



# HARFORD COUNTY SHERIFF'S OFFICE PERSONNEL POLICY

## Office of Professional Standards

<b>Distribution:</b>	<b>All Personnel</b>	<b>Index:</b>	<b>PER 0209</b>
<b>Responsible Unit:</b>	<b>Office of Professional Standards</b>	<b>Rescinds:</b>	<b>PER 0209 (dated 10/01/16)</b>
<b>DLI Program:</b>		<b>MD Code:</b>	

<b>Issued:</b>	<b>10/01/21</b>	<b>Reviewed:</b>	<b>09/30/21</b>	<b>Next Review:</b>	<b>09/30/24</b>
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### 1. Purpose

To describe the purpose and responsibilities of the Office of Professional Standards (OPS).

### 2. Policy

It is the policy of the Harford County Sheriff's Office (HCSO) to maintain the public's trust by policing itself through the use of the OPS.

### 3. Procedures

#### A. Chain of Command

The Commander of OPS:

1. will report to the Bureau Chief of the Investigative Services Bureau; and
2. may report directly to the Sheriff should the need arise.

#### B. Purpose

1. The OPS will ensure all allegations and complaints of misconduct against deputies are investigated and progressive disciplinary action is taken to ensure the mission of the HCSO is achieved and its values are upheld.
2. The OPS is the central repository for all investigations and records of administrative actions.

#### C. Responsibilities

##### 1. Administrative

- a. Record, register, and control the investigation of complaints against personnel.
  - (i) Maintain a "Complaint Against Personnel" master log and assign a CaseControl Number for each complaint.

- (ii) Receive faxed/emailed copies of Complaint Against Personnel (Form IA-028) from Commanders.
    - (iii) Will record case dispositions for all Case Control Numbers.
  - b. Supervise and control the investigation of alleged or suspected misconduct within the HCSO.
  - c. Maintain the confidentiality of internal investigations and records.
    - (i) Ensure there is a written record of every complaint against the HCSO or its employees, and of all disciplinary actions.
    - (ii) Ensure all records are permanently filed in a secure location at the OPS office in compliance with the filing and retention schedule.
    - (iii) Ensure records relating to an administrative or criminal investigation of misconduct by a law enforcement deputy are allowed inspection according to Maryland law by:
      - 1. The United States Attorney;
      - 2. The Attorney General;
      - 3. The State Prosecutor; or
      - 4. The State's Attorney for the jurisdiction relevant to the record.
  - d. Annually, prepare a summary and analysis report in the prescribed format, of all complaints against personnel that were investigated during the previous year. The report will be forwarded to the Sheriff by March 1 and include recommendations for in-service training and policy revisions.
2. Assignment of Cases for Investigation

The OPS will conduct administrative investigations of allegations of police misconduct in the following cases. This list is not all inclusive and the Sheriff or Chief Deputy may reserve or delegate investigations of any complaint, at their discretion.

- a. Allegations of Sexual harassment;
  - b. ex parte/protective orders;
  - c. allegations of domestic violence;
  - d. arrests of employees for violations of criminal and motor vehicle laws;
  - e. allegations of sexual or racial misconduct;
  - f. civil liability suits against members of the HCSO;
  - g. allegations of corruption;
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- h. allegations of gross misconduct;
- i. allegations of the use of excessive force/brutality;
- j. incidents involving the use of deadly force (including shootings and any accidental or unintentional discharge of firearms);
- k. allegations of misconduct against deputies by an allied agency; and
- l. all other administrative investigations that may be assigned by the Sheriff.

### 3. Oversight Activities

Complaints not investigated by OPS will be delegated to line supervisors through Division Commanders for investigation. OPS will exercise oversight over all investigations to ensure competent and timely investigations with a fair resolution.

### 4. Allied Agency Investigations

The OPS will conduct internal investigations for allied law enforcement agencies only when authorized by the Sheriff.

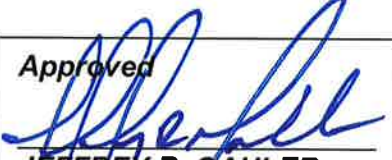
- a. An allied law enforcement agency may request the HCSO to conduct an internal investigation for their department. The request must be made in writing and must be submitted by the chief executive of the requesting municipality and/or political sub-division directly to the Sheriff.
- b. The Sheriff will review all requests and decide whether the HCSO will conduct the investigation. All decisions by the Sheriff as to whether the HCSO will conduct an internal investigation for an allied law enforcement agency will be made in writing to the individual making the request.
- c. When the Sheriff declines a request, the matter is closed and no further action is necessary.
- d. When the Sheriff accepts a request, the OPS will be notified and a Non-Agency Investigation (NAI) tracking number will be assigned.
- e. When the investigation is complete, the original investigative report, including any recordings and appendices will be forwarded through the Commander of the OPS to the requestor.
- f. A complete copy of the investigative report, including any recordings and appendices, will be maintained by the OPS for five years, and then destroyed.

### 5. Administrative Hearings

The OPS will coordinate and direct administrative hearings in accordance with the procedures established in HCSO Policy PER 0208.

6. Early Intervention Program (EIP)

The OPS Commander will monitor the EIP, assess and evaluate the alert circumstances, and make the appropriate notifications as established in HCSO Policy PER 0210.

Approved  
  
JEFFREY R. GAHLER  
SHERIFF  
DATE 9/30/2021