



ABERDEEN POLICE DEPARTMENT

Letter from NAACP-Harford County Harford County Caucus of African American Leaders Dated June 6, 2020

Response, June 11, 2020, by Chief Henry G. Trabert

The Aberdeen Police Department is accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA). Since 2015, many of these 10 Actions for a Better Harford County have been in compliance. This report describes the associated CALEA Standard requirements and the Aberdeen Police Department's compliance to each action. The Exhibits are attached at the end of this report.

10 Actions For A Better Harford County

- 1. By July 15, 2020, develop a community survey with community input on development and parameters of the survey, to assess the level of trust between the community and the LEA (law enforcement agency). This will give the LEA a data point from which to begin its work.**

CALEA Standard 45.2.2 – Citizens Survey - A documented survey of citizen attitudes and opinions is conducted at least once every two years with respect to:

- a. overall agency performance;
- b. overall competency of agency employees;
- c. citizens' perception of officers' attitudes and behavior;
- d. community concern over safety and security within the agency's service area.
- e. citizens' recommendations and suggestions for improvements; and
- f. results are compiled, with a written summary provided to the agency's chief executive officer.

Exhibit 1 is the **Aberdeen Police Department Citizen Survey Analysis, March 2018-August 2019**. The next Citizen Survey is due in 2021.

- 2. By August 15, 2020, create or publish procedures that provide transparency for the community regarding misconduct investigations.**

CALEA Standard 26.2.5 - Annual Statistical Summaries; Public Availability - The agency compiles annual statistical summaries of complaints and internal affairs investigations, which are made available to the public and agency employees.

Exhibit 2 APD's Annual Statistical Internal Affairs Summaries on the Aberdeen Police website.

3. **Immediately mandate independent investigation and prosecution of officer-involved shootings and in custody deaths. We recommend in these cases that Special Prosecutors be appointed at the State or Federal Level.**

CALEA Standard 11.3.4 - Police Action Death Investigations - A written directive establishes the criminal and administrative procedures for the investigation of use of force and other police actions that result in death or serious bodily injury, and include:

- a. establishing the criminal investigative authority;
- b. establishing the *administrative* investigative authority;
- c. describing the role of the prosecutor's office;
- d. providing a public information plan to include all involved organizations;
- e. process training for agency personnel responsible for managing such incidents;
- and
- f. awareness training for all personnel potentially impacted.

Exhibit 3a – Policy Excerpt Chapter 20 Use of Force – Administrative Investigation
(highlighted in yellow)

Exhibit 3b – Investigation Report excerpt by Maryland State Police – Administrative Investigation was performed by the Maryland State Police.

4. **Within 4-6 months, reevaluate training, hiring, and LEA employment evaluations standards and practices, to ensure procedural justice, remove implicit bias, enhance cultural proficiency, and teach how to de-escalate situations without the use of deadly force. These new standards and practices should be published in all local newspapers and e-papers, on the Harford County Web sites, on individual jurisdictions' Web sites and on all relevant "Social Media" pages.**

CALEA Standard 1.2.9 Bias Policing - The agency has a written directive governing biased policing and, at a minimum, includes the following provisions:

- a. a prohibition against biased based policing;
- b. initial training and annual training for affected personnel in biased issues including legal aspects; and
- c. a documented annual administrative review of agency practices including citizen concerns and any corrective measures taken.

Exhibit 4a – Policy Chapter 05 Rules of Conduct 11 Bias Policing

Exhibit 4b – Annual Bias Policing Review

5. **Within 4-6 months, abolish the “double standards” that shield police accused of misconduct by revising the Law Enforcement Officers Bill of Rights to eliminate the 5-day waiting period before an officer can be interviewed.**

The Sixth Amendment guarantees the rights of criminal suspects and defendants the right to an attorney. Police officers who are under investigation for potential criminal matters are afforded the same right. The five-day rule gives the accused the opportunity to obtain legal counsel. In many cases the accused may not be questioned in that time period because investigators maybe interviewing witnesses and gathering intelligence before a proper interview can be conducted with the accused. Any changes to the five-day rule in the Law Enforcement Officers Bill of Rights is within the exclusive purview of the Maryland General Assembly.

Exhibit 5 Maryland Public Safety Code, Title 3 – Law Enforcement, Subtitle - Law Enforcement Officers’ Bill of Rights

6. **Immediately implement effective data collection on all use-of-force incidents. There is a proposed bill in Maryland Legislature called the “Law Enforcement Trust & Transparency Act”; use this bill as a blueprint for implementation of effective data collection.**

CALEA Standard 4.2.4 Analyze Reports from Use of Force Annually, the agency conducts an analysis of its use of force activities, policies, and practices. The analysis should identify:

- a. date and time of incidents;
- b. types of encounters resulting in use of force;
- c. trends or patterns related to race, age and gender of subjects involved;
- d. trends or patterns resulting in injury to any person including employees; and
- e. impact of findings on policies, practices, equipment, and training.

Beginning July 1, 2020, we will be launching our new web-based use of force reporting software. We have been developing this software with the company for nearly a year and we are the first law enforcement agency in the State of Maryland to put it into use. The software will ensure that use of force reporting by officers is more thorough than ever before and it will allow us to better track reporting compared with traditional paper reports. We are also in the final stages of a similar Internal Affairs program that we expect will be launched mid to late summer 2020.

Exhibit 6 Annual Use of Force Analysis – based on data collected from Use of Force Reports.

7. **By January 2022 (the next Election Cycle Year), establish an independent Civilian Review board to address and respond to any complaints of bias, discrimination, or misconduct by, police and sheriffs.**

I am open to exploring the idea of the implementation of a Civilian Review Board. Civilian Review Boards can be time consuming and expensive depending on the authority and mission of the board. With very few complaints of bias, discrimination, and police misconduct by Aberdeen Police officers it would probably not be practical to have an established Civilian Review Board. Additionally, depending upon the role and responsibilities of a Civilian Review board the Maryland General Assembly may have to make changes to the Law Enforcement Officers' Bill of Right.

8. **By January 2022 (the next Election Cycle Year), add funding for the implementation of body & vehicle cameras to the budgets of Harford County and all local municipalities to the extent not presently in place. Also, develop privacy, storage and review and release policies around the use of these cameras in anticipation of their implementation.**

CALEA Standard 41.3.8 In-Car and/or Body-Worn Audio/Video - If the agency employs in-car and/or body-worn cameras, a written directive includes:

- a. policy statement on purpose and organization philosophy regarding use;
- b. requirements and restrictions for activation and deactivation of the device;
- c. criminal and administrative use of camera captured data;
- d. data storage and retention requirements;
- e. equipment maintenance and inspection procedures;
- f. training requirements for users and supervisors; and
- g. requirements for documented review of camera captured data including frequency and quantity.

In August of 2018, the Aberdeen Police Department began exploring the possibility of purchasing body worn cameras for the Department. The reasons for exploring the purchase of body worn cameras was clear:

- Proven reduction of citizen complaints by departments deploying cameras
- Increased transparency of police operations; and
- Cameras protect citizens and police from false allegations

After an extensive test and evaluation period the Department awarded the purchase of body worn cameras to Axon. Effective August of 2019 members of the Aberdeen Police Department were issued body worn cameras for everyday use, becoming the first Department in Harford County to have all its members equipped with body worn cameras. In addition to body worn cameras the Department has deployed in-car cameras in patrol vehicles since 2013. The combination of both technologies places the Aberdeen Police Department at the forefront of open and transparent policing.

Exhibit 8a – Policy Chapter 67.04 Body-Worn Camera System

Exhibit 8b – Incident Report excerpt

9. **By 2023 (within three years), increase minority and women hiring, so that the personnel makeup of Law Enforcement Agencies is equal to the demographics of Harford County.**

CALEA Standard 31.2.1 Recruitment Plan - The agency has a recruitment plan for full-time sworn personnel outlining the steps to achieve the goals of an ethnic, racial, and gender workforce composition in approximate proportion to the available workforce in the agency's service community to include the following:

- a. statement of objectives;
- b. plan of action designed to achieve the objectives identified in bullet a; and
- c. identify employees, inside or outside the agency, responsible for plan administration.

Exhibit 9a Recruitment Plan

CALEA Standard 64.4.1 Selection Process Described - Written directives describe all elements and activities of the selection process for all full-time and part-time positions.

Exhibit 9b – Policy Chapter 04.02 Selection Process

Exhibit 9c – Elements of the Selection Process – placed on the Aberdeen Police Department Website

Exhibit 9d – Elements and Analysis of 2019 Recruitment Plan

10. **Immediately abolish the use of choke holds and strangle holds.**

All choke holds are prohibited unless no other reasonable option is available under circumstances requiring the use of deadly force.

CALEA Standard 41.1.1 Use of Reasonable Force - A written directive states personnel will only use reasonable force to accomplish lawful objectives.

Exhibit 10 Policy Chapter 20 Use of Force 01 Force and Deadly Force – Officer used physical force to subdue a suspect.



**Aberdeen Police Department
Citizen Survey Analysis
March 2018 – August 2019**



Data compiled by Jennifer Liberto, Sr. Administrative Specialist
Summary and Analysis by Shirley Echols, Accreditation Manager
February 24, 2020



Exhibit 1

Citizen Survey March 2018 – August 2019

Introduction

Survey Monkey is the Host Website.

Respondents who visited the Aberdeen Police Department (www.aberdeenpolice.org) website voluntarily answer the questions on the website.

100 Respondents answered most of the questions on the survey. Some respondents did not leave a rating but did write comments. Numerical results are state in percentage terms.

The Citizen Survey consists of 10 questions:

- Q1** Under what circumstances have you had contact with the Aberdeen Police Department?
- Q2** What has been the General Level of Competence of the Police Department employees with whom you have had contact?
- Q3** What has been the overall attitude of Officer(s) with whom you have had contact?
- Q4** How do you feel about the safety and security of Aberdeen?
- Q5** Overall, how do you rate the Police Department's performance?
- Q6** What can the Aberdeen Police Department do to make you feel safer and more secure?
- Q7** What is your age?
- Q8** Sex? (gender)
- Q9** Name & Contact Information (Optional)
- Q10** Comments in general

This report includes a summary about the responses to each question. Bar charts and pie charts illustrate the percentages of responses to each category and concluding remarks. All comments and resulting data are listed at the end of this report.



Exhibit 1

Citizen Survey March 2018 – August 2019

Summarized Survey Results

Q1 Under what circumstances have you had contact with the Aberdeen Police Department?

Nearly half of respondents came in contact with APD as the victim of a crime or at a community event, followed by traffic stops. Other circumstances included complaints about officer; neighborhood complaints; traffic in neighborhood; request for wellness checks; animal complaints.

No respondents reported meeting an officer on Foot Patrol or Bicycle Patrol.

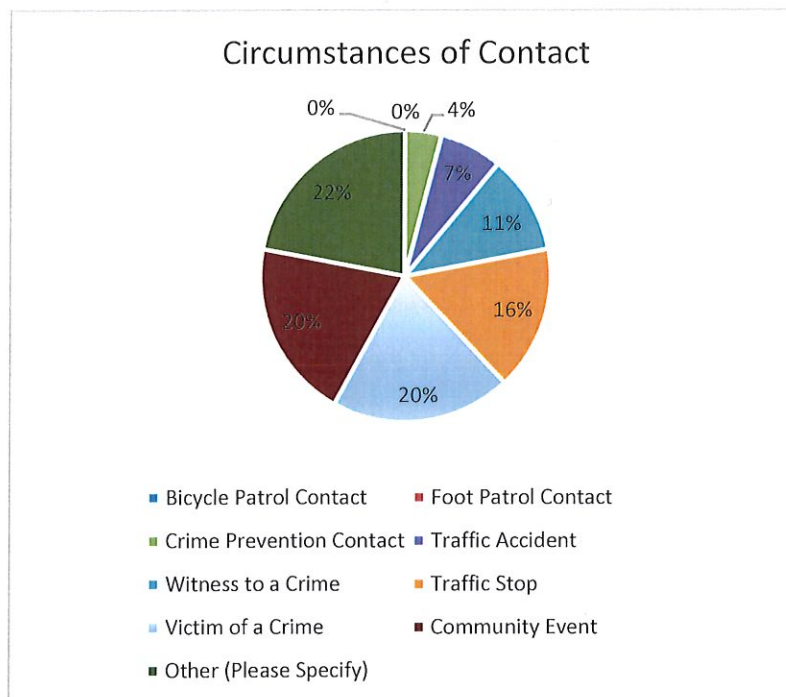
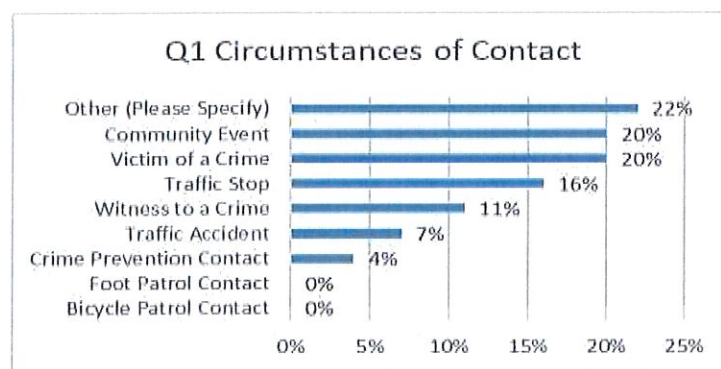




Exhibit 1

Citizen Survey March 2018 – August 2019

Q2 What has been the general level of competence of the Police Department employees with whom you have had contact?

71% of respondents rated this question; 31% of respondents commented on this question. More than half of respondents rated officers' level of competence as excellent (27%) to very good (12%). The remaining respondents nearly evenly rated officers' level of competence as good, fair or poor.

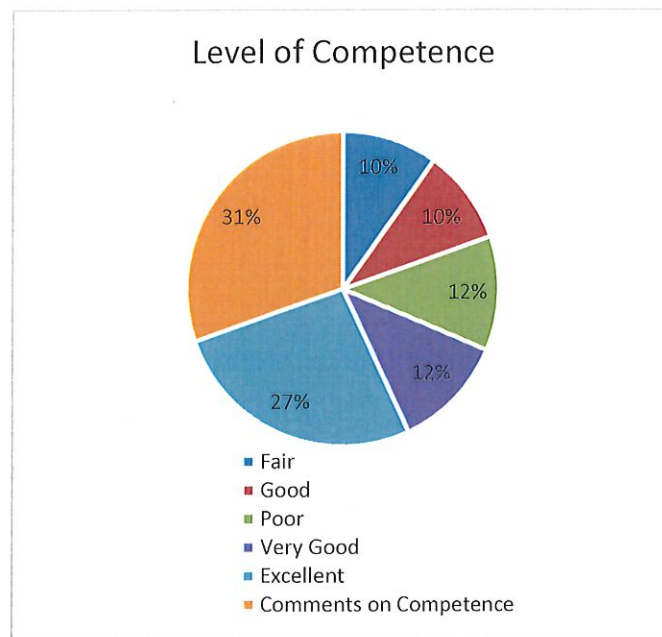
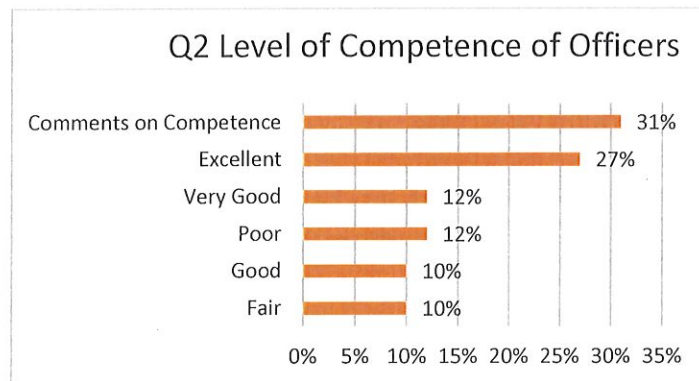


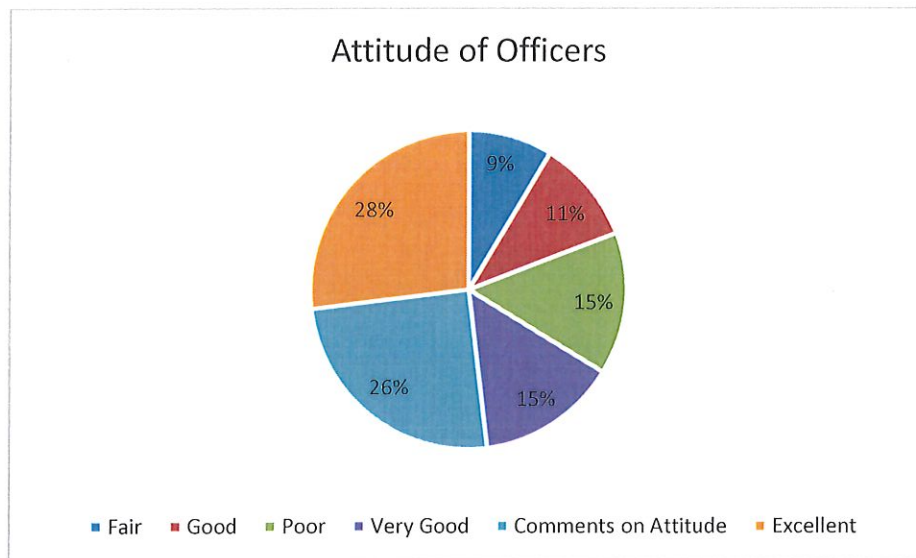
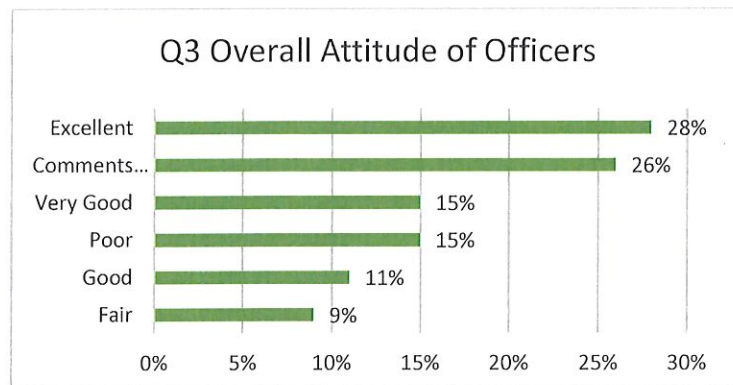


Exhibit 1

Citizen Survey March 2018 – August 2019

Q3 What has been the overall attitude of officer(s) with whom you have had contact?

78% of respondents rated this question. 28% of respondents commented on this question. Most respondents rated officers' overall attitude as excellent (28%) to very good (15%). The remaining respondents rated officers' overall attitude as good (11%), fair (9%) or poor (15%).





Citizen Survey March 2018 – August 2019

Q4 How do you feel about the safety and security of Aberdeen?

70% of respondents answered this question. More respondents rated their feelings about safety and security as fairly safe to unsafe.

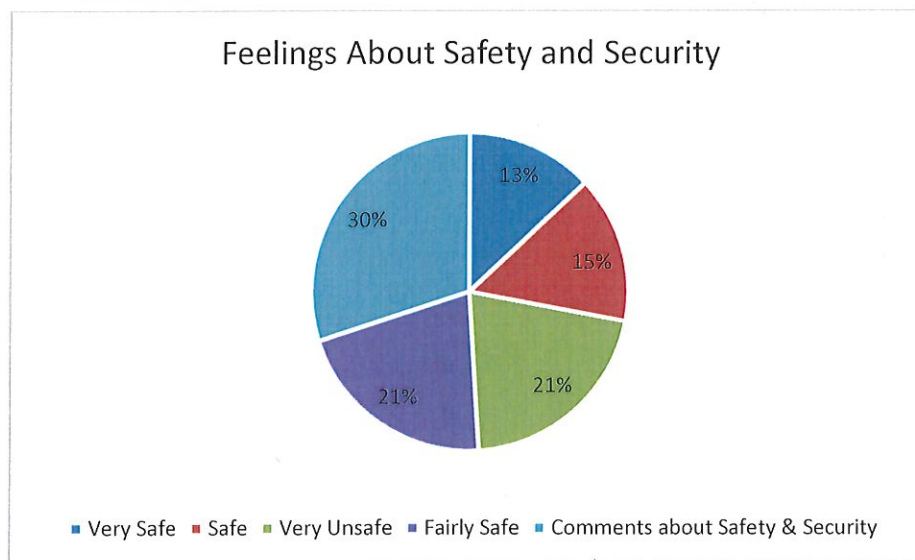


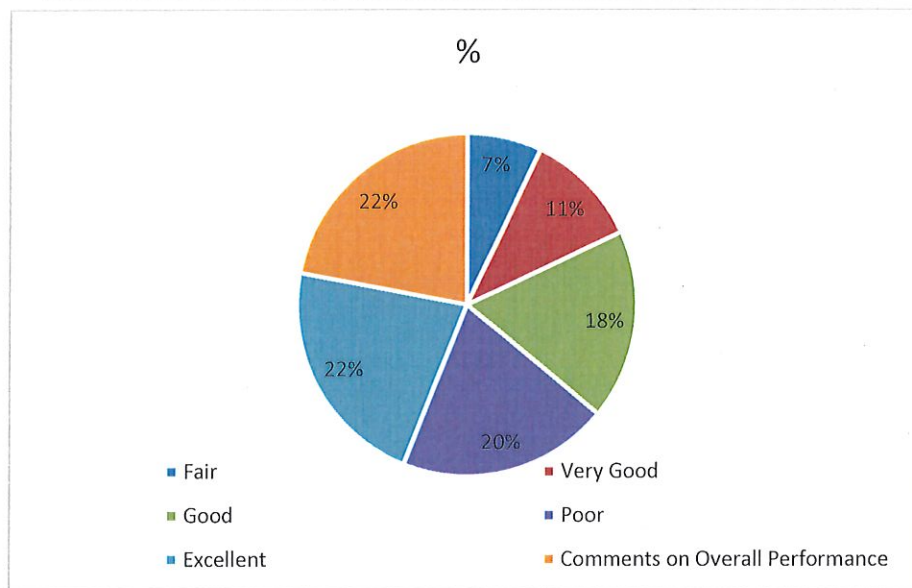
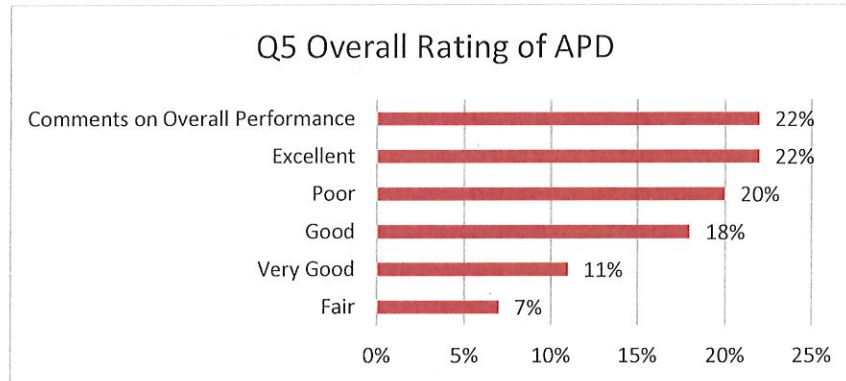


Exhibit 1

Citizen Survey March 2018 – August 2019

Q5 Overall, how do you rate the Police Department's performance?

78% of respondents answered this question. Respondents rated APD's performance as good (18%), fair (7%), or poor (20%). The remaining respondents rated APD's performance as excellent (22%) or very good (11%). The few comments expressed negativity towards APD's performance.



Q6 What can the Aberdeen Police Department do to make you feel safer and more secure?

Numerous comments included suggestions and criticisms. There is concern about speeding drivers and jaywalkers on Rt 40; Some victims of motor vehicle accidents and other incidents felt the officer was not empathetic. Many respondents requested neighborhood patrols and foot patrols. Other respondents suggested more visibility to the public.

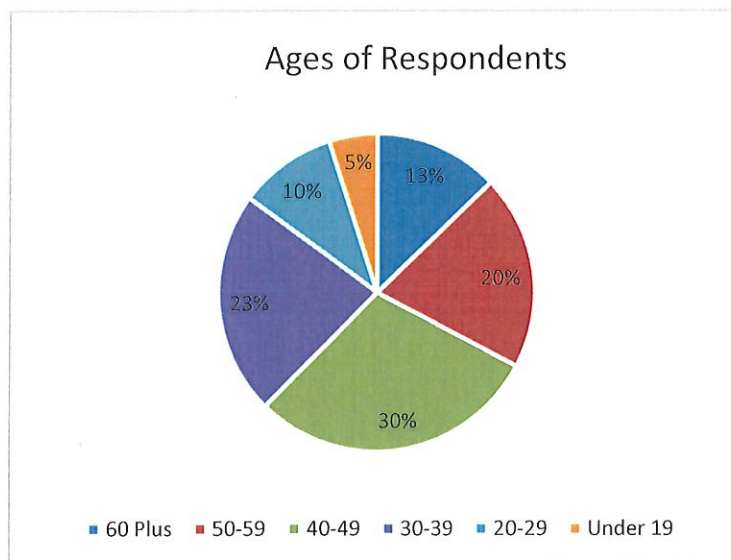
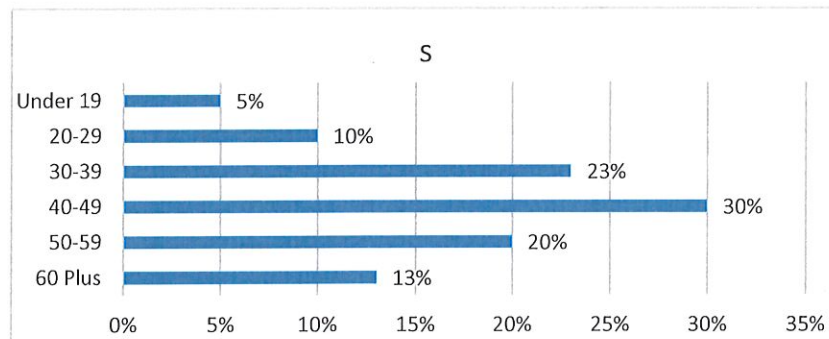


Exhibit 1

Citizen Survey March 2018 – August 2019

Q7 Your Age

Ages of respondents ranged from under 19 (5%) to 60 plus (13%). The largest percentage were from respondents who were 40-49 (30%).



Q8 Sex

More females responded to this survey (70%) than males (30%).

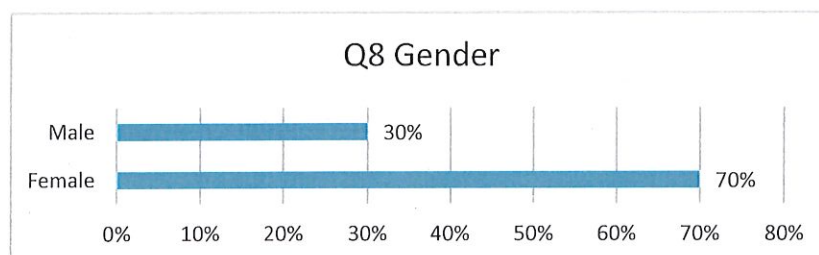




Exhibit 1

Citizen Survey March 2018 – August 2019

Q9 Name and Contact Information

Seven respondents gave their name and contact information.

Q10 Comments in General

About half of respondents who wrote comments complimented the officers. The other half wrote more complaints.



Exhibit 1

Citizen Survey March 2018 – August 2019

Conclusion

This survey was completed by persons who visited the Aberdeen Police Department website. It is not necessarily a true overall view of most Aberdeen residents. The results, however, do prove to be interesting.

Immediately, it is observed that zero respondents encountered officers on Foot Patrol or Bicycle Patrol, and several comments included the need for more visibility of officers. This data may be significant, and there may be a need to examine procedures for foot patrols, bicycle patrols, and overall visibility.

Respondents' ratings varied about competence of officers and attitudes of officers. Only slightly more responses reflected excellence, while the remainder of responses were good, fair or poor. Overall rating of the Department was mixed. While numerous respondents had what seemed to be legitimate complaints against the Department, examination of the actual incidents might describe the officers' efforts to explain and investigate the complaints.



Exhibit 1

Citizen Survey March 2018 – August 2019

Data

Q1 Under What Circumstances	%
Bicycle Patrol Contact	0%
Foot Patrol Contact	0%
Crime Prevention Contact	4%
Traffic Accident	7%
Witness to a Crime	11%
Traffic Stop	16%
Victim of a Crime	20%
Community Event	20%
Other (Please Specify)	22%
Total	100%

Q1 Comments:

- Trying to call in a report of a stolen license plate
- Setup of a speed sign
- Neighbor harassment
- Unnecessary search
- Medical evaluation of family member and home visit for another family member they were looking for.
- Noise harassment and retaliation
- Ghetto neighborhood
- Theft, IR 18-229553, 10-11-2018
- Wrongfully accused by a APD Detective
- Backing up Fire Dept.
- Never
- Animal safety
- When my son died
- When we accidentally set off our home alarm.
- Request neighborhood patrol
- Found dogs, wellness check on citizens

Q2 Level of Competence	%
Fair	10%
Good	10%
Poor	12%
Very Good	12%
Excellent	27%
Comments on Competence	31%
Total	102%

Q2 Responses:

- Stolen wallet from small gym. Thief attempted to use a card at a pharmacy. We have officer the exact time and location thief attempted to use card. She only had to check camera footage then take image to gym for identification. Still, she didn't bother to do anything. We couldn't have made it any easier to solve the crime. Worst example of either police incompetence or just laziness I have ever seen and very disappointing.
- Waiting for a call back. Want to be sure I have reported the plate more swing as of last night at iron birds stadium. My plate is 9202eeg NY
- Terrible Investigation skills one sided
- Harassment
- I was not given a police report nor the information of the people that rear ended my car. I need this information to give too my insurance company to get my car fixed. the officer would not share the info at the scene and I have left messages at your office with no response as of yet. I am helpless to get my car fixed and to get medical treatment until I get that report. It is ridiculous.
- On 10-11-2018, Officer Palmer handled the report professionally, courteously, and was respectful. However, I seems like this has dropped off his radar. Very sluggish follow up. Unsure if he has checked the cash register data to verify if the thief used a credit or debit card to make the purchase. Seems the only action taken was to post a picture of the thief on your Facebook page. More can be done to ID the thief. Info was also provided in a Facebook message to your department on 4-11-2019, without any response. It's hard not to feel ignored.
- At eliminating a potential employee with bogus city violation



Exhibit 1

Citizen Survey March 2018 – August 2019

Q3 Overall Attitude of Officers	%
Fair	9%
Good	11%
Poor	15%
Very Good	15%
Comments on Attitude	26%
Excellent	28%
Total	104%

Q3 Responses:

- No contact yet
- Harassment
- Their attitudes are TERRIBLE, HORRIBLE
- Feeling ignored
- Like all police officers....as a Black Man I am looked at as someone with a criminal history

Q4 Feelings about Safety and Security	%
Very Safe	13%
Safe	15%
Very Unsafe	21%
Fairly Safe	21%
Comments about Safety & Security	30%
Total	100%

Q4 Responses:

- very safe in my neighborhood but less safe in east belair/around route 40
- Did not expect to have my plate taken
- Given the ongoing issue where the police cannot help, not very safe
- Unfamiliar with the overall picture.
- As a family of veterans we own weapons
- Not safe for citizens at night in alot of places.....
- Very safe in my neighborhood (area of paradise and 22) much less safe near my kids school (halls cross roads)

Q5 Overall Rating of APD	%
Fair	7%
Very Good	11%
Good	18%
Poor	20%
Excellent	22%
Comments on Overall Performance	22%
Total	100%

Q5 Responses:

- No feeling either way
- Harassment
- I can't judge the entire Department's performance from this one incident. However, I'm very discouraged.
- Looking at the police blotters, crime is low



Exhibit 1

Citizen Survey March 2018 – August 2019

Q6 What can APD do?

- Put some officers around more communities, there's a lot of speeders around these areas and officers aren't around to see them. Also try to be more connected to the community get to know people so everyone is friendly to one another
- Clean house. If the officer isn't doing his or her job, that officer should not stay on staff. It damages the credibility of the entire department.
- Increased visibility at night and on foot in the area of Hall's Cross Roads during after school/evening hours
- Let me know they've gotten the report 516-319-2543 John Beyrer
- Allow me to be trained to carry a concealed weapon when walking the area in the evening since the police cannot do it all by themselves.
- Seriously take charge to end the problem
- Let Harford County Sheriffs Department take over the precinct. Internal corruption has lead to citizens mistrust and the lack of diversity is a awakening to why most of the problems exist. Police should not be rewarded for criminal indictments (promotion potential), it's viewed as incentive to exaggerate criminal activity to gain notiriety and advancement. I understand that not all police are corrupt but when you cover up and slap top veteran staff for major illegal activities with pay and minimal press information...leads the imagination as to what has not been caught and or reported by the top officials in charge. Do you really believe that one officer did all that criminal activity without an accomplice and or group just like Baltimore City and others? I beg to differ and will not stop until police are held to a higher standard of law enforcement. The problem is from within before you can begin fixing it the community. A private citizen group is necessary for policing the law everywhere. Internal affairs is not bias enough to do a thorough look against their own fellow officers without being emotionally attached. I can assure you the investigations and patitions will continue with or without the support for transparency. You media police Reiber is giving inaccurate PII/HIPPA facts to the general public without a challenge but I will continue to seek legal counsel on his ability to share inaccurate media on suspected who have not yet been charged. Think about people found not guilty but their name is in every search engine name and Breaking News Report! He is seeking fame at others expense, but time will reveal his imperfections in the drug drop off, and other criminal activity at the precinct under his factual knowledge and the blue code of secrecy will fade away from him as well. To all law enforcement officers that will not tolerate wrong doing on any side (government or citizen) to commend them and their loved ones for taking the oath to serve and protect honestly. May they be protected by love from humanity from harm against them as they go out and return home.
- Stay away from me
- Hire Police Officers that are HONEST and NOT filing FALSE POLICE REPORTS
- Replace the corrupt officers. Have some type of customer service training. Half of them falsify their reports and charge people crimes that don't fit.
- Get real detectives
- I would like to see more patrolling of Cranberry Run Apartments at night.
- More security
- Neighborhood patrols (people running stop signs regularly and people loitering more late night outside my home so regular drive throughs may assist with that), addressing jay walking on 40 since it presents a safety issue and investigate local businesses who steal money from residents (specifically there's been talk from employees at Mamies Cafe that the son will add items to a customers bill that was not order just to get more money out of the customer if unnoticed. I believe this happened to me recently as well but do not have the receipt to prove it).
- At this point there is nothing they can do. No physical altercations have happened.
- I was in a traffic accident and the officer was rude and not even slightly empathetic. I don't have a police report or even the other parties information. It was already upsetting enough to be in this situation but to be treated so poorly while you are in distress and in pain was not right. I have no idea how to get the information I need for insurance to fix my brand new car and my medical treatment. I was rear ended and was treated as though I was the one at fault. He would not answer any questions I had.
- Be more empathetic, fulfill basic needs in an accident situation, be responsive at the very least?
- More patrols in the neighborhoods - Off west Bel air, Baltimore streets
- Do more about the shootings I the neighborhood off Post Rd.
- Look into this IR, and email me at tomthoner@yahoo.com with any updates after reviewing the 4-11-2019 Facebook message. I'm not at all comfortable with struggling to get an adequate response from your Department. I'll have to take this to City Hall if it continues to drag on like this.
- Treat all citizens like they are white



Exhibit 1

Citizen Survey March 2018 – August 2019

- Considering My car was hit by illegal fire works and me stopping my car to tell the residence the hit my car and were illegal I was threatened by 5 plus people even as I called Police reported line... NOTHInG was done they continued fireworks all night and your 911 told me they wont come out to respond to the fireworks.... yet even being threatened should have been a police concern... As they even stated to send the police and they would kick their A' too.... this is totally In excepting How good is a police department that does not enforce illegal behaviors sorry but an officer should have followed up to come back to the area if complaints are of concern of ambers hitting cars... as it did mine...
- More presence or drive thrus in the Cranberry Run community.
- Neighborhood drive throughs and more foot patrols
- In force crew for youths during the summer and school year.
- Be more the Sheriff's department
- Watch out for people "hanging" in alley ways i see a lot of this behind my home people think no one is watching them while they're passing things along or drinking from brown bags
- More visibility in east Aberdeen
- More visibility to public
- Be more visual
- Issue more speeding citations on Rt 40 between W Bel Air Ave & Wal-Mart; patrol residential areas more.
- More patrols at the end of Baltimore street
- More patrols in high crime and drug neighborhoods.

Q7 Ages of Respondents	%
60 Plus	13%
50-59	20%
40-49	30%
30-39	23%
20-29	10%
Under 19	5%
Total	101%

Q8 Gender	%
Female	70%
Male	30%
Total	100%

Q9 Name and Contact Information

- John Beyrer 516-319-2543
- Tom Conroy
- Michelle Marie Swoboda
- I know they will find out exactly who I am because I am speaking something they don't identify with me (TRUTH)
- You know who I am
- Susan Johnson 410-776-8162
- Chris Brandt 443-679-8370
- Jeff
- I am not comfortable sharing my information
- Heather Taylor 410-652-8232
- Tom Thoner tomthoner@yahoo.com
- Linda Caldwell (443)807-7587
- Stephen Dennis 443 206 1350



Exhibit 1

Citizen Survey March 2018 – August 2019

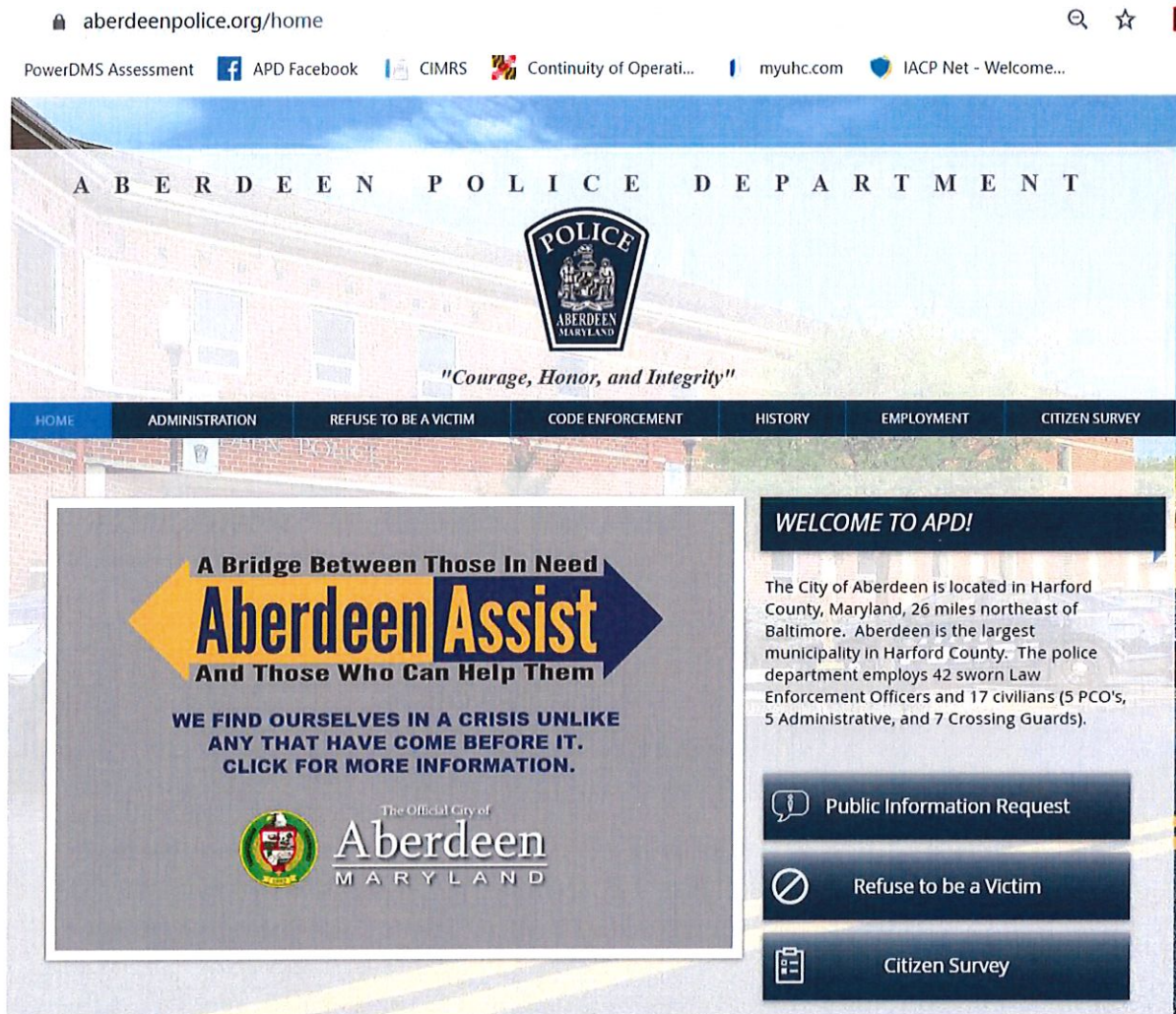
Q10 General Comments

- Thanks for all you do!
- The traffic speed radar on Moyer Dr stopped functioning 8/10/18.
- Today she banged on our door for third weekend in a row early hrs. waking us all up for unknown reasonsshe's a very hateful racial woman
- Please feel free to share this survey with all law enforcement branches (especially DOJ). It's a shame when people are more afraid of the law than the criminals. One is identified and protected the other is guilty till a paid attorney can work out a deal with SAO to give law in this instance. No paid attorney and your life will never be the same. RIP to the officer that was murdered b4 he testified against his fellow officers... (wasn't a suicide but it sounds better for the press I guess). Way more officers were involved. SMH
- Very disappointed as well as disgusted that an Aberdeen Officer would falsify my ENTIRE STATEMENT as to what had happened on the night of November 8, 2018.
- Poor call in's
- Overall I'm satisfied with Aberdeen police. Keep up the good work!
- I was very upset and in pain after my accident and was treated poorly and without any empathy. I had questions that were not answered and now do not know what to do to get claims for my car repairs and medical treatment. I expect more from people that are supposed to "help" their community. The fireman and rescue medics were very nice and helpful and I really appreciated that because I was very distraught.
- My family does not feel safe in our home. The shootings and SWAT in our neighborhood, without any type of warning to possibly stay in our home is unacceptable.
- As stated
- Very alarming to have been threatened and have your response person hearing them coming after me to say get into a safe area and nothing be done is crazy!!!!!!
- Keep up the good work
- I am very proud of our police department
- J&K Rancho is getting worse and worse. Rash of petty theft lately and drug activity.
- Really enjoyed the officers giving out the 7-11 slurpee coupons, means a lot that they care about our laws and community. Much appreciated!

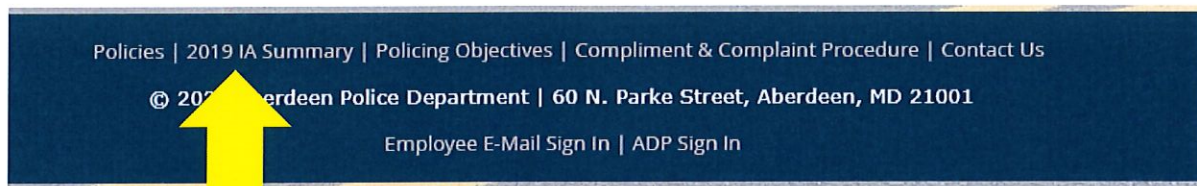
Aberdeen Police Department Website Internal Affairs Summaries

Exhibit 2

1. aberdeenpolice.org – Welcome Page



2. Bottom of website page showing 2019 IA (Internal Affairs) Summary Link



Aberdeen Police Department Website
Internal Affairs Summaries

Exhibit 2


3. Internal Affairs Annual Summaries 2015 through 2019

Welcome | Citizen Survey | Crime Su x f8a1c0_05147a36c3cd498fb4ba07b x +

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Apps PowerDMS Assessment APD Facebook CIMRS Continuity of Operati... myuhc.com IACP Net - Welcome.

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Internal Affairs Annual Summaries

	2015	2016	2017	2018	2019
External Complaints Received					
Citizen Complaints	4	4	0	0	3
Sustained Complaints	2	0	0	0	0
Not Sustained	2	4	0	0	2
Unfounded Complaints	0	0	0	0	1
Internal Complaints Received					
Internal Complaints	3	6	7	5	9
Sustained Complaints	1	6	4	4	9
Not Sustained Complaints	0	0	3	0	0
Unfounded Complaints	2	0	0	1	0
Pending	0	0	0	0	0



Internationally Accredited Law Enforcement Agency



The Aberdeen Police Department Policies & Procedures Manual



Exhibit 3a

Chapter 20 Use of Force

Section 04 Officer-Involved Shootings and Serious Uses of Force

GO 19-048, 09/18/2019

Supersedes GO 19-001

A. Policy

1. Officer-involved shootings, whether on- or off-duty, and police action deaths shall be investigated to determine whether officer actions conform to the law and this Department's policy, procedures, and training.

B. Definitions

1. Companion Officer – An officer assigned to another officer to provide emotional support and assistance following a critical incident, such as an officer-involved shooting.
2. Critical Incident – An incident that is unusual, violent, and involves perceived threat to, or actual loss of, human life. It is a significant emotional event that may cause extreme psychological distress.
3. In-Custody Death – Death of an individual while in custody or during attempts to effect custody.
4. Officer-Involved Shooting – A discharge of service weapon by an officer during a hostile encounter, or an accidental discharge, while on- or off-duty, regardless of injuries to suspects, officers, or third parties.
5. Serious Use of Force – Any use of force that results, or is reasonably likely to result, in death, permanent or substantial injury, loss of any body part or function, or permanent disfigurement.
 - a. Includes situations, resulting from police use of force, when a person is admitted to a medical facility for treatment.

C. Investigative Process

1. Two separate, simultaneous investigations of officer-involved shootings and other police action deaths shall be conducted.
 - a. Criminal Investigation (11.3.4a)
 - 1) The lead homicide investigator shall manage the criminal investigation unless the Chief of Police requests the assistance of another investigative authority.
 - 2) Upon completion of the criminal investigation, the findings, indicating whether officer actions conformed to the law, shall be submitted to the Chief of Police.
 - 3) The Chief of Police shall have the findings forwarded to the State's Attorney's office, or other appropriate prosecuting agency. (11.3.4c)
 - b. Administrative Investigation (11.3.4b)
 - 1) The Internal affairs investigator will manage the administrative investigation unless the Chief of Police requests the assistance of another investigative authority.
 - 2) This investigation shall determine whether violations of Department policy and procedures or training have occurred.
 - 3) Upon completion of the administrative investigation, the findings, indicating whether disciplinary action or modifications to policy and procedures or training should be recommended, shall be submitted to the Chief of Police.

Exhibit 3b



LARRY HOGAN
GOVERNOR

BOYD K. RUTHERFORD
LT. GOVERNOR

STATE OF MARYLAND
MARYLAND STATE POLICE
1201 REISTERSTOWN ROAD
PIKESVILLE, MARYLAND 21208-3899
410-486-3101
TOLL FREE: 1-800-525-5555
TDD: 410-486-0677

January 11, 2019



COLONEL
WILLIAM M. PALLOZZI
SUPERINTENDENT

TO: Captain James DeCoursey, Commander, Internal Affairs Division

SUBJECT: Police Involved Shooting/Use of Force

[REDACTED]
IAD Case #NAI2018-006

On July 27, 2018, Chief Henry G. Trabert, Aberdeen Police Department (APD), requested assistance from the Maryland Department of State Police (MDSP) with an administrative investigation of [REDACTED] for discharging his firearm and critically injuring a subject at the scene of an armed person call. This request was made in writing to Colonel William Pallozzi, Superintendent of MDSP.



The Aberdeen Police Department Policies & Procedures Manual



Chapter 05 Rules of Conduct and Internal Affairs
Section 11 Bias Policing

GO 20-005, 02/06/2020
Supersedes GO 18-072

A. Policy

1. It is the policy of the Aberdeen Police Department and the responsibility of all employees:
 - a. To protect the rights of all individuals regardless of race, religious belief, gender, sexual orientation, ethnicity, or economic status;
 - b. To treat all individuals with dignity, equality, and fairness, regardless of race, religious belief, gender, sexual orientation, ethnicity, or economic status; and
 - c. To ensure that all official actions where an individual's freedom to move about is hindered is based upon reasonable suspicion or probable cause.
2. Officers are prohibited from any biased policing in traffic contacts, field contacts, and in asset seizure and forfeiture efforts. (1.2.9a)
3. This policy does not prevent officers from relying upon race as a part of a description where specific suspect is sought.

B. Definition

1. Biased Policing – the selection of an individual(s) for enforcement action based whole or in part on a trait common to a group, without actionable intelligence to support consideration of that trait.
 - a. This includes, but is not limited to race, ethnic background, national origin, gender, sexual orientation/identity, religion, economic status, age, cultural group, or any other identifiable characteristics.

C. Justifiable Searches & Seizures

1. Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause.
2. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, nonconsensual searches, and property seizures.

D. Supervisors Responsibility

1. Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and are operating in compliance with this policy.

E. Corrective Action Required

1. Violations of this policy, or portions of this policy, shall result in counseling, remedial training and/or disciplinary action described in *Chapter 5.04 Disciplinary Procedures*.

F. Training (1.2.9b)

1. The Training Coordinator is responsible for ensuring that affected personnel receive:
 - a. Initial instruction on the prohibition against bias-based profiling; and
 - b. Annual training to reinforce previous training and to develop new skills to enhance police-citizen contacts.
2. The Department's training program shall include biased policing issues and any legal updates.



The Aberdeen Police Department Policies & Procedures Manual



Chapter 05 Rules of Conduct and Internal Affairs
Section 11 Bias Policing

GO 20-005, 02/06/2020
Supersedes GO 18-072

G. Annual Report (1.2.9c)

1. The Patrol Commander shall prepare for the Chief of Police a documented annual administrative review of agency practices including citizen concerns and any corrective measures taken.
 - a. The review should indicate whether policy, training, equipment, or disciplinary issues should be addressed.

INTEROFFICE MEMORANDUM

To: Chief Henry Trabert

From: Deputy Chief Kirk Bane

Subject: 2019 Bias Based Profiling Review

Date: 02/10/20

Pursuant to CALEA 1.2.9, there were no biased based concerns raised in 2019.

Suburban Stats shows the following breakdown of population for the City of Aberdeen for 2019:

Race	Population	Percentage
Caucasian	8,815	58%
African-American	4,564	30%
Other	1,580	12%
Totals	14,959	100%

The Department made 574 total arrests in 2019. The breakdown is as follows:

Race	Arrests	Percentage
Caucasian	247	43%
African-American	324	56%
Other	3	<1%
Totals	574	100%

Exhibit 4b

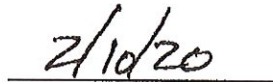
The Department had 11,270 traffic stops in 2019. The breakdown is as follows:

Race	Traffic Stops	Percentage
Caucasian	5,587	50%
African-American	4,787	42%
Other	896	8%
Totals	11,270	100%

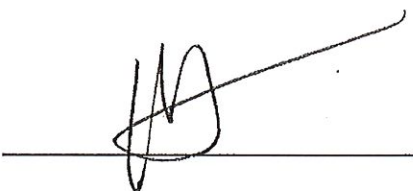
There were no bias based concerns raised by anyone in 2019. I recommend the department continue it's strong community policing efforts. These efforts are crucial to fostering positive relationships and interactions between officers and the public and as such, eliminating or at least minimizing perceptions which lead to bias based complaints.



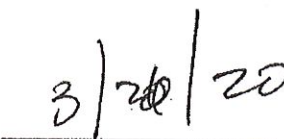
Kirk Bane
Deputy Chief of Police



Date



Henry Trabert
Chief of Police



Date

§ 3-101. Definitions.

- (a) In general.- In this subtitle the following words have the meanings indicated.
- (b) Chief.-
 - (1) "Chief" means the head of a law enforcement agency.
 - (2) "Chief" includes the officer designated by the head of a law enforcement agency.
- (c) Hearing.-
 - (1) "Hearing" means a proceeding during an investigation conducted by a hearing board to take testimony or receive other evidence.
 - (2) "Hearing" does not include an interrogation at which no testimony is taken under oath.
- (d) Hearing board.- "Hearing board" means a board that is authorized by the chief to hold a hearing on a complaint against a law enforcement officer.
- (e) Law enforcement officer.-
 - (1) "Law enforcement officer" means an individual who:
 - (i) in an official capacity is authorized by law to make arrests; and
 - (ii) is a member of one of the following law enforcement agencies:
 1. the Department of State Police;
 2. the Police Department of Baltimore City;
 3. the Baltimore City School Police Force;
 4. the Baltimore City Watershed Police Force;
 5. the police department, bureau, or force of a county;
 6. the police department, bureau, or force of a municipal corporation;
 7. the office of the sheriff of a county;
 8. the police department, bureau, or force of a bicounty agency;
 9. the Maryland Transportation Authority Police;
 10. the police forces of the Department of Transportation;
 11. the police forces of the Department of Natural Resources;
 12. the Field Enforcement Bureau of the Comptroller's Office;
 13. the Housing Authority of Baltimore City Police Force;
 14. the Crofton Police Department;
 15. the police force of the Department of Health and Mental Hygiene;
 16. the police force of the Department of General Services;
 17. the police force of the Department of Labor, Licensing, and Regulation;
 18. the police forces of the University System of Maryland;
 19. the police force of Morgan State University;
 20. the office of State Fire Marshal;
 21. the Ocean Pines Police Department;
 22. the police force of the Baltimore City Community College; or
 23. the police force of the Hagerstown Community College.
 - (2) "Law enforcement officer" does not include:
 - (i) an individual who serves at the pleasure of the Police Commissioner of Baltimore City;
 - (ii) an individual who serves at the pleasure of the appointing authority of a charter county;
 - (iii) the police chief of a municipal corporation;
 - (iv) an officer who is in probationary status on initial entry into the law enforcement agency except if an allegation of brutality in the execution of the officer's duties is made;
 - (v) a Montgomery County fire and explosive investigator as defined in § 2-208.1 of the Criminal Procedure Article;
 - (vi) an Anne Arundel County or City of Annapolis fire and explosive investigator as defined in § 2-208.2 of the Criminal Procedure Article;
 - (vii) a Prince George's County fire and explosive investigator as defined in § 2-208.3 of the Criminal Procedure Article;
 - (viii) a Worcester County fire and explosive investigator as defined in § 2-208.4 of the Criminal Procedure Article; or
 - (ix) a City of Hagerstown fire and explosive investigator as defined in § 2-208.5 of the Criminal Procedure Article.

§ 3-102. Effect of subtitle.

- (a) Conflicting law superseded.- Except for the administrative hearing process under Title 3, Subtitle 2 of this article that relates to the certification enforcement power of the Police Training Commission, this subtitle supersedes any other law of the State, a county, or a municipal corporation that conflicts with this subtitle.
- (b) Preemption of local law.- Any local law is preempted by the subject and material of this subtitle.

- (c) Authority of chief not limited.- This subtitle does not limit the authority of the chief to regulate the competent and efficient operation and management of a law enforcement agency by any reasonable means including transfer and reassignment if:
 - (1) that action is not punitive in nature; and
 - (2) the chief determines that action to be in the best interests of the internal management of the law enforcement agency.

§ 3-104. Investigation or interrogation of law enforcement officer.

- (a) In general.- The investigation or interrogation by a law enforcement agency of a law enforcement officer for a reason that may lead to disciplinary action, demotion, or dismissal shall be conducted in accordance with this section.
- (b) Interrogating or investigating officer.- For purposes of this section, the investigating officer or interrogating officer shall be:
 - (1) a sworn law enforcement officer; or
 - (2) if requested by the Governor, the Attorney General or Attorney General's designee.
- (c) Complaint that alleges brutality.-
 - (1) A complaint against a law enforcement officer that alleges brutality in the execution of the law enforcement officer's duties may not be investigated unless the complaint is sworn to, before an official authorized to administer oaths, by:
 - (i) the aggrieved individual;
 - (ii) a member of the aggrieved individual's immediate family;
 - (iii) an individual with firsthand knowledge obtained because the individual was present at and observed the alleged incident; or
 - (iv) the parent or guardian of the minor child, if the alleged incident involves a minor child.
 - (2) Unless a complaint is filed within 90 days after the alleged brutality, an investigation that may lead to disciplinary action under this subtitle for brutality may not be initiated and an action may not be taken.
- (d) Disclosures to law enforcement officer under investigation.-
 - (1) The law enforcement officer under investigation shall be informed of the name, rank, and command of:
 - (i) the law enforcement officer in charge of the investigation;
 - (ii) the interrogating officer; and
 - (iii) each individual present during an interrogation.
 - (2) Before an interrogation, the law enforcement officer under investigation shall be informed in writing of the nature of the investigation.
- (e) Disclosures to law enforcement officer under arrest.- If the law enforcement officer under interrogation is under arrest, or is likely to be placed under arrest as a result of the interrogation, the law enforcement officer shall be informed completely of all of the law enforcement officer's rights before the interrogation begins.
- (f) Time of interrogation.- Unless the seriousness of the investigation is of a degree that an immediate interrogation is required, the interrogation shall be conducted at a reasonable hour, preferably when the law enforcement officer is on duty.
- (g) Place of interrogation.-
 - (1) The interrogation shall take place:
 - (i) at the office of the command of the investigating officer or at the office of the local precinct or police unit in which the incident allegedly occurred, as designated by the investigating officer; or
 - (ii) at another reasonable and appropriate place.
 - (2) The law enforcement officer under investigation may waive the right described in paragraph (1)(i) of this subsection.
- (h) Conduct of interrogation.-
 - (1) All questions directed to the law enforcement officer under interrogation shall be asked by and through one interrogating officer during any one session of interrogation consistent with paragraph (2) of this subsection.
 - (2) Each session of interrogation shall:
 - (i) be for a reasonable period; and
 - (ii) allow for personal necessities and rest periods as reasonably necessary.
- (i) Threat of transfer, dismissal, or disciplinary action prohibited.- The law enforcement officer under interrogation may not be threatened with transfer, dismissal, or disciplinary action.
- (j) Right to counsel.-
 - (1)
 - (i) On request, the law enforcement officer under interrogation has the right to be represented by counsel or another responsible representative of the law enforcement officer's choice who shall be present and available for consultation at all times during the interrogation.
 - (ii) The law enforcement officer may waive the right described in subparagraph (i) of this paragraph.

