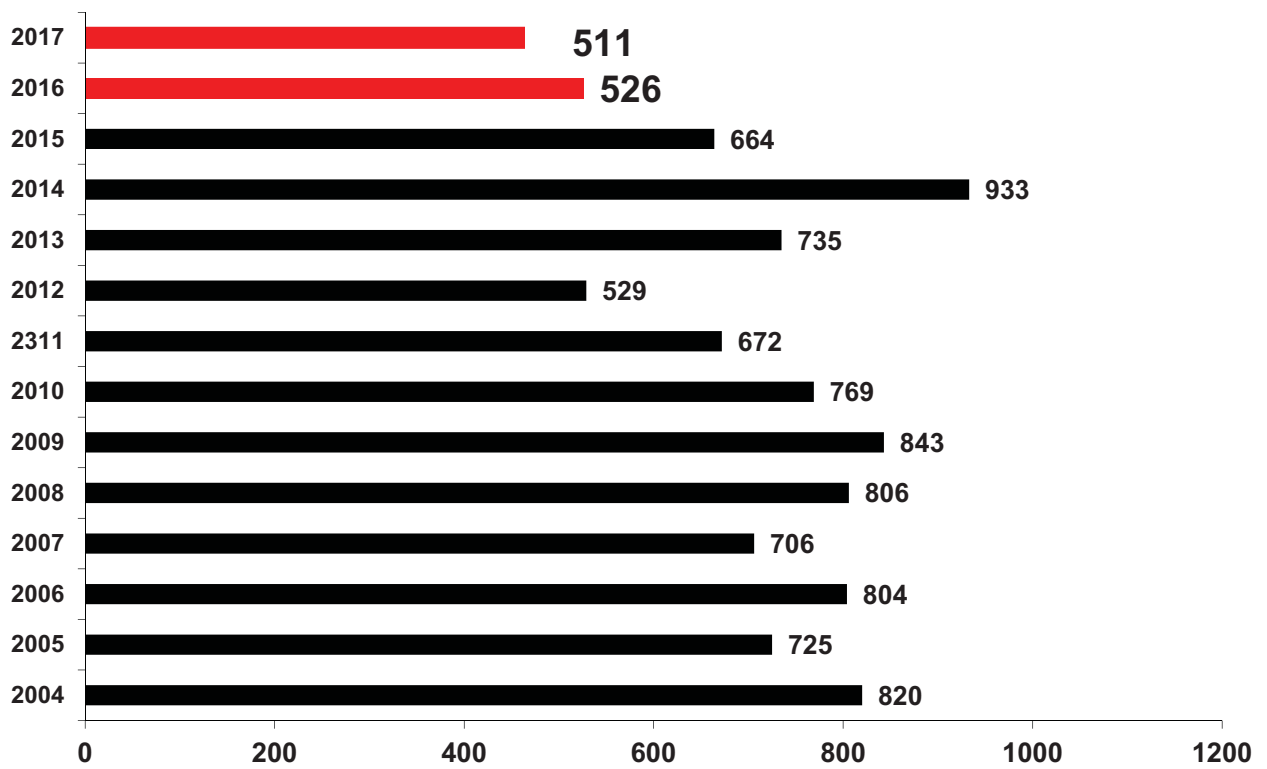
allegations have been reviewed.

There is not a one-to-one correlation in the number of complaints received by the PGPD and the number of investigations the CCOP reviews in a given year. It should be noted that investigations referred to the CCOP in a given year also include investigations completed for complaints filed in prior years. As a result, the data reported by the CCOP represents its workload for the completed investigations referred for the CCOP's review during the reporting period and is in no way illustrative of the number or level of complaints received by the PGPD during that same period.

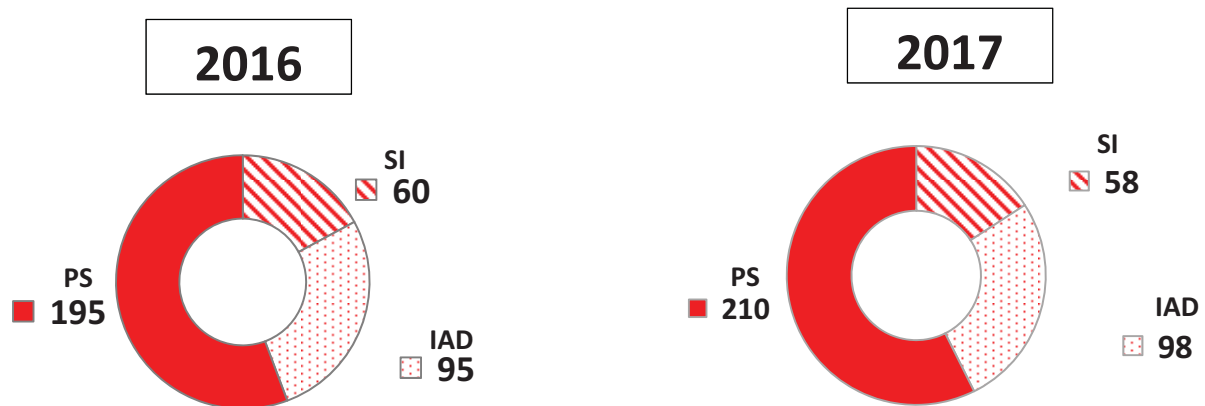
INCOMING WORKLOAD for 2016 and 2017

2017	105	IA and SI Completed investigations
	406	Incoming Complaints (including 206 PS)
2016	155	IA and SI Completed investigations
	371	Incoming Complaints (including 187 PS)

HISTORICAL PERSPECTIVE OF WORKLOAD

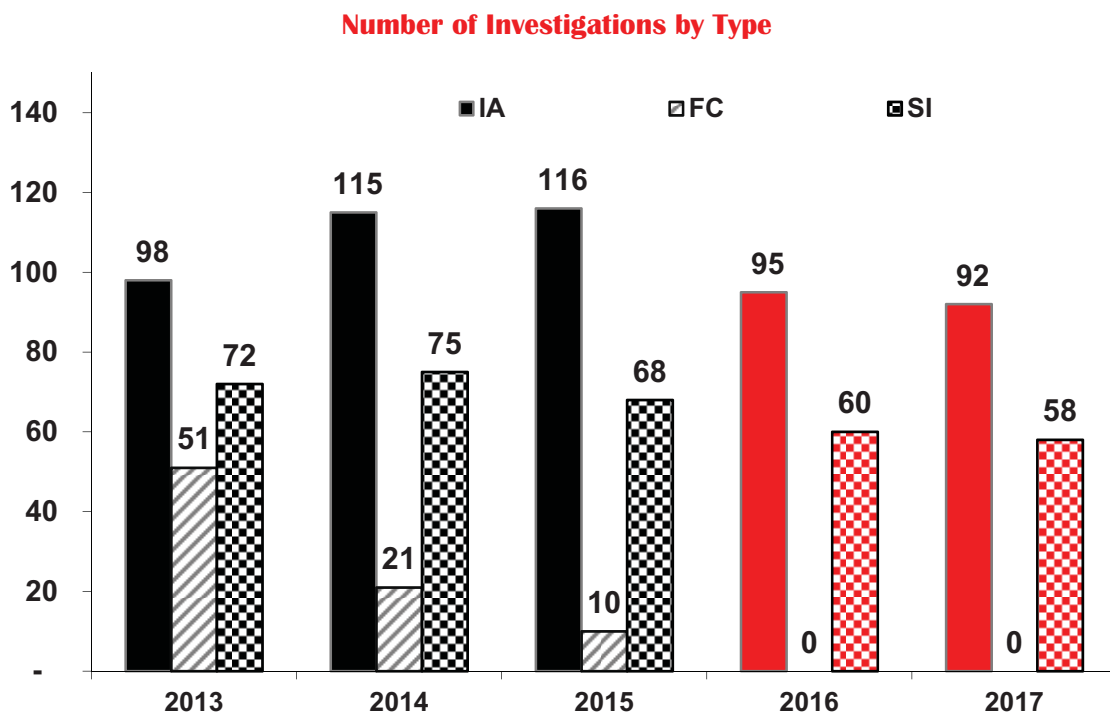


Incoming Complaints by Classification



The bulk of the Panel’s effort is on reviewing SI and IA investigations, collectively referred to as Internal Affairs Division (IAD) investigations. Supervisory (PS) investigations normally deal with personnel and administrative issues and are reviewed, processed and tracked by staff. A historical distribution of investigations received by the CCOP for a five-year period (2013-2017), by type, is shown below.

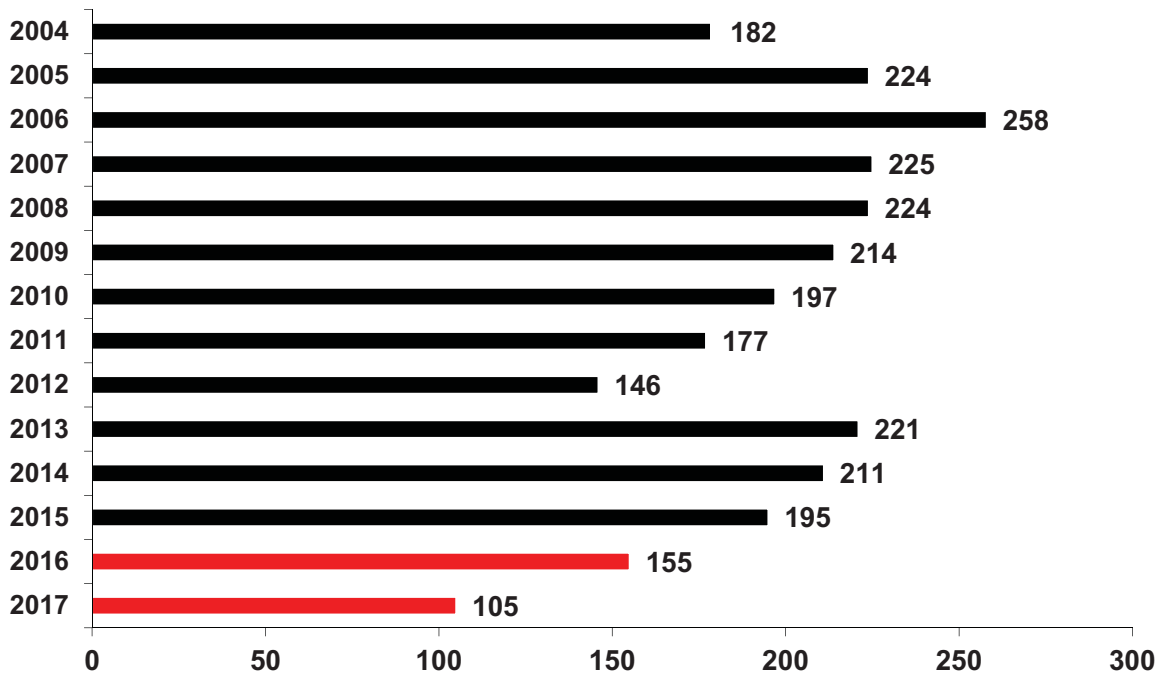
Note: The Field Case (FC) classification for investigations has been eliminated. In 2014, the Department began assigning complaints designated as FC cases for IA or SI investigations



While the number of SI cases remained relatively consistent, the number of IA investigations had greater fluctuation over the 5-year period shown above.

The chart below illustrates a historical perspective for the number of investigations reviewed by the CCOP for a longer period, 2004 – 2017. During 2006, the peak year in this period, the number of investigations was 258. However, there has been a 59% decline since that year. The number investigations reviewed for 2016 was 105.

Number of Investigations Reviewed by Year



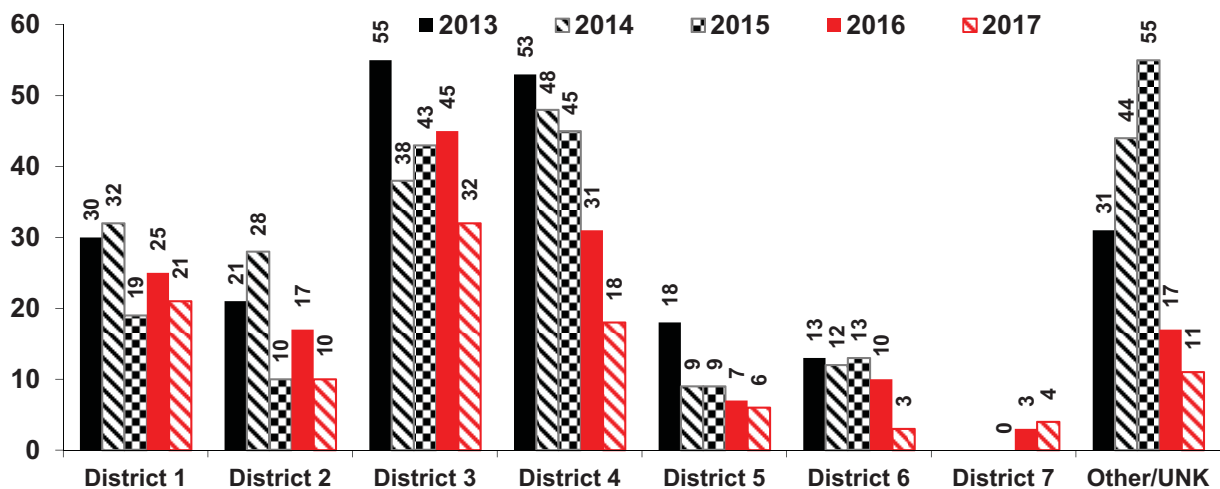
Below is the distribution of investigations by police district. As in previous years, District 3, District 4 and the category “Other” had the highest number of cases. The “Other” category refers to incidents involving officers assigned to the Department’s headquarters and to special teams and investigative units/assignments. These same districts also had the

largest decrease in complaints originating for officers assigned to their command.

Since 2013, District 3 decreased by 42%, from 55 investigations to 32; District 4 by 66%, from 53 to 18 and “Other” by 65%, from 31 to 11. These districts and assignments also cover the largest concentrations in the County.

Note: District 7 is a recently established district located in southern Prince George’s County and stats for this district were not available prior to 2015.

Number of Investigations Reviewed by District



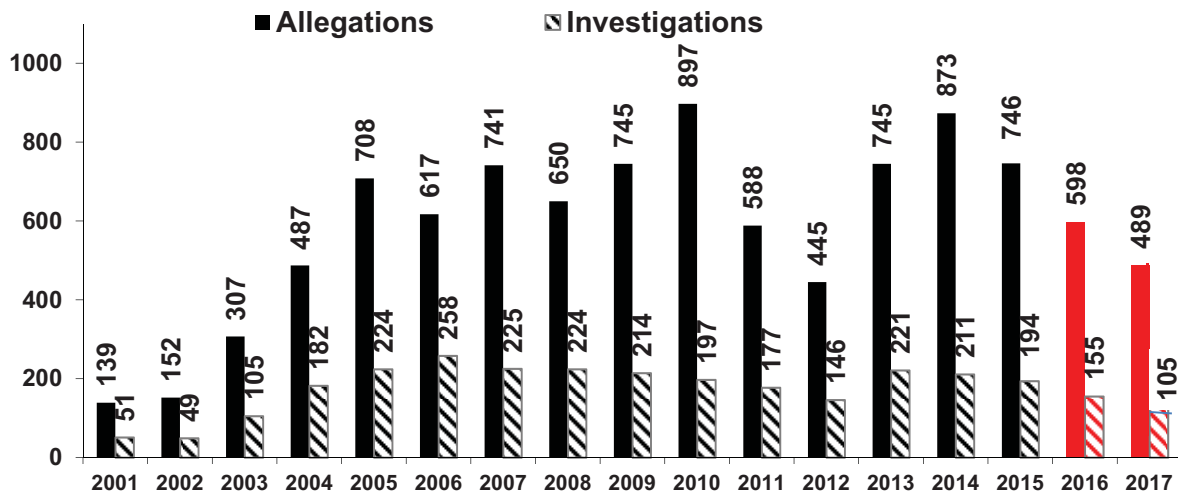
ALLEGATIONS

The number of investigations reviewed is not the sole indicator of the CCOP’s review workload. Much like a jury, the Panel must review, discuss,

and deliberate each charge or allegation presented in an investigation. Therefore, the total number of allegations is a better indicator of that workload.

The CCOP’s legislative authority was expanded in 2001, when the Panel reviewed only 139 allegations. By 2010, the peak year for allegations, this number was 897. This represented a 545% increase since the Panel’s authority was expanded. As shown in the chart below, since 2010, the pattern for the number of allegations referred to the CCOP has varied widely.

Allegations and Investigations Reviewed by Year



In 2016, the CCOP reviewed and deliberated a total of 598 allegations. In 2017, there were 489 allegations. For statistical purposes, all allegations are divided into the nine categories outlined below.

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/Credibility - False Statements and Misrepresentation of Facts.

Discharges/Firearms Related- Intentional and accidental discharges of a firearm by an officer, not as a use of force.

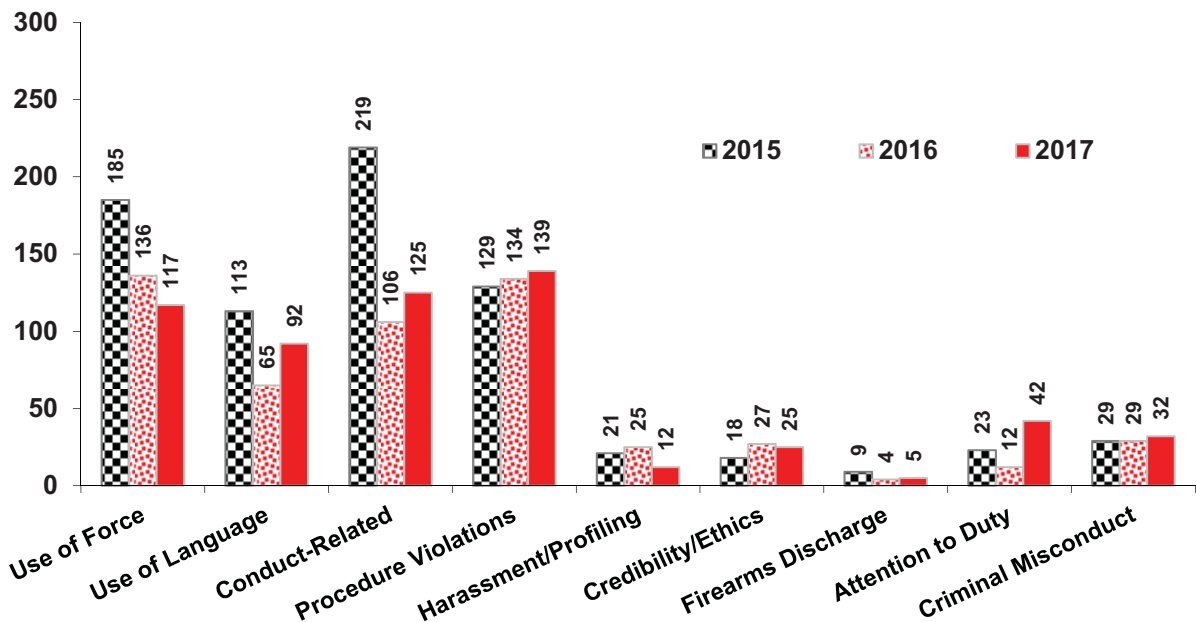
Harassment/Discrimination - Acts of unwarranted verbal or physical threats or demand, and any acts of misconduct related to a person’s race, creed, color, national origin, gender or religion.

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 –Excessive, unnecessary, and aggressive use of force.

Allegation Distribution by Type



The above chart gives a visual perspective of the distribution of allegations since 2015. There have been some notable decreases, across the board, in the distribution of allegations reviewed by the CCOP. Most notable was in the Conduct-Related category. These allegations decreased by 56%, from 219 in 2015 to 97 in 2017. Other noteworthy decreases include: Use of Force allegations decreased by 52%, from 185 in 2015 to 89 in 2017; Discharge of Fire Arms allegations decreased by 44%, from 9 in 2015 to 5 in 2017; and Harassment /Profiling allegations decreased by 43%, from 21 in 2015 to 12 in 2017. However, Attention to Duty allegations increased by 57%, from 23 in 2015 to 36 in 2017. The chart below shows a comparative distribution of allegations from 2015 to 2017.

Comparative Distribution of Allegations by Type

Allegations	2015	%	2016	%	2017	%	Chg 2015- 2017
Use of Language	113	15%	67	11%	89	18%	-21%
Use of Force	185	25%	156	26%	89	18%	-52%
Conduct-Related	219	29%	128	21%	97	20%	-56%
Procedure Violations	129	17%	145	24%	117	24%	-9%
Harassment /Profiling	21	3%	25	4%	12	2%	-43%
Ethics/ Credibility	18	2%	27	5%	18	4%	0%
Discharge of Firearm/Not Use of Force	9	1%	6	1%	5	1%	-44%
Attention to Duty	23	3%	15	3%	36	7%	57%
Criminal Misconduct	29	4%	29	5%	26	5%	-10%
Total	746		598	100%	489		

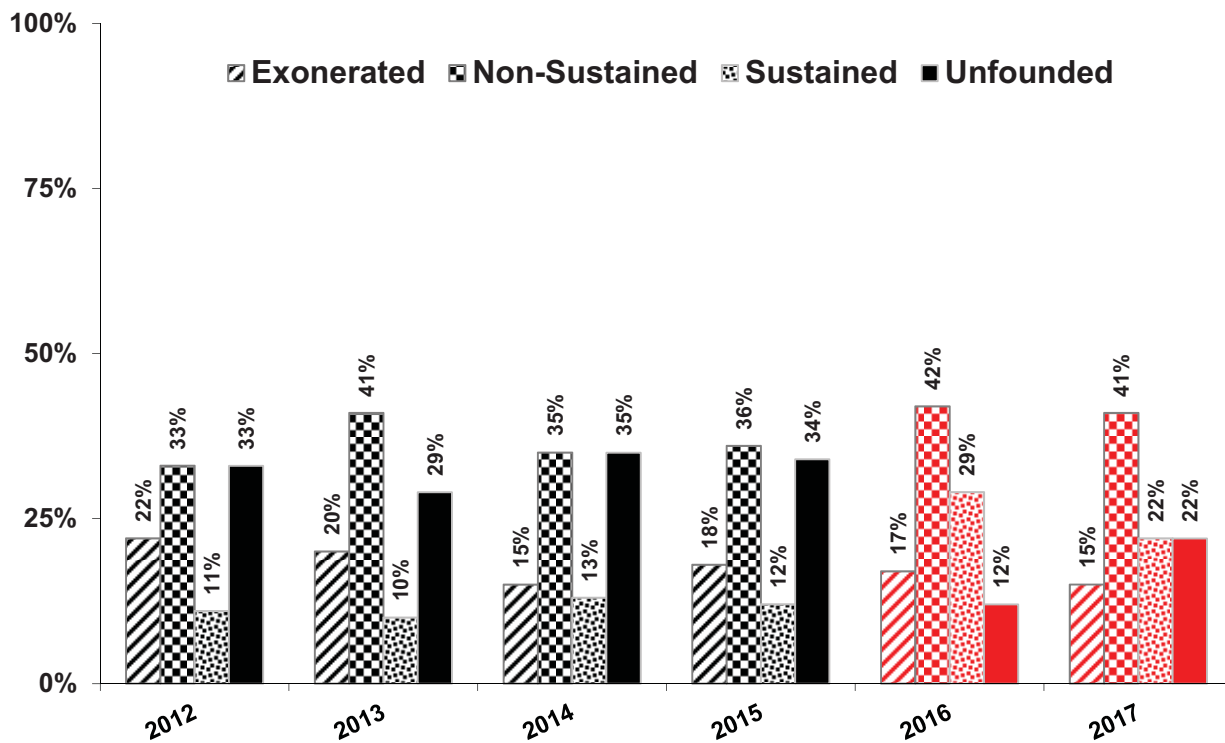
In 2016 and 2017, Conduct-Related, Use of Force, Use of Language, and Procedure Violation allegations were the most frequently reviewed allegations. This follows a historical trend. In 2016, the CCOP reviewed 156

(26%) Use of Force allegations; 128 (21%) Conducted-Related allegations; and 145 (24%) Procedure Violation allegations. In 2017, the Panel reviewed 97 (20%) Use of Force; 89 (18%) Conducted-Related; and 117 (24%) Procedure Violation allegations.

IAD RECOMMENDATIONS

When the Internal Affairs Division completes its investigations, the investigators make recommendations regarding the findings for each allegation in the case. For definition of each recommendation type, please see page 8.

HISTORICAL DISTRIBUTION OF RECOMMENDATIONS



As shown in the chart above, the relative distribution of IAD recommendations was consistent from 2012 to 2015. Non-Sustained was the most frequently recommended finding and Sustained, the least frequently recommended.

This followed a mostly historical pattern. However, this pattern changed for both 2016 and 2017, when the percentage of recommendations to sustain allegations was higher than recommendations to exonerate and, higher or equal to recommendations to unfound.

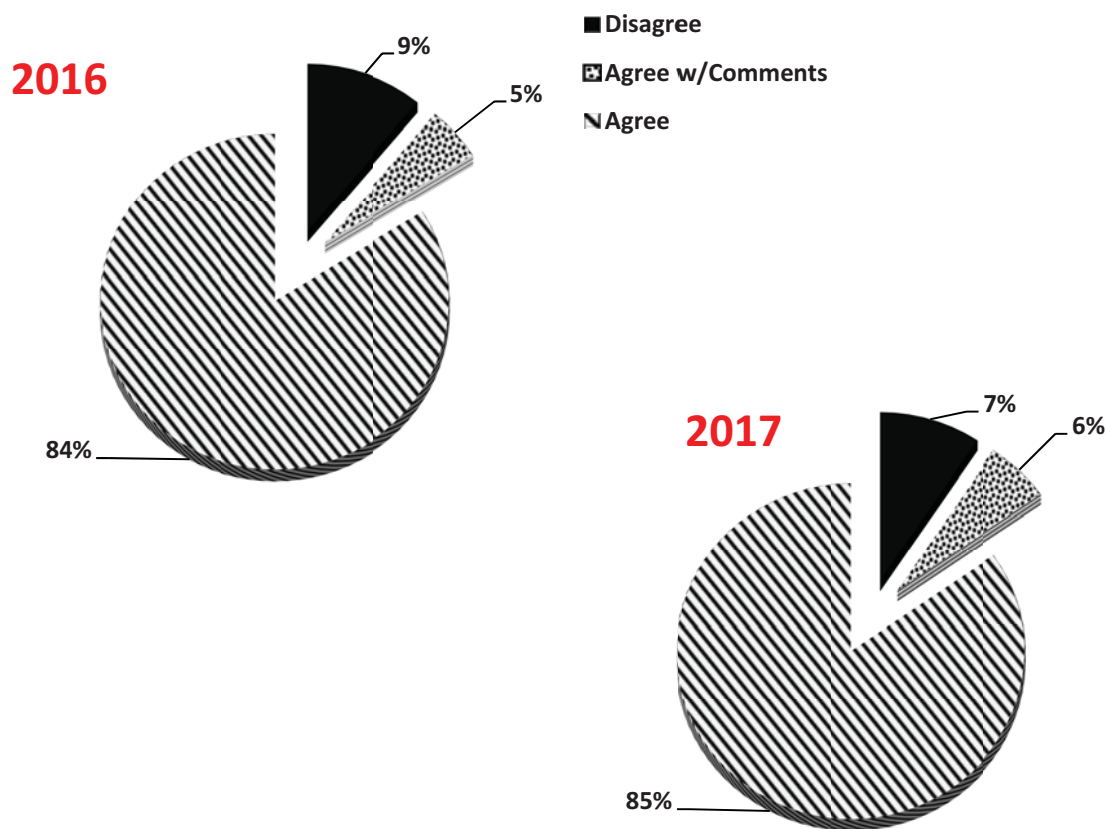
This is a significant change. The Panel considers this a possible indication of a future trend. Also, it is consistent with the improvements the Panel has noticed in the quality and thoroughness of the investigations it has reviewed over the past four years.

CCOP RECOMMENDATIONS

In 2016, IAD referred 590 allegations. Based on its reviews, the CCOP recommended an additional eight. In 2017, the IAD referred 482 allegations and CCOP recommended an additional seven.

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.

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 or response. In 2016, the CCOP disagreed with IAD findings, rendered comments or recommended additional allegations in 14% of the investigations reviewed by the CCOP. In 2017, the rate was 13%. This is a slight decrease from prior years, when this rate clustered at 18%-20%.



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. The Panel believes this is due, in part, 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.

Nonetheless, 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 allegations be added to the list of charges.

CASE PROCESSING TIME FRAME

When the number and/or complexity of investigations and allegations increased, the CCOP adjusted its meeting schedule. The Panel now meets 4-5 evenings per month 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 special efforts, however, the CCOP was sometimes unable to meet the legislatively mandated time of no more than 40 work days to complete case reviews and prepare recommendations to the Chief. In 2016 and 2017, the Panel was able to review, deliberate, and rendered its

opinion to the Chief within the legislatively mandated time of no more than 40 work days approximately 90% of the time.

OUTREACH

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*

In 2016 and 2017, the CCOP participated in limited outreach. The CCOP continued to inform the public of its services via its web page found on the Prince George's County Government's web site located at www.princegeorgescountymd.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. The CCOP's annual report is published online only. Click the All Archive link to see prior reports not shown in list.

The CCOP was included in the 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.

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. In 2017, the Panel provided technical assistance to the Charles County NAACP, as they considered implementing a form of civilian oversight in their jurisdiction. The Panel Chair and Staff Director attended a listening session in Chesapeake Beach, Maryland.

Additionally, the Panel Chair participated on the Department's Equality for Promotions, Discipline, and Practices Panel with other community leaders and officials. This body was charged with handling issues arising from complaints of discrimination and civil rights violations from officers with the Department. The Panel's Staff Director also provided a presentation to this group and answered questions about CCOP's observations.

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.

In 2017, all seven Panel members participated in Judgmental Shooting Training at the Police Department's training center. The Panel also conducted five meetings with various Police Department representatives between 2016-2017 to discuss patterns, trends and issues. Some of the concerns discussed included case processing time frames, patterns related to MVS uses, problems with secondary employment in "rent jobs", alcohol usage, and judgement. See the issue section below for more details on the Panel's concerns regarding these issues.

ISSUES

Each year, the CCOP's annual report outlines critical issues related to the Panel's complaint review responsibilities, the PGPD policies and training, as well as community and citizen relations. The issues noted below for 2016 and 2017 were of concern to the Panel. They represent both issues that have been raised in previous years, as well as ongoing issues that have gained more attention during the most recent year.

Officers Involved in Scenarios Related to “Rent Deals”

Issue: In 2016 and 2017, the CCOP noticed a pattern of officers involved in complaints that arose from incidents that took place at the officer’s place of residence. In particular, this was related to officers who receive “rent deals”. This is a scenario where an officer received a discounted rent for living quarters by the owner or manager of a rental property. As part of this arrangement, the officer acts as an enforcement agent and helps the owner or manager of the property to maintain order and public safety.

RECOMMENDATION: The Panel recognizes the benefits of such arrangements to a community. It is helpful to have individuals living in a community who can respond to disturbances or help maintain public safety. The Panel also acknowledges that there is nothing in the General Orders Manual that prohibits such an arrangement with the Department’s officers. However, the Panel also notes that the General Order Manual does not contain any provision that addresses this type of arrangement. Considering the fact that such an arrangement does provide a benefit of sorts to an officer, while simultaneously benefiting the surrounding community, the Panel recommends that the Department develop a provision to include in the General Orders Manual that helps clarify the rules and responsibilities of officers who partake in such an arrangement. Specifically, while a “rent deal” is not necessarily secondary employment, the benefits received by an officer and the actions taken by that officer with such a deal are somewhat akin to secondary employment. Therefore, the Panel believes it would help the Department to clarify the duties and responsibilities of an officer participating in such an arrangement.

De-Escalating Situations and Training for Inherent Bias

ISSUE: As in previous years, the Panel reviewed several incidents where the actions of the officer quickly and seemingly unnecessarily escalated a situation resulting in a use of force or other actions taken by the officer against a citizen. Additionally, there have been cases where citizens interacting with police officers stated that they believed that they experienced biased treatment from officers. The conduct of officers towards all of the residents of the county reflects strongly on the reputation of the Department and should be the most exemplary form of interaction with the county's residents and visitors

RECOMMENDATION: The Panel understands that officers need to control situations in order to ensure their safety and the safety of others, but attempts at de-escalation must be made in incidents when there is no imminent threat of injury or bodily harm. The Panel recommends a bolstering of training by the Department in de-escalation techniques and actions. This is especially important during incidents which involve emotionally disturbed persons. Additionally, the Awards Committee of the Department should attempt to recognize officers who successfully deescalate contentious situations. The Panel recommends that the department develop a new award ribbon to be presented to officers who successfully de-escalate a situation where force otherwise would have been necessary.

The Panel also recommends that the Department enhance its existing training related toward inherent or implicit bias. This is not a critique necessarily directed at any single specific action or situation

encountered by the Panel in 2016 or 2017, but instead a reflection of the need in these times of heightened societal concern about policing that the Department enhance its efforts to assure that its officers strengthen positive interaction with residents and visitors to the county and work together with the community to enhance public safety.

Lack of Functioning Mobile Video Systems (MVS) during Traffic Stops

ISSUE: As seen in many cases in previous years, video evidence in many cases could have helped to more clearly resolve allegations. Numerous cases which involved traffic stops may have benefited from properly used or adequately functioning audio visual equipment. Unfortunately, a pattern continues 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 and properly downloading the video upon return to their stations.

RECOMMENDATION: Since 2011, the CCOP has continued to recommend that the department develop a long-term plan to provide operational video monitoring equipment in all departmental vehicles used for patrol. The CCOP continues to make this recommendation. Additionally, the CCOP recommends that officers be given periodic training to remind them of the necessity and benefit of properly functioning video monitoring equipment. The Panel also believes that the use of body cameras would also prove helpful and recommends the Department implement this type of program as soon as possible.

As in past years, 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 new vehicles are acquired. The CCOP continues to call for more vehicles in the fleet to have updated MVS and projections on when the older vehicles will be phased out and the rest of the fleet will receive updated MVS.

Additionally, as in 2015, the Panel has been advised that a pilot project for body cameras was in the final stages of planning and would be implemented in the near future. The Panel would like to receive regular updates on this pilot project and recommends that any evidence collected from these body cameras in cases investigated by the Department be included in any reviews conducted by the Panel.

Also, the Panel recommends that the Department work at its fullest deliberate speed to implement the widespread use of body cameras throughout the entire department.

Videotaping of Officers by the Public

ISSUE: Officers should realize that they are subject to being videotaped by members of the public at all times, while working or operating a county vehicle or while taking official police actions. The PGPD adopted an internal policy on videotaping by members of the public in 2016 which stated that officers were not allowed to interfere with the videotaping of police activities carried out in the public domain so long as such videotaping did not interfere with the police carrying out their

duties. Nevertheless, the CCOP has continued to review incidents where officers attempted to confiscate or confiscated cellular phones of members of the public who were attempting to videotape them, which is a constitutionally protected right. Officers enjoy no expectation of privacy while performing police duties and should assume that they are being videotaped at all times while working. Often, videotaped footage of officers by citizens shows that the officer was acting in a proper manner.

RECOMMENDATION: The Panel recommends the Department continue to emphasize to their officers, during training, and provide regular reminders, that officers should focus on following departmental procedures rather than being concerned about being videotaped and that citizens have a right to record officers' conduct while on duty and during their performance of police functions

Questionable Judgment, Ethics, and Misrepresentation of Facts

ISSUE: As noted in previous annual reports, the overall number of specific cases involving this broader category related to proper judgment is relatively small. The conduct does not involve or reflect the actions of the clear majority of officers, who instead conduct themselves in a highly professional manner. Nonetheless, the Panel's review of cases in 2016 and 2017 did reveal a continuing trend from 2012, 2013, 2014, and 2015 where it noted some glaring cases of officers exercising questionable judgment, a lack of attention to duty, or situations that could cast doubt on their ethical behavior or the proper representation of facts.

RECOMMENDATION: The Panel continues to recommend that the Department review its training and orientation related to ethics and proper behavior and that all officers—from newly sworn officers to longtime experienced officers and commanders—maintain the highest level of ethics and sound judgment that the community depends upon for proper law enforcement and public safety. The Panel will continue to schedule meetings with the Department to discuss best practices used nationally and would advise the Department to seriously consider bolstering the training related to ethics for new recruits, veterans, and command staff.

Investigative Process and Timeliness of Review

ISSUE: The Panel recognizes that investigations have overall become more thorough and broader in scope and investigators are more diligent in delineating and fully charging officers. However, the CCOP notes that during the second half of 2017, some investigations have continued to reach the Panel with little time left for a thorough review by members or even after the appropriate deadline established by the Law Enforcement Officers Bill of Rights (LEOBR) has passed.

RECOMMENDATION: The Panel understands the challenges the Department has when new investigators begin their responsibilities as there will be periods of adjustment. Working closely with the Department, the Panel has established an enhanced marking and monitoring process to keep the deadlines of both the 30-day review period established for the Panel as well as the one-year deadline established by LEOBR in the forefront of the review process. It is anticipated that with this improved process, cases will be fully reviewed and returned to the Department with

enough time for it to take any disciplinary actions related to the investigations.