- (2)
 - (i) The interrogation shall be suspended for a period not exceeding 10 days until representation is obtained.
 - (ii) Within that 10-day period, the chief for good cause shown may extend the period for obtaining representation.
- (3) During the interrogation, the law enforcement officer's counsel or representative may:
 - (i) request a recess at any time to consult with the law enforcement officer;
 - (ii) object to any question posed; and
 - (iii) state on the record outside the presence of the law enforcement officer the reason for the objection.
- (k) (k) Record of interrogation.-
 - (1) A complete record shall be kept of the entire interrogation, including all recess periods, of the law enforcement officer.
 - (2) The record may be written, taped, or transcribed.
 - (3) On completion of the investigation, and on request of the law enforcement officer under investigation or the law enforcement officer's counsel or representative, a copy of the record of the interrogation shall be made available at least 10 days before a hearing.
- (l) Tests and examinations - In general.-
 - (1) The law enforcement agency may order the law enforcement officer under investigation to submit to blood alcohol tests, blood, breath, or urine tests for controlled dangerous substances, polygraph examinations, or interrogations that specifically relate to the subject matter of the investigation.
 - (2) If the law enforcement agency orders the law enforcement officer to submit to a test, examination, or interrogation described in paragraph (1) of this subsection and the law enforcement officer refuses to do so, the law enforcement agency may commence an action that may lead to a punitive measure as a result of the refusal.
 - (3) If the law enforcement agency orders the law enforcement officer to submit to a test, examination, or interrogation described in paragraph (1) of this subsection, the results of the test, examination, or interrogation are not admissible or discoverable in a criminal proceeding against the law enforcement officer.
- (m) Same - Polygraph examinations.-
 - (1) If the law enforcement agency orders the law enforcement officer to submit to a polygraph examination, the results of the polygraph examination may not be used as evidence in an administrative hearing unless the law enforcement agency and the law enforcement officer agree to the admission of the results.
 - (2) The law enforcement officer's counsel or representative need not be present during the actual administration of a polygraph examination by a certified polygraph examiner if:
 - (i) the questions to be asked are reviewed with the law enforcement officer or the counsel or representative before the administration of the examination;
 - (ii) the counsel or representative is allowed to observe the administration of the examination; and
 - (iii) a copy of the final report of the examination by the certified polygraph examiner is made available to the law enforcement officer or the counsel or representative within a reasonable time, not exceeding 10 days, after completion of the examination.
- (n) Information provided on completion of investigation.-
 - (1) On completion of an investigation and at least 10 days before a hearing, the law enforcement officer under investigation shall be:
 - (i) notified of the name of each witness and of each charge and specification against the law enforcement officer; and
 - (ii) provided with a copy of the investigatory file and any exculpatory information, if the law enforcement officer and the law enforcement officer's representative agree to:
 - 1. execute a confidentiality agreement with the law enforcement agency not to disclose any material contained in the investigatory file and exculpatory information for any purpose other than to defend the law enforcement officer; and
 - 2. pay a reasonable charge for the cost of reproducing the material.
 - (2) The law enforcement agency may exclude from the exculpatory information provided to a law enforcement officer under this subsection:
 - (i) the identity of confidential sources;
 - (ii) nonexculpatory information; and
 - (iii) recommendations as to charges, disposition, or punishment.
- (o) Adverse material.-
 - (1) The law enforcement agency may not insert adverse material into a file of the law enforcement officer, except the file of the internal investigation or the intelligence division, unless the law enforcement officer has an opportunity to review, sign, receive a copy of, and comment in writing on the adverse material.

(2) The law enforcement officer may waive the right described in paragraph (1) of this subsection.

§ 3-105. Application for show cause order.

- (a) In general.- A law enforcement officer who is denied a right granted by this subtitle may apply to the circuit court of the county where the law enforcement officer is regularly employed for an order that directs the law enforcement agency to show cause why the right should not be granted.
- (b) Conditions.- The law enforcement officer may apply for the show cause order:
 - (1) either individually or through the law enforcement officer's certified or recognized employee organization; and
 - (2) at any time prior to the beginning of a hearing by the hearing board.

§ 3-106. Limitation on administrative charges.

- (a) In general.- Subject to subsection (b) of this section, a law enforcement agency may not bring administrative charges against a law enforcement officer unless the agency files the charges within 1 year after the act that gives rise to the charges comes to the attention of the appropriate law enforcement agency official.
- (b) Exception.- The 1-year limitation of subsection (a) of this section does not apply to charges that relate to criminal activity or excessive force.

§ 3-107. Hearing by hearing board.

- (a) Right to hearing.-
 - (1) Except as provided in paragraph (2) of this subsection and § 3-111 of this subtitle, if the investigation or interrogation of a law enforcement officer results in a recommendation of demotion, dismissal, transfer, loss of pay, reassignment, or similar action that is considered punitive, the law enforcement officer is entitled to a hearing on the issues by a hearing board before the law enforcement agency takes that action.
 - (2) A law enforcement officer who has been convicted of a felony is not entitled to a hearing under this section.
- (b) Notice of hearing.-
 - (1) The law enforcement agency shall give notice to the law enforcement officer of the right to a hearing by a hearing board under this section.
 - (2) The notice required under this subsection shall state the time and place of the hearing and the issues involved.
- (c) Membership of hearing board.-
 - (1) Except as provided in paragraph (4) of this subsection and in § 3-111 of this subtitle, the hearing board authorized under this section shall consist of at least three members who:
 - (i) are appointed by the chief and chosen from law enforcement officers within that law enforcement agency, or from law enforcement officers of another law enforcement agency with the approval of the chief of the other agency; and
 - (ii) have had no part in the investigation or interrogation of the law enforcement officer.
 - (2) At least one member of the hearing board shall be of the same rank as the law enforcement officer against whom the complaint is filed.
 - (3)
 - (i) If the chief is the law enforcement officer under investigation, the chief of another law enforcement agency in the State shall function as the law enforcement officer of the same rank on the hearing board.
 - (ii) If the chief of a State law enforcement agency is under investigation, the Governor shall appoint the chief of another law enforcement agency to function as the law enforcement officer of the same rank on the hearing board.
 - (iii) If the chief of a law enforcement agency of a county or municipal corporation is under investigation, the official authorized to appoint the chief's successor shall appoint the chief of another law enforcement agency to function as the law enforcement officer of the same rank on the hearing board.
 - (iv) If the chief of a State law enforcement agency or the chief of a law enforcement agency of a county or municipal corporation is under investigation, the official authorized to appoint the chief's successor, or that official's designee, shall function as the chief for purposes of this subtitle.
 - (4)
 - (i) A law enforcement agency or the agency's superior governmental authority that has recognized and certified an exclusive collective bargaining representative may negotiate with the representative an alternative method of forming a hearing board.
 - (ii) A law enforcement officer may elect the alternative method of forming a hearing board if:
 - 1. the law enforcement officer works in a law enforcement agency described in subparagraph (i) of this paragraph; and
 - 2. the law enforcement officer is included in the collective bargaining unit.

- (iii) The law enforcement agency shall notify the law enforcement officer in writing before a hearing board is formed that the law enforcement officer may elect an alternative method of forming a hearing board if one has been negotiated under this paragraph.
 - (iv) If the law enforcement officer elects the alternative method, that method shall be used to form the hearing board.
 - (v) An agency or exclusive collective bargaining representative may not require a law enforcement officer to elect an alternative method of forming a hearing board.
 - (vi) If the law enforcement officer has been offered summary punishment, an alternative method of forming a hearing board may not be used.
 - (vii) If authorized by local law, this paragraph is subject to binding arbitration.
- (d) Subpoenas.-
 - (1) In connection with a disciplinary hearing, the chief or hearing board may issue subpoenas to compel the attendance and testimony of witnesses and the production of books, papers, records, and documents as relevant or necessary.
 - (2) The subpoenas may be served without cost in accordance with the Maryland Rules that relate to service of process issued by a court.
 - (3) Each party may request the chief or hearing board to issue a subpoena or order under this subtitle.
 - (4) In case of disobedience or refusal to obey a subpoena served under this subsection, the chief or hearing board may apply without cost to the circuit court of a county where the subpoenaed party resides or conducts business, for an order to compel the attendance and testimony of the witness or the production of the books, papers, records, and documents.
 - (5) On a finding that the attendance and testimony of the witness or the production of the books, papers, records, and documents is relevant or necessary:
 - (6) the court may issue without cost an order that requires the attendance and testimony of witnesses or the production of books, papers, records, and documents; and
 - (7) failure to obey the order may be punished by the court as contempt.
- (e) Conduct of hearing.-
 - (1) The hearing shall be conducted by a hearing board.
 - (2) The hearing board shall give the law enforcement agency and law enforcement officer ample opportunity to present evidence and argument about the issues involved.
 - (3) The law enforcement agency and law enforcement officer may be represented by counsel.
 - (4) Each party has the right to cross-examine witnesses who testify and each party may submit rebuttal evidence.
- (f) Evidence.-
 - (1) Evidence with probative value that is commonly accepted by reasonable and prudent individuals in the conduct of their affairs is admissible and shall be given probative effect.
 - (2) The hearing board shall give effect to the rules of privilege recognized by law and shall exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence.
 - (3) Each record or document that a party desires to use shall be offered and made a part of the record.
 - (4) Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference.
- (g) Judicial notice.-
 - (1) The hearing board may take notice of:
 - (i) judicially cognizable facts; and
 - (ii) general, technical, or scientific facts within its specialized knowledge.
 - (2) The hearing board shall:
 - (i) notify each party of the facts so noticed either before or during the hearing, or by reference in preliminary reports or otherwise; and
 - (ii) give each party an opportunity and reasonable time to contest the facts so noticed.
 - (3) The hearing board may utilize its experience, technical competence, and specialized knowledge in the evaluation of the evidence presented.
- (h) Oaths.-
 - (1) With respect to the subject of a hearing conducted under this subtitle, the chief shall administer oaths or affirmations and examine individuals under oath.
 - (2) In connection with a disciplinary hearing, the chief or a hearing board may administer oaths.
- (i) Witness fees and expenses.-
 - (1) Witness fees and mileage, if claimed, shall be allowed the same as for testimony in a circuit court.
 - (2) Witness fees, mileage, and the actual expenses necessarily incurred in securing the attendance of witnesses and their testimony shall be itemized and paid by the law enforcement agency.
- (j) Official record.- An official record, including testimony and exhibits, shall be kept of the hearing.

§ 3-108. Disposition of administrative action.

(a) In general.-

- (1) A decision, order, or action taken as a result of a hearing under § 3-107 of this subtitle shall be in writing and accompanied by findings of fact.
- (2) The findings of fact shall consist of a concise statement on each issue in the case.
- (3) A finding of not guilty terminates the action.
- (4) If the hearing board makes a finding of guilt, the hearing board shall:
 - (i) reconvene the hearing;
 - (ii) receive evidence; and
 - (iii) consider the law enforcement officer's past job performance and other relevant information as factors before making recommendations to the chief.
- (5) A copy of the decision or order, findings of fact, conclusions, and written recommendations for action shall be delivered or mailed promptly to:
 - (i) the law enforcement officer or the law enforcement officer's counsel or representative of record; and
 - (ii) the chief.

(b) Recommendation of penalty.-

- (1) After a disciplinary hearing and a finding of guilt, the hearing board may recommend the penalty it considers appropriate under the circumstances, including demotion, dismissal, transfer, loss of pay, reassignment, or other similar action that is considered punitive.
- (2) The recommendation of a penalty shall be in writing.

(c) Final decision of hearing board.-

- (1) Notwithstanding any other provision of this subtitle, the decision of the hearing board as to findings of fact and any penalty is final if:
 - (i) a chief is an eyewitness to the incident under investigation; or
 - (ii) a law enforcement agency or the agency's superior governmental authority has agreed with an exclusive collective bargaining representative recognized or certified under applicable law that the decision is final.
- (2) The decision of the hearing board then may be appealed in accordance with § 3-109 of this subtitle.
- (3) If authorized by local law, paragraph (1)(ii) of this subsection is subject to binding arbitration.

(d) Review by chief and final order.-

- (1) Within 30 days after receipt of the recommendations of the hearing board, the chief shall:
 - (i) review the findings, conclusions, and recommendations of the hearing board; and
 - (ii) issue a final order.
- (2) The final order and decision of the chief is binding and then may be appealed in accordance with § 3-109 of this subtitle.
- (3) The recommendation of a penalty by the hearing board is not binding on the chief.
- (4) The chief shall consider the law enforcement officer's past job performance as a factor before imposing a penalty.
- (5) The chief may increase the recommended penalty of the hearing board only if the chief personally:
 - (i) reviews the entire record of the proceedings of the hearing board;
 - (ii) meets with the law enforcement officer and allows the law enforcement officer to be heard on the record;
 - (iii) discloses and provides in writing to the law enforcement officer, at least 10 days before the meeting, any oral or written communication not included in the record of the hearing board on which the decision to consider increasing the penalty is wholly or partly based; and
 - (iv) states on the record the substantial evidence relied on to support the increase of the recommended penalty.

§ 3-109. Judicial review.

- (a) By circuit court.- An appeal from a decision made under § 3-108 of this subtitle shall be taken to the circuit court for the county in accordance with Maryland Rule 7-202.
- (b) By Court of Special Appeals.- A party aggrieved by a decision of a court under this subtitle may appeal to the Court of Special Appeals.

§ 3-110. Expungement of record of formal complaint.