Consumption of Alcohol and Use of County Vehicles

ISSUE: While the Panel recognizes that the number of cases involving officers consuming alcohol and subsequently using county vehicles has not increased dramatically in 2016 and 2017 compared to levels of previous years, a particular technical issue in interpreting the General Orders Manual continues to create challenges. Specifically, there appears to be some technical ambiguity relating to two provisions that address the consumption of alcohol and the use of official vehicles. Volume I, Chapter 10, Section 2 addresses the prohibited uses of county vehicles. In this section, it specifically notes that no officer may drive a county vehicle after consuming alcohol. Meanwhile, Volume II, Chapter 22 of the General Orders Manual states that officers may not drive a county vehicle while under the influence of alcohol or other impairing substances. The challenge arises when trying to determine which measure is the most appropriate to apply to investigations involving the consumption of alcohol and driving county vehicles. Additionally, neither policy delineates what would be a permissible period of time between the consumption of alcoholic beverages and operating a county vehicle, nor the amount of consumed alcohol. There have been some cases where the lack of clarity on these issues made it difficult for the Panel to assess and come to a consensus on what was reasonable given the facts of the case. The lack of specificity regarding the time allowed and quantity of alcohol consumption permitted could result in the uneven application of the rule and inconsistency in the severity of sanctions recommended for officer behavior.

RECOMMENDATION: The Panel notes that the Department, for several years, has applied the more stringent of the two provisions of the General Orders Manual (Volume I, Chapter 10, Section 2) when conducting investigations. While the Panel recognizes the Department's position to enforce the stricter of the two contradictory provisions, it recommends that the Department clarify the issue with a revision to the General Orders that establishes a clear and enforceable standard to help eliminate any ambiguity about the issue.

Officers Working Secondary Employment in Bars and Night Clubs

ISSUE: The Panel has continued to review some cases in 2016 and 2017 involving Prince George's County Police Officers working secondary employment in bars and nightclubs where the officer's actions appear to have blurred the lines between acting as an employee of the establishments versus carrying out actions as a sworn police officer. Such actions as screening or searching patrons entering an establishment, removing patrons that fail to leave promptly when an establishment closes or controlling parking as well as ingress and egress in private parking lots are typically actions performed by private personnel hired by such establishments. The Panel has noted, in a few instances, that officers have carried out such employee-related activities and then exerted police actions up to and including the use of force and the arresting of persons. In at least one instance what might have been a simple request to leave an establishment resulted in a use of force resulting in broken bones and an arrest because a patron failed to follow the orders of the officer promptly.

RECOMMENDATION: The Panel notes that the Department has a clear and established policy governing secondary employment which specifies the procedures for obtaining approval for secondary employment as well as reporting on the actual time of performance of secondary employment as a routine matter. This policy has noticeably reduced the overall number of secondary employment violations compared to previous years. However, it appears that considerable latitude remains regarding the actions of officers when performing secondary employment, particularly in nightclubs and bars. It is the Panel recommends that additional specificity be considered in defining what roles officers should perform when working for such establishments. For example, if officers are only to act as keepers of the peace (that is not as general employees) then those actions should be a limiting factor for other non-peace keeping activities. Consequently, if officers are permitted to manage vehicular egress upon the closure of a facility then it is recommended that those actions be specified.

Additional Information

**Glossary of Terms
Enabling Legislation
Complaint Form (1072)
Complaint Process**

GLOSSARY

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.

LEGISLATION

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

Legislative Session 1990

Bill No. CB-25-1990

Chapter No. 30

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

Introduced by Council Members Bell, Mills and Pemberton

Co-Sponsors

Date of Introduction June 12, 1990

BILL

AN ACT concerning

Citizen Complaint Oversight Panel

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

BY repealing:

SUBTITLE 2. ADMINISTRATION.

Section 2-231,

The Prince George's County Code

(1987 Edition, 1988 Supplement).

BY adding:

SUBTITLE 2. ADMINISTRATION.

Section 2-231,

The Prince George's County Code

(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

1 the investigation was complete, thorough, and impartial.

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

8 Sec. 18-186.02. Definitions.

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

11 (1) "Abusive language" means harsh, violent, profane or
12 derogatory language which would demean the dignity of any person.

13 "Abusive language" includes, but is not limited to, profanity, and
14 racial, ethnic or sexist slurs.

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

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

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

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

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

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

1 the Prince George's County Police Department.

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

3 Sec. 18-186.03. Citizen Complaint Oversight Panel created;

4 composition; appointment; compensation.

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

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

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

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

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

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

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 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 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

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

4 (e) After the Chief of Police has reviewed the comments and
5 recommendations of the Panel, the Chief of Police may proceed to act
6 upon the recommendations of the Internal Affairs Division in
7 accordance with the provisions of Article 27, Sections 727 through
8 734D of the Annotated Code of Maryland.

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

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

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

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

(c) The investigation and hearing by the Human Relations

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

7 Sec. 18-186.08. Duties of the Panel.

8 (a) For every investigation into alleged use of excessive
9 force, abusive language or harassment by a law enforcement officer,
10 the Panel shall review the report of the Internal Affairs Division
11 and the report of investigation and hearing by the Human Relations
12 Commission, if provided by the Human Relations Commission within the
13 time set forth in Sections 2-231 and
14 18-186.07 (a) of this Code.

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

22 (1) Sustain the complaint;

23 (2) Approve, disapprove or modify the recommendations of
24 the Internal Affairs Division;

25 (3) Dismiss the complaint because of lack or
26 insufficiency of evidence;

27 (4) Exonerate the police officer because of the absence
of clear and convincing evidence;

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

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

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

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

26 (f) Upon direction of the Chairperson of the Panel, a member
27 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
5 activities.

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

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

14 Adopted this 3rd day of July, 1990.

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

17 BY: *Jo Ann T. Bell*
18 Jo Ann T. Bell
19 Chairman

20 ATTEST:

21 *Jean M. Schmitt*
22 Jean M. Schmitt, CMC
23 Clerk of the Council

24 APPROVED:

25 BY: *Parris N. Glendening*
26 Parris N. Glendening
27 County Executive

DATE: July 12, 1990

EFFECTIVE: AUGUST 27, 1990

KEY:

Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

Legislative Session 1994

Bill No. CB-44-1994

Chapter No. 56

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

Introduced by Council Member Pemberton

Co-Sponsors _____

Date of Introduction June 14, 1994

BILL

AN ACT concerning

Citizen Complaint Oversight Panel

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

BY repealing and reenacting with amendments:

SUBTITLE 18. POLICE.

Section 18-186.03,

The Prince George's County Code

(1991 Edition, 1992 Supplement).

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

SUBTITLE 18. POLICE.

DIVISION 5. POLICE DEPARTMENT.