- (a) In general.- On written request, a law enforcement officer may have expunged from any file the record of a formal complaint made against the law enforcement officer if:
 - (1)
 - (i) the law enforcement agency that investigated the complaint;

1. exonerated the law enforcement officer of all charges in the complaint; or
2. determined that the charges were unsustainable or unfounded; or
- (ii) a hearing board acquitted the law enforcement officer, dismissed the action, or made a finding of not guilty; and
- (2) at least 3 years have passed since the final disposition by the law enforcement agency or hearing board.
- (b) Admissibility of formal complaint.- Evidence of a formal complaint against a law enforcement officer is not admissible in an administrative or judicial proceeding if the complaint resulted in an outcome listed in subsection (a)(1) of this section.

§ 3-111. Summary punishment.

- (a) Authorized.- This subtitle does not prohibit summary punishment by higher ranking law enforcement officers as designated by the chief.
- (b) Imposition.-
 - (1) Summary punishment may be imposed for minor violations of law enforcement agency rules and regulations if:
 - (i) the facts that constitute the minor violation are not in dispute;
 - (ii) the law enforcement officer waives the hearing provided under this subtitle; and
 - (iii) the law enforcement officer accepts the punishment imposed by the highest ranking law enforcement officer, or individual acting in that capacity, of the unit to which the law enforcement officer is attached.
 - (2) Summary punishment imposed under this subsection may not exceed suspension of 3 days without pay or a fine of \$150.
- (c) Refusal.-
 - (1) If a law enforcement officer is offered summary punishment in accordance with subsection (b) of this section and refuses:
 - (i) the chief may convene a hearing board of one or more members; and
 - (ii) the hearing board has only the authority to recommend the sanctions provided in this section for summary punishment.
 - (2) If a single member hearing board is convened:
 - (i) the member need not be of the same rank as the law enforcement officer; but
 - (ii) all other provisions of this subtitle apply.

§ 3-112. Emergency suspension.

- (a) Authorized.- This subtitle does not prohibit emergency suspension by higher ranking law enforcement officers as designated by the chief.
- (b) Imposition - With pay.-
 - (1) The chief may impose emergency suspension with pay if it appears that the action is in the best interest of the public and the law enforcement agency.
 - (2) If the law enforcement officer is suspended with pay, the chief may suspend the police powers of the law enforcement officer and reassign the law enforcement officer to restricted duties pending:
 - (i) a determination by a court with respect to a criminal violation; or
 - (ii) a final determination by a hearing board with respect to a law enforcement agency violation.
 - (3) A law enforcement officer who is suspended under this subsection is entitled to a prompt hearing.
- (c) Same - Without pay.-
 - (1) If a law enforcement officer is charged with a felony, the chief may impose an emergency suspension of police powers without pay.
 - (2) A law enforcement officer who is suspended under paragraph (1) of this subsection is entitled to a prompt hearing.

§ 3-113. False statement, report, or complaint.

- (a) Prohibited.- A person may not knowingly make a false statement, report, or complaint during an investigation or proceeding conducted under this subtitle.
- (b) Penalty.- A person who violates this section is subject to the penalties of § 9-501 of the Criminal Law Article.

Exhibit 6

BINTEROFFICE MEMORANDUM

To: Chief Henry Trabert

From: Deputy Chief Kirk Bane

Subject: 2019 Use of Force Analysis

Date: 03/17/20

Pursuant to CALEA 4.2.4, 42 Use of Force Reports were completed by officers in 2019. There were 34 separate incidents in which force was used and many incidents involved multiple officers using force. Two officers suffered lacerations/abrasions to elbows during incidents while one suffered an injured heel, one officer suffered a knee injury which put him out of work or on light duty for approximately 5 months. No other officers were reported injured.

Types of initial incidents reported:

Disorderly Conduct- 3
Warrant Service- 2
Suicidal Person- 3
Traffic Stop- 3
Trespassing- 3
Missing Person- 1
Domestic Dispute- 4
Burglary- 1
Theft/Shoplifting- 1
Armed- 1
Assault- 3
Robbery- 1
CDS- 1
Suspicious Subject- 5
Mental Illness- 1
Intoxicated Subject- 1

There were 574 arrests, including juveniles, in 2019. Procedures to use the form were revised and communicated to the officers in 2013 and a signature chain was added to help ensure all forms were filled out completely. Every supervisor in the officer's chain of command now must review the form for completeness and accuracy. Policy 20.02 was revised in December of 2013, to require an officer to complete a Use of Force Form any time an officer:

- a. Discharges a Department firearm, for other than training, or to kill an injured animal; (1.3.6a)
- b. Takes any action that results in injury or death of another person; (1.3.6b)
- c. Takes any action that results in injury to himself/herself; (1.3.6b)

Exhibit 6

- d. Applies force through the use of lethal or less-lethal weapons; or (1.3.6c)
- e. Applies physical force; or (1.3.6d)
- f. Uses a TASER laser sight or Arc. (1.3.6d)
- g. Points a firearm at another person. (1.3.6d)

Since the Use of Force policies were revised and amended to provide clearer guidelines for officers, the officers added more complete information on the revised form.

Other data on 2019 Use of Force Reports:

Gender of Subject	24 males, 10 females
Race	21 African-American, 13 Caucasian
Under the Influence	10 (7 alcohol, 1 marijuana, 2 PCP)
Suspects Injured & Type	4 (4-abrasions/lacerations to hands/knees)

Month	Number of Occurrences
Jan	1
Feb	2
Mar	2
Apr	2
May	6
Jun	1
Jul	1
Aug	3
Sep	3
Oct	3
Nov	3
Dec	7

Day	Number of Occurrences
Mon	6
Tue	3
Wed	4
Thu	4
Fri	6
Sat	5
Sun	6

Exhibit 6

Shift	Number of Occurrences
0000-0800	8
0800-1600	15
1600-2400	11

Suspect Age Range	
12-19	3
20-29	11
30-39	13
40-49	4
50-59	3
60-69	0

Resistance from Suspects- In some instances more than one type of resistance was used. In some instances the suspects used no force however due to the nature of the call, felony traffic stop for example where officers had their weapons drawn, officers still used a level of force required to be reported. There were no trends identified in the instances suspects resisted the officers and there were no training or procedural deficiencies uncovered.

Pulled Away- 7
Assaulted/Threatened Officer- 14
Fled- 7
Armed- 1
Non-Compliant- 19
Assault/Threatened Civilian- 3

Force used by Officers- In some instances more than one type of force was used.

Verbal Commands- 40
Taser-8
Gun Point-6
Muscling Technique- 36
OC Spray- 1
Closed Fist Strike- 2

TASER- In some instances more than one type of deployment was used.

Total Incidents- 8
Sight or Arc- 5
Probe deployed- 2
Drive Stun- 1

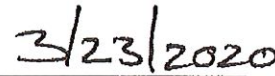
Exhibit 6

Aberdeen PD saw neither an increase nor a decrease in the number of use of force reports in 2019 as opposed to 2018. Both years saw 42 reports. The number of separate incidents however, did rise in 2019 to 34 from 28 in 2018. The percentage of uses of force per arrest rose from 2018 to 2019. 2019 had 42 reports on 34 separate incidents in 574 arrests while 2018 had 42 reports on 28 separate incidents in 656 arrests as opposed to 2017, 33 reports on 20 separate incidents in 647 arrests. 2016 had 47 reports on 29 separate incidents in 686 arrests. Adding in statistics from 2015, 75 reports on 46 separate incidents in 707 arrests showed a decline each year for the 3 years prior to 2018. A large portion of our Use of Force incidents involve no physical force but simply an officer having a weapon drawn due to the nature/circumstances of the call such as a report of an armed subject or a burglary. The analysis shows that officers were required to use some level of force in approximately 6% of arrests in 2019 compared with 4.5% of arrests in 2018, 3% of arrests in 2017, 4% in 2016 and 7% in 2015. The 42 use of force reports were written by 27 different officers. 16 officers wrote one report each and 9 wrote 2 reports each. The remaining 2 officers were Cpl. Nelson with 4 reports and Ofc Forsmark with 7. The higher number of reports with Forsmark appears to be an anomaly and none of his reports rise to the level that would raise concern as they were mostly minor in nature.

No warning shots were fired in 2019. Warning shots are prohibited.



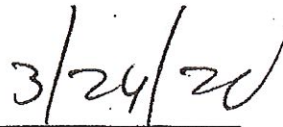
Kirk Bane
Deputy Chief of Police



Date



Henry Trabert
Chief of Police



Date



The Aberdeen Police Department Policies & Procedures Manual



Exhibit 8a

Chapter 37 Department Operations Equipment
Section 04 Body-Worn Camera System (Body Camera)

GO 20-015, 04/03/2020
Supersedes GO 20-025

A. Policy (41.3.8a)

1. The Aberdeen Police Department will use a Department-issued Body-Worn Camera System (Body Camera):
 - a. To document evidence and accurately record, through video and audio, interactions that occur between officers and members of the public; and
 - b. To enhance the efficiency and integrity of the Department's law enforcement mission, increase officer safety, and safeguard the rights of the citizens and employees in the use of the Body Camera.

B. Definitions

1. Body-Worn Camera System (BWCS or Body Camera) - a camera system that can record video and intercept oral communications.
2. Oral communication - any conversation or words spoken to or by any person in private conversation.

C. Authorized Users of the Body Camera

1. Uniformed officers or officers prominently displaying the officer's badge or other insignia who are trained in the proper use of the Department-issued Body Camera shall be authorized to use the system.

D. Basic Requirements for Use

1. During the officer's regular duty, officers may intercept an oral communication with a body-worn digital recording device when:
 - a. The officer is in uniform or prominently displaying the officer's badge or other insignia;
 - b. The officer is making reasonable efforts to conform to these standards for the use of body worn digital recording devices;
 - c. The officer is a party to the oral communication;
 - d. The officer notifies, as soon as practicable, the individual that the individual is being recorded, unless it is unsafe, impractical, or impossible to do so; and
 - e. The oral interception is being made as part of a videotape or digital recording.

E. Situations for Use, Activation, and Deactivation (41.3.8b)

1. Officers shall use Body Camera recordings and recording devices for official business only.
2. Officers shall activate the Body Camera during all law enforcement-related encounters and activities such as, but not limited to, the following:
 - a. At the initiation of a call for service or other activity that is enforcement or investigative;
 - b. All enforcement and investigation related citizen contacts;
 - c. Documentation of evidence that can be used in the prosecution of criminal and traffic offenses;
 - d. Arrests and transports;



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Exhibit 8a

Chapter	37	Department Operations Equipment	GO 20-015, 04/03/2020
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- e. Traffic stops;
 - f. Priority responses;
 - g. Vehicle and foot pursuits;
 - h. Suspicious situations;
 - i. All searches (persons, vehicles, structures, effects), except strip searches;
 - j. Interviews and interrogations;
 - k. Mental health interventions; and
 - l. Any contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording.
3. Officers shall continue to record until:
- a. The officer has left the scene and anticipates no further involvement in the event; or
 - b. A supervisor has authorized that a recording may cease; or
 - c. The officer is no longer engaged in a related investigative or enforcement activity; or
 - d. The officer is entering an allied agency's facility whose policy requires deactivation of the camera; or
 - e. The event has concluded.
 - 1) An event will be concluded when:
 - a) All arrests have been made and arrestees have been transported and released from custody;
 - b) All witnesses and victims on the scene have been interviewed;
 - c) The continued recording will not serve to obtain additional evidence; and
 - d) No further law enforcement action is likely to occur.
4. Officers shall not deactivate (mute) the audio during any recording.
- a. Exception: Persons Who Refuse to be Recorded
 - 1) When community members, witnesses, crime victims or other parties wish to share information related to criminal activity, but refuse to do so while being recorded, officers will have the discretion to turn off the Body Camera during the interview.
 - 2) Persons may be hesitant to provide information while being recorded due to a fear of retaliation, privacy concerns or a feeling that the information is sensitive.
 - 3) The officer must record a brief verbal explanation for the deactivation prior to turning off the recording.
5. Officers may stop a recording for the completion of arrest related paperwork in a secure facility, if they are not in contact with the prisoner.
- a. The officer shall resume recording when the officer re-initiates contact with the prisoner.
6. Off-Duty Use



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Exhibit 8a

Chapter	37	Department Operations Equipment	GO 20-015, 04/03/2020
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- a. Officers working off-duty uniformed extra-duty employment or Departmental overtime shall be equipped with a Body Camera.
 - b. Officers may wear but will not be required to use the Body Camera while the officer is off-duty.
 - c. Officers who use the Body Camera while off-duty shall use the Body Camera for law enforcement-related encounters or activities only.
7. If officers are unable to activate their Body Camera due to circumstances making it unsafe, impossible, or impractical to do so, officers shall:
- a. Begin recording with the Body Camera at the first reasonable opportunity to do so; and
 - b. Document the reason for the delayed start in the incident report.
8. Use in Medical Facilities
- a. When an officer has responded to a hospital or medical facility for a general call for service:
 - 1) The officer shall leave the Body Camera on during the incident.
 - b. If the hospital staff requests that the officer turn the camera off during the incident:
 - 1) The officer may turn the camera off, but not until the officer determines the incident to be safe.
 - c. If the prisoner requests that the officer turn the camera off during a medical conversation with their attending doctor or nurse:
 - 1) The officer shall turn the Body Camera off.

F. Notification that Individual is being Recorded by the Body Camera

1. Officers shall notify individuals that they are being recorded as soon as practicable, unless it is unsafe, impractical, or impossible to do so.
 - a. If another individual becomes party to the communication after the initial notice has been provided, no additional notification is required.
2. Examples of potential notification language include:
 - a. "You are being audibly and visually recorded"; or
 - b. "Our interaction is being recorded by my Body Camera".

G. Prohibited Use (41.3.8b)

1. Officers shall not willfully intercept, endeavor to intercept, disclose, endeavor to disclose, use, or endeavor to use any oral communications.
2. Officers shall not use a Body Camera:
 - a. To create recordings in locker rooms, dressing rooms, and restrooms unless recording for a legitimate law enforcement purpose.
 - b. To create recordings of strip searches.
 - c. To covertly record conversations of citizens and employees.