Subdivision 3. Citizen Complaint Oversight Panel.

Adopted this 19th day of July, 1994.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: F. Kirwan Wineland
F. Kirwan Wineland
Chairman

ATTEST:

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

APPROVED:

DATE: August 2, 1994

BY: Parris N. Glendening
Parris N. Glendening
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.

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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 1. 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:

SUBTITLE 2. ADMINISTRATION.

DIVISION 12. HUMAN RELATIONS COMMISSION.

Subdivision 8. Discrimination by Law Enforcement Officers.

Sec. 2-229. Prohibited acts by law enforcement officers.

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

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

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

* * * * *

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

Notwithstanding the provisions of [Section 2-230, if a complaint pursuant to] Section 2-229 if a complaint filed with the Commission 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 accordance with Sections 2-205 and 2-206 of this Code, and shall report in writing its comments and recommendations] forward a copy of the complaint and all related documents to the Chief of Police and to the Citizen Complaint Oversight Panel, within [twenty (20)] one working day[s] after the receipt of the complaint by the Commission [completion of the investigation by the Internal Affairs Division, in accordance with the provisions of Sections 18-186.01 through 18-186.08 of this Code].

SUBTITLE 18. POLICE.

DIVISION 5. POLICE DEPARTMENT.

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
10 or control another person regardless of whether injury occurs, accidentally discharged a firearm,
11 a person dies during a law enforcement officer's use of force or while in the custody of a law
12 enforcement officer, or a law enforcement officer or other person has filed a complaint with the
13 Prince George's County Police Department or the Citizen Complaint Oversight Panel regarding
14 the conduct of a law enforcement officer, the public needs assurance that the investigation is
15 complete, thorough, and impartial, and that the report and recommendations of the investigating
16 unit are reasonable and appropriate under the circumstances.

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

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

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

29 **Sec. 18-186.02. Definitions.**

30 (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
25 Division;

26 (3) Dismiss the complaint because of lack or insufficiency of evidence;

27 (4) Exonerate the police officer because of the absence of clear and convincing
28 evidence;

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

30 (1) Sustained. A preponderance of the evidence proves that the alleged act or acts
31 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 taped, 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.

COMPLAINT FORM



**PRINCE GEORGE'S COUNTY POLICE DEPARTMENT
COMPLAINT AGAINST POLICE PRACTICES**

Headquarters:
7600 Barlowe Road
Palmer Park, MD 20785
301-772-4778

Internal Affairs Division
6707 Groveton Drive
Clinton, MD 20735
301-856-2660

TODAY'S DATE: _____

YOUR NAME: _____
 (LAST) (FIRST) (MIDDLE) (DATE OF BIRTH)

YOUR ADDRESS: _____
 (STREET)

 (CITY, STATE, ZIP CODE) (PHONE NUMBERS)

WHERE CAN YOU BE REACHED DURING THE DAY? _____
 (ADDRESS) (PHONE NUMBERS)

IF YOU ARE VISITING THE WASHINGTON AREA, WHERE CAN YOU BE CONTACTED IN THIS AREA?

 (ADDRESS) (PHONE NUMBERS)

WHEN AND WHERE DID THE INCIDENT THAT YOU ARE COMPLAINING ABOUT OCCUR? _____
 (DATE & TIME)

(ADDRESS OF INCIDENT OR DESCRIBE LOCATION/AREA 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? PLEASE DESCRIBE WHAT HAPPENED IN YOUR OWN WORDS. (USE EXTRA PAPER, IF
 NECESSARY, AND ATTACH TO THIS FORM)

PLEASE READ THE REVERSE SIDE OF THIS FORM

YOUR SIGNATURE _____ WITNESS TO YOUR SIGNATURE _____

RECEIVED BY THE POLICE DEPARTMENT _____ BY MAIL _____ IN PERSON _____

BY: _____ ID#: _____ 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. THE VALIDITY OF A THOROUGH INVESTIGATION DEPENDS UPON TIMELY AND TRUTHFUL INFORMATION.

Maryland Public Safety Code, 3-104 (C) (1) (I-IV) and 3-104 (D) and 2016 MD Legislation HB1016

A complaint against a law enforcement officer, alleging brutality in the execution of his duties, may not be investigated unless the complaint is sworn to under penalty of perjury by one of the following: the aggrieved person; a member of the aggrieved person's immediate family; any person with firsthand knowledge obtained as a result of the presence at the alleged incident; someone who has a video recording of the incident, that, to the individuals knowledge, is unaltered, or; by the parent or guardian in the case of a minor child. 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 366 days of the alleged brutality.

Maryland Public Safety Code, 3-113

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 Maryland Criminal Law Code Annotated, 9-501. (1977, ch. 366.)

Maryland Criminal Law Code Annotated, 9-501

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

(DATE)

WITNESS SIGNATURE

(DATE)

Witness Address:

Witness Phone:

**Prince George's County Police Department
Complaint Against Police Practices
Form Completion Instructions**

After the Adobe PDF form is downloaded onto your computer screen:

For complaints NOT INVOLVING police brutality:

- 1) Print a copy of page 1
- 2) Fill out the form completely with as much detail as possible
- 3) Incomplete information may delay the investigation
- 4) Make 2 extra copies of the completed form
- 5) The completed original and one copy may be hand delivered to any County Police station
 - The Police Department will take possession of the original form and 1 copy
 - You should keep 1 copy for your records
- 6) Or mail the original and 1 copy to:

**Prince George's County Police
Internal Affairs Division**
6707 Groveton Drive
Clinton, Maryland 20735

OR

**Prince George's County Government
Citizen Complaint Oversight Panel**
9201 Basil Court, Room 466
Largo, Maryland 20774

For complaints INVOLVING police brutality:

- 1) Print 3 copies each of pages 1 and 2
- 2) Fill out all 3 copies of page 1 completely with as much detail as possible
- 3) Incomplete information may delay the investigation
- 4) Cause the completion of all 3 copies of page 2 by:
 - A witness
- 5) You can hand deliver 2 of the completed copies of pages 1 and 2 to any County Police station
 - You should keep 1 copy of page 1 and 2 for your records
- 6) Or mail 2 of the completed copies of pages 1 and 2 to:

**Prince George's County Police
Internal Affairs Division**
6707 Groveton Drive
Clinton, Maryland 20735

OR

**Prince George's County Government
Citizen Complaint Oversight Panel**
9201 Basil Court, Room 466
Largo, Maryland 20774

COMPLAINT PROCESS

Complaint Processing