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Exhibit 8a

Chapter	37	Department Operations Equipment	GO 20-015, 04/03/2020
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3. Officers shall not intentionally activate a Body Camera to record conversations of fellow officers without their knowledge and consent during administrative and non-enforcement related activities.
4. Officers shall not intentionally record undercover officers or confidential informants without their consent.
5. Officers shall not record non-work-related personal activity.
6. Employees shall not access, obtain, attempt to obtain, or copy/convert for their personal use any recording produced by a Body Camera.
7. Employees shall not upload Body Camera recordings to public and/or social media websites.
8. Employees shall not attempt to copy, delete, alter, release, reuse, modify or tamper with Body Camera recordings in any manner.
9. Employees are prohibited from making a copy of a Body Camera audio/video recording by using another recording device, such as a cell phone or digital camera.
10. Body Camera recordings shall not be routinely reviewed by anyone for the express purpose of discovering acts of misconduct or instances of poor performance without cause.
11. Video and audio data from a Body Camera recording shall not:
 - a. Be used to create a database or pool of mug shots;
 - b. Be used as fillers in photo arrays; or
 - c. Be randomly searched using facial or voice recognition software.

H. Reporting and Documenting

1. The reporting officers shall state in all FBR reports and in any charging documents of events that generate police reports:
 - a. **Incident captured on Axon body-worn camera.**
2. The officer shall upload all Body Camera recordings at the end of his or her assigned shift, unless an exception is authorized by a supervisor.
3. The officer shall be responsible for properly categorizing the recording prior to the upload.
4. A supervisor may immediately take custody of the Body Camera and shall be responsible for docking the camera for upload in a critical incident (such as an officer involved shooting, in-custody death or other officer involved incident that results in serious injury or death).
5. Officers shall document their access to all recordings in a log. The log will include the:
 - a. Name of the officer accessing the recording;
 - b. Reason for access;
 - c. Date recording was accessed; and
 - d. Any copying, downloading, redacting, or sharing the officer performed.

I. Internal Access, Review, and Use of Recordings (41.3.8c)

1. Officers shall have timely and ongoing access to recordings and the logs of their recordings.



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Exhibit 8a

Chapter	37	Department Operations Equipment	GO 20-015, 04/03/2020
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2. An officer may review a Body Camera recording for any work-related reason, including but not limited to:
 - a. Ensuring the Body Camera system is working properly;
 - b. Assisting with the writing of a report or other official document;
 - c. Reviewing and critiquing the officer's own performance;
 - d. Preparing for court; and
 - e. Responding to a civil suit, criminal investigation (if the officer is the subject of the investigation), citizen complaint, or administrative complaint.
 - 1) The officer shall have the ability to review the officer's Body Camera recording of the subject incident prior to making a statement.
3. An officer may utilize the Axon View mobile device application for the following purposes:
 - a. Review recorded videos; and
 - b. Add notes pertaining to the video.
 - 1) Officers shall not add metadata, other than notes, in the Axon View mobile device application.
 - 2) Officers shall not alter the case ID or category designation of any video (modifications will be made by the BWCS administrator or their designee).
4. Recordings may be reviewed, with approval of the Chief of Police:
 - a. By a supervisor;
 - b. By the BWCS administrator or designee for compliance reviews of Body Camera usage; or
 - c. By a person authorized by the Department participating in an official investigation such as a formal personnel complaint, administrative inquiry, or a criminal or civil investigation.
5. A supervisor shall review the Body Camera recording of an incident when: (41.3.8c)
 - a. An officer is involved in a reportable use of force incident;
 - b. An officer is injured during the performance of the officer's duty;
 - c. An officer is involved in a vehicle pursuit;
 - d. An officer is involved in a departmental vehicle crash; and
 - e. When the supervisor is investigating a complaint.
 - 1) An officer's supervisor may use the recordings to address performance when cause exists.

J. Monthly Compliance Reviews

1. The BWCS Administrator or designee shall conduct monthly compliance reviews of recordings: (41.3.8g)
 - a. To ensure compliance with this policy including:
 - 1) Activating and deactivating the Body Camera; and



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Exhibit 8a

Chapter 37 Department Operations Equipment
Section 04 Body-Worn Camera System (Body Camera)

GO 20-015, 04/03/2020
Supersedes GO 20-025

2) Giving the required notification of recording.

2. Recordings from one authorized user from each shift will be selected on a rotating basis to ensure that recordings of every officer are reviewed for compliance. (41.3.8g)

K. Storage and Retention of Recordings (41.3.8d)

1. The BWCS administrator shall archive recorded digital media on a designated server and shall retain recordings using the following retention schedule:
2. All videos are required to have a category assigned to them for retention purposes.
 - a. The following retention schedule shall be stored in Axon evidence:

Description	Retention
Uncategorized	Until Manually Deleted
1.Non-Evidentiary	550 days
2.Evidentiary/Report	5 years
3.Arrest	7 years
4.DUI/DWI	7 years
5.Use of Force	7 years
HCMST Operations	5 years
Homicide	90 years
Pending Review	Until manually deleted
Photos	Until manually deleted
Restricted	Until manually deleted
Taser Weapon Logs	3 years
Training	3 years
Uploaded Media	10 Days

L. Deleting a Recording

1. If an officer activates a Body Camera inadvertently generating a recording of a prohibited use or that which is not a law enforcement-related encounter or activity, the officer shall notify his or her supervisor as soon as the recording is discovered.
 - a. The supervisor shall submit a form 37 to the BWCS administrator detailing the nature of the incident and make a formal request to have the video deleted.
 - b. The BWCS administrator or the Deputy Chief of Police will delete the video after following established policy.
2. Rights for deletion of recorded Body Camera videos shall only be designated to the deputy chief of police and the BWCS administrator.
 - a. Prior to placing the videos in the deletion queue, a form 37 must be submitted through the chain of command. Final deletion authority is granted by the Chief of Police.

M. Records Requests and Release of Recordings

1. The Records Section will release to the public or through subpoenas and summonses Body Camera recordings according to the Public Information Act described in this *Policies & Procedures Manual*.



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Exhibit 8a

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2. The Records Section shall maintain a log of all requests for Body Camera recordings.
3. The Records Section shall release recordings of an officer's death or injury only for compelling law enforcement-related reasons or in situations where the release is required by law.
4. Department personnel may disseminate Body Camera recordings only with written permission from the Chief of Police.
5. A sworn supervisor may use recognition software to analyze the recording of an incident when a sworn supervisor has reason to believe that a specific suspect or person in need of assistance may be subject of a recording.

N. Inspection and Maintenance (41.3.8e)

1. Officers shall perform a function test of the BWCS before going into service at the beginning of each shift to ensure that the Body Camera is operating properly.
2. Officers who discover a BWCS malfunction during the function check or at any time, shall promptly report the malfunction to a supervisor.
3. The supervisor shall immediately notify the BWCS administrator or designee and will track repair or replacement.

O. Training Requirements (41.3.8f)

1. Officers and supervisors shall undergo initial training before they are approved to use the Body Camera.
2. Training will include, but will not be limited to:
 - a. Operation of the Body Camera; and
 - b. A review of policy and laws.



Aberdeen Police Department
Incident Report

Case Number 2019	Exhibit 8b	CAD Incident # 201900268246
Report Type Incident Report		Page 5 of 5
Date / Time Occurred 11/3/2019 01:00:00 to 11/3/2019 01:13:00		Date / Time Reported 11/3/2019 01:13:00

11/08/1996. During conversation with [REDACTED] Officer Giganti detected an overwhelming odor of Marijuana emanating from the vehicle.

Officer Giganti asked [REDACTED] if all the weed was gone. [REDACTED] replied, "I smoked a lot, you can check the car if you want." Officer Giganti asked Coleman to step outside of the vehicle to which he complied. Officer Giganti patted [REDACTED] down and felt a large bulge in [REDACTED]'s left front pants pocket and asked [REDACTED] what it was. [REDACTED] replied, "it's my grass." Officer Giganti pulled the item out of [REDACTED] pocket which contained a green leafy substance. Officer Giganti knows from her training, knowledge and experience that the green leafy substance was marijuana and there was sufficient amount of it to be distributed.

Officer Giganti placed [REDACTED] under arrest at 0125 hours. His vehicle was searched and impounded.

Officer Giganti transported [REDACTED] to the Aberdeen Police Detachment. Upon arrival she secured her firearm in the department lockbox before removing [REDACTED] from the rear of the patrol vehicle. Once in the booking area she removed the handcuffs from [REDACTED] and placed him in cell #1.

Officer Giganti weighed and took photo of the CDS to which the scale read 15.47 grams. Officer Giganti attached the photo to this report.

[REDACTED] was released after signing a Civil Citation #0Z4 [REDACTED] and receiving a traffic citation at 0215 hours.

All events occurred in the City of Aberdeen, Harford County, MD 21001 and were captured on body-worn cameras.



ABERDEEN POLICE DEPARTMENT

Recruitment Plan 2020

A. Recruitment Administration

1. The City of Aberdeen Human Resources Manager shall implement recruitment of applicants for the Police Department and shall compile the applicant flow log.
2. The Recruitment Plan Administrator, appointed by the Administrative Commander, is responsible to compile recruitment data and monitor this Recruitment Plan. (31.2.1c)

B. Statistical Review (Utilization Analysis) (31.2.2b)

1. **Caucasians:** According to Chart A, the Aberdeen service area population of Caucasians is 58%; the current percentage of APD sworn officers is 83%.
Caucasians are overrepresented in the Department's current workforce.
2. **African-Americans:** According to Chart A, the Aberdeen service area population of African-Americans is 31%; the current percentage of APD sworn officers is 7%.
African-Americans are underrepresented in the Department's current workforce.
3. **Hispanics:** According to Chart A, the Aberdeen services area population of Hispanics is 7%; the current percentage of APD sworn officers is 0%.
Hispanics are underrepresented in the Department's Current Workforce.
4. **"Other" (Asian, Native American):** According to Chart A, the Aberdeen service area population of Asians and Native Americans collectively is 5%.
Asians and Native Americans are not underrepresented in the Department's Current Workforce.

Chart A	Service Area Population #	Service Area Population %	Available Workforce #	Available Workforce %	2019 Sworn Officers #	2019 Sworn Officers %	2019 Female Sworn Officers #	2019 Female Sworn Officers %
Caucasian	8835	58%	108425	83%	37	88%	8	19%
African-American	4780	31%	15235	12%	3	7%		0%
Hispanic	1034	7%	2210	2%	0	0%		0%
Other	584	4%	4890	4%	2	5%		0%
Total	15233	100%	130760	100%	42	100%	8	19%

5. **Females:** According to Chart B, the Female-Male Harford County percent ratio is 48%-52%. The Available Workforce percent ratio is 50%-50%. The 2019 year-end Department Female-Male percent ratio is 19%-81%.
Females are underrepresented in the Department's current workforce.

Chart B Gender 2019	Service Area Population #	Service Area Population %	Available Workforce #	Available Workforce %	Aberdeen Police #	Aberdeen Police %
Males	68760	52%	7528	50%	34	81%
Females	63625	48%	7609	50%	8	19%
Totals	132385	100%	15137	100%	42	100%



ABERDEEN POLICE DEPARTMENT

**Recruitment Plan
2020**

C. Recruitment Objectives (31.2.1a)

1. Increase the number of qualified African-American applicants for the position of police officer.
2. Increase the number of qualified Hispanic applicants for the position of Recruit and Lateral police officer.
3. Increase the number of qualified female applicants for the position of police officer.

D. Recruitment Activities (31.2.1b)

1. Place job announcements in Department social media, the Department website.
 - a. Human Resources will send job announcements to internet outlets.
2. Encourage officers to discuss law enforcement career opportunities with area youth.
3. Conduct recruitment activities outside of the Service Area, if opportunities arise, to attract qualified applicants.
4. Establish and strengthen relationships with groups in and outside the community who represent African-Americans, Hispanics, and Females.
5. Participate in law enforcement-related job and career fairs when available in the area.
6. Work with community organizations and key community leaders to support the recruitment goals of the agency. (31.3.2)
7. Maintain the Aberdeen Police Department Internship Program that was established in 2018, by communicating with Harford Community College.
8. Encourage Harford Community College to include the Aberdeen Police Department as a regular part of the Ride-Alongs included in the college's Criminal Justice Internships.

E. Summary and Analysis

1. The Administrative Commander shall submit to the Chief of Police, at least annually, a recruitment summary and analysis that will contain:
 - a. Progress toward each objectives (31.2.2a)
 - b. Recommended revisions to the Recruitment Plan. (31.2.2b)
 - c. Department demographics. (31.2.2c)



ABERDEEN POLICE DEPARTMENT

**Recruitment Plan
2020**

F. Signatures and Approvals

_____ Recruitment Plan Administrator Shirley Echols	_____ Date
_____ Administrative Division Commander Will Reiber	_____ Date
_____ Deputy Chief of Police Kirk Bane	_____ Date
_____ Chief of Police Henry G. Trabert	_____ Date



The Aberdeen Police Department Policies & Procedures Manual



Exhibit 9b

Chapter 04 Administration
Section 02 Selection Process

GO 15-087, 12/17/2015
Supersedes GO 15-071

A. Policy

1. All elements of the selection process shall be administered, scored, evaluated, and interpreted in a uniform manner within the classification. (31.4.3)
2. The Administrative Lieutenant shall administer the Selection Process.

B. Processing Applications

1. The Administrative Lieutenant or designee will receive and review job applications.
2. The Administrative Lieutenant will
 - a. Select the applicants based on the minimum requirements.
 - b. Invite all the applicants that meet the minimum requirements to participate in the Selection Process.
3. The Administrative Lieutenant or designee will
 - a. Schedule and notify the candidates about their participation in each element in the process. (31.3.3)
 - b. Eliminate unsuccessful candidates at the time they do not successfully pass an element in the process. (31.3.4)

C. Minimum Requirements of Sworn and Non-Sworn Positions

1. Police Officer Recruit Candidates
 - a. U.S. Citizen;
 - b. 21 Years of Age at the end of the Academy;
 - c. High school diploma or GED equivalent;
 - d. Possess a valid Maryland State driver's license, or ability to obtain Maryland State driver's license;
 - e. Excellent oral and written communication skills; and
 - f. Must be a credible witness in court.
2. Police Officer Lateral Candidates
 - a. U.S. Citizen;
 - b. 21 Years of Age at the end of the Academy;
 - c. High school diploma or GED equivalent;
 - d. Possess a valid Maryland State driver's license, or ability to obtain Maryland State driver's license;
 - e. Excellent oral and written communication skills;



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Exhibit 9b

Chapter 04 Administration
Section 02 Selection Process

GO 15-087, 12/17/2015
Supersedes GO 15-071

- f. Certified by MPTSC (Maryland Police Training and Standards Commission) as a Police Officer in good standing;
 - g. Must be a credible witness in court.
3. Non-Sworn Candidates
- a. Ability to provide documentation verifying eligibility to work legally in the United States.
 - b. Other requirements, depending upon the position, shall be listed on the Job Announcement.

D. Elements of Selection Process for Police Officers (31.4.1)

1. Physical Agility Test
- a. The Administrative Lieutenant will appoint Department employees to observe the applicant's physical agility test. (31.4.3)
 - b. One observer will record the number of each exercise performed by each applicant and whether the applicant passed or failed. (31.4.3)
 - c. Physical Agility Requirements:
 - (1) Push-Ups18 push-ups in one minute
 - (2) Sit-Ups (bent leg) 27 in one minute
 - (3) 1.5 Mile RunCompleted in 15:20 minutes or less
 - (4) Handgun Trigger Pull 10 times in each hand
2. Written Examination
- a. The Administrative Lieutenant will appoint Department employees to score the written exam. (31.4.3)
3. Oral Interview
- a. Oral Interview Board (31.4.3)
 - 1) The oral interview board will use pre-selected questions to evaluate the candidates' communication skills, and ability to organize higher thoughts, poise, bearing, alertness, education and training; and will record their evaluations.
 - 2) The Administrative Lieutenant or designee will be the directing Board member and
 - a) Will appoint at least two other Department employees as Oral Interview Board members; and
 - b) May appoint community members as Oral Interview Board members.



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Exhibit 9b

Chapter 04 Administration
Section 02 Selection Process

GO 15-087, 12/17/2015
Supersedes GO 15-071

E. Elements of the Selection Process for Non-Sworn (31.4.1)

1. Non-Sworn elements, depending upon the position, may include but may not be limited to
 - a. Written examination;
 - b. Typing/keyboarding test;
 - c. Radio Test (Police Communications Officer); and/or
 - d. Formal Interview.

F. Selection of Candidate for Conditional Offer of Employment

1. The Administrative Lieutenant or designee will submit to the Chief of Police the applications and all completed selection materials of the candidates who successfully completed the first elements of the selection process up to this point.
2. The Chief of Police will review all scores and recommendations and shall select the candidate who will be given a Conditional Offer of Employment.
3. The conditional offer of employment is based on the candidate's successfully passing the background investigation and completing the final elements of the selection process.

G. Final Elements of the Selection Process

1. Background Investigation
 - a. The Administrative Lieutenant will assign qualified officers to conduct the background investigation.
 - b. Investigators will use the information supplied by the candidate on the Personal History Statement and the employment application to verify qualifying credentials review any criminal record, verify at least three personal references and research any other information supplied by the candidate.
 - c. Investigators will write an objective Background Investigation Summary, for each candidate investigated, that states the findings of the background investigation. (31.4.3)
 - d. Investigators will submit their findings to the Administrative Lieutenant.
2. Psychological Examination (32.2.8)
 - a. The Administrative Lieutenant or designee will schedule each candidate for this examination with the same credentialed/licensed psychologist, and will notify the candidate. (31.4.3)
 - b. The Chief of Police will receive results.
3. Medical Examination (32.2.7)
 - a. The Administrative Lieutenant or designee will schedule the each candidate for this examination with the same licensed physician, and will notify the candidate. (31.4.3) (22.2.1)



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Exhibit 9b

Chapter 04 Administration
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Supersedes GO 15-071

- b. The Chief of Police will receive the results.
- 4. Drug Screen
 - a. The medical examination will include a mandatory drug screen, which is required by the Maryland Police Correctional Training Commission.
 - b. The Administrative Lieutenant or designee will schedule each candidate for this examination and screening with the same licensed physician, and will notify the candidate. (31.4.3)
 - c. The Chief of Police will receive the results.
- 5. Polygraph Examination
 - a. The Administrative Lieutenant or designee will direct the certified Polygrapher to notify the candidate and schedule the examination.
 - b. The Polygrapher will conduct the examination using pre-selected questions, will evaluate the results, and will have another examiner review and verify the results. (31.4.3)
 - c. The Chief of Police will receive the final results.
 - d. The Chief of Police is prohibited from using the results of the polygraph examination as a single determinant of employment status. (31.5.5)

H. Administrative Review and Recommendation for Employment

- 1. The Chief of Police will review each candidate's complete selection packet, including test scores and results of examinations; and will select appropriate candidate(s) for employment.

I. Police Office Recruit Training Agreement

- 1. Candidates hired for entrance level police training shall be required to execute a training agreement.
- 2. The provisions of the agreement shall provide that, in the event an officer voluntarily terminates his employment with the Department, the officer shall reimburse the City of Aberdeen on a *pro rata* basis for expenses incurred by the City, including, but not limited to, administrative costs, salary, tuition and other fees associated with the training.

J. Candidates Not Hired

- 1. Candidates who are rejected prior to or after an offer of conditional employment, shall be notified in writing within thirty days after any eligibility list has been established.
- 2. Candidates will be informed of the basis for their disqualification (e.g., background investigation, medical examination).
- 3. Candidates who have been rejected for cause (i.e., background investigation) will not be allowed to reapply.



The Aberdeen Police Department Policies & Procedures Manual



Exhibit 9b

Chapter 04 Administration
Section 02 Selection Process

GO 15-087, 12/17/2015
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K. Disposition of Selection Materials

1. The Administrative Lieutenant will ensure that all selection materials of candidates not hired are securely retained and then are destroyed according to the Department Retention Schedule. (31.4.6a)
2. Applicant Background Investigations (31.4.6c)
 - a. Background investigations of candidates not hired are securely maintained and then are destroyed according to the Department Retention Schedule.
 - b. Background investigations of candidates who were hired are securely maintained in the employees' personnel files.
3. Results of all examinations and selection materials are securely maintained in the employee's personnel file. (31.4.6b) (31.4.6d)

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A B E R D E E N P O L I C E D E P A R T M E N T



"Courage, Honor, and Integrity"

HOME ADMINISTRATION REFUSE TO BE A VICTIM CODE ENFORCEMENT HISTORY **EMPLOYMENT** CITIZEN SURVEY

EMPLOYMENT

NOTICE

The City of Aberdeen provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, genetic information, marital status, amnesty, or status as as covered veteran in accordance with applicable federal, state and local laws.

- Community Safety Specialist
- Police Communications Officer
- Police Officer - Lateral
- School Crossing Guard (Part Time)

We will always accept completed applications for consideration of future openings. Check back often for open positions.

- Applicants will be notified to confirm selection process dates and times.
- Applicants must pass each step in the process before proceeding to the next step.
- Candidates who do not pass each step may reapply after one year, if there is an open position.
- Candidates who pass each step in the process, but were not selected, will be placed on a 1-year eligibility list for future positions.
- Expected duration of the Selection Process is three (3) weeks to two (2) months from the date of the successful applicant's first


Selection Process ←

Apply Here

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SELECTION PROCESSES for Open Positions

Police Officer (Recruit & Lateral)	Police Communications Officer
<ol style="list-style-type: none"> 1. Initial Hiring Questionnaire 2. Physical Agility Test 3. Written Test 4. Oral Board (Interview) 5. Background Investigation 6. Polygraph Test 7. Pre-Employment Physical/Medical Exam 8. Drug Test 9. Psychological Test 10. Final Selection 	<ol style="list-style-type: none"> 1. Initial Hiring Questionnaire 2. Typing Test 3. Written Test 4. Oral Board (Interview) 5. Background Investigation 6. Polygraph Test 7. Pre-Employment Physical/Medical Exam 8. Drug Test 9. Psychological Test 10. Dispatch Shadowing 11. Final Selection
Police Safety Officer	Crossing Guard
<ol style="list-style-type: none"> 1. Initial Hiring Questionnaire 2. Written Test 3. Oral Board (Interview) 4. Background Investigation 5. Polygraph Test 6. Pre-Employment Physical/Medical Exam 7. Drug Test 8. Psychological Test 9. Final Selection 	<ol style="list-style-type: none"> 1. Oral Board (Interview) 2. Background Investigation 3. Pre-Employment Physical/Medical Exam 4. Drug Test 5. Final Selection



ABERDEEN POLICE DEPARTMENT

Summary and Analysis: 2019 Recruitment Plan

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ABERDEEN POLICE DEPARTMENT

Summary and Analysis: 2019 Recruitment Plan

2019 Introduction

The City of Aberdeen Human Resources Department performed the Police Department Recruitment duties:

- Advertised for the open positions;
- Categorized the applications by position and qualifications; and
- Entered applications in a database by Name, Position, Race, Gender, Source of Job Announcement, and other information.

This analysis is based on the number of self-identification (Race and Gender) responses received from applicants. Using the data and recruitment activities, this Summary and Analysis includes:

- Progress toward 2019 Recruitment Plan Objectives for Sworn Officers;
- Results of 2019 Recruitment Activities;
- Recommended revisions to the 2020 Recruitment Plan; and
- Summarizes findings in the conclusion to this report.

A. Progress Toward 2019 Objectives (31.2.2a)

Objective 1 Increase the number of qualified African American applicants for the position of Police Officer.

In 2018, we received 106 responses from African American applicants.

In 2019, we received 89 responses from African American applicants.

Objective 1 was not accomplished - The overall number of responses received from applicants identified as African Americans, who qualified for Police Officer positions, decreased by 17.

Objective 1	2018 Applicants	2019 Applicants	Decrease
Qualified African American Applicants for Police Officer	106	89	17

a. Lateral Police Officer

In 2018, we received 10 responses from applicants who identified as African American.

In 2019, we received 16 responses from applicants who identified as African American.

The number African American responses, who qualified for Lateral Police Officer positions, *increased* by 6 applicants in 2019.

Objective 1- a	2018 Lateral Applicants	2019 Lateral Applicants	Increase
African American Lateral Police Officer Applicants	10	16	6

b. Recruit Police Officer

In 2018, we received 65 applications from African Americans.

In 2019, we received 19 applications from African Americans.

The number of African American applicants, who qualified for a Recruit Police Officer position, decreased by 46 applications in 2019.

Objective 1-b	2018 Recruit Applicants	2019 Recruit Applicants	Decrease
African American Recruit Police Officer Applicants	72	19	46



Exhibit 9d

ABERDEEN POLICE DEPARTMENT

Summary and Analysis: 2019 Recruitment Plan

Objective 2 Increase the number of qualified Hispanic applicants for the position of police officer.

In 2018, we received 21 responses from applicants who identified as Hispanic.

In 2019, we received 6 responses from applicants who identified as Hispanic.

The number of applications from persons who identified as Hispanic, who qualified for a Police Officer position, *decreased* by 15 applicants 2019.

Objective 2	2018 Recruit Applicants	2019 Recruit Applicants	Decrease
Total Number of Qualified Hispanic Applicants for Police Officer	21	6	15

a. Hispanic Lateral Police Officer

In 2018, we received 6 responses from applicants who identified as Hispanic.

In 2019, we received 2 responses from applicants who identified as Hispanic.

The number of applications from persons identified as Hispanic, who qualified for a Lateral Police Officer position, *increased* by 4 applicants in 2019.

Objective 2-a	2018 Lateral Applicants	2019 Lateral Applicants	Decrease
Hispanic Lateral Police Officer Applicants	6	2	4

b. Hispanic Recruit Police Officer

In 2018 we received 15 responses from applicants who identified as Hispanic.

In 2019, we received 4 responses from applicants who identified as Hispanic.

The number of applications from persons identified as Hispanic, who qualified for a Recruit Police Officer position, *decreased* by 11 applicants in 2019.

Objective 2-a	2018 Recruit Applicants	2019 Lateral Applicants	Decrease
Hispanic Recruit Police Officer Applicants	15	4	11

Objective 3 Increase the number of qualified Female applicants for the position of police officer.

In 2018, we received 39 responses from applicants who identified as Female.

In 2019, we received responses from applicants who identified as Female.

The overall number of applications from persons identified as female, who qualified for a Police Officer position, *increased* by 19 applicants in 2019.

Objective 3	2018 Recruit Applicants	2019 Recruit Applicants	Increase or Decrease
Female Applicants for Police Officer	39	8	21

- a. **Female Lateral Police Officer** – In 2018, we received 7 responses from applicants who identified as female. In 2019, we received 4 responses from applicants who identified as female. The number of applications from Females decreased by female applicants in 2019.

Objective 3-a	2018 Lateral Applicants	2019 Lateral Applicants	Decrease
Female Lateral Police Officer Applicants	7	4	3



ABERDEEN POLICE DEPARTMENT

Summary and Analysis: 2019 Recruitment Plan

- b. **Female Recruit Police Officer** – In 2018, we received 32 responses from applicants who identified as Female. In 2019, we received 4 responses from applicants who identified as female. The number of applications from persons identified as Female, for a Recruit Police Officer position, decreased by 18 female applicants in 2019.

Objective 3-b	2017 Recruit Applicants	2019 Recruit Applicants	Decrease
Female Recruit Police Officer Applicants	32	4	18

B. Recruitment Activities

- Place Job announcements Department social media, the Department website, internet recruitment outlets, and will be emailed to Department and City of Aberdeen employees.**

Activity: The City Human Resources Department placed job announcements on Indeed.com and emailed job announcements to all City of Aberdeen employees.

The Police Department placed job announcements on the APD Website and Facebook.

- Encourage officers to discuss law enforcement career opportunities with area youth.**

Activity: Officers held numerous community events including Badges for Baseball, School Safety Assemblies, and numerous other events, and discussed law enforcement careers with attendees.

Results: Aberdeen youths are becoming familiar with Aberdeen Police Officers and are learning about careers in law enforcement.

- Conduct recruitment activities outside of the Service Area to attract qualified applicants.**

Activity: Specific recruitment activities outside of Aberdeen did not occur.

- Establish and strengthen relationships with groups in and outside the community who represent African-Americans, Hispanics, and Females.**

Activity: The Department held several community policing events in parks and apartment complexes.

Results: Community policing events draw large numbers of families of representative ethnicities. This will be a process that will show results over time. It is hoped that increasing numbers of youths will express interest in law enforcement to their School Resource Officers.

- Develop a Police Officer Recruitment Brochure.**

Activity: This activity was not accomplished.

- Participate in Law enforcement-related job and career fairs when available in the area.**

Activity: The Department did not participate in job or career fairs.

- Work with community organizations and key community leaders to support the recruitment goals of the agency. (1.3.2)**



ABERDEEN POLICE DEPARTMENT

Summary and Analysis: 2019 Recruitment Plan

Activity: Members of Command Staff may have discussed employment opportunities with community organizations.

Results: Some applicants stated they learned about the position through "Word of mouth", which may have originated from community organizations.

8. Maintain the Aberdeen Police Department Internship Program.

Activity: HCC has been encouraged to include APD in the college's Criminal Justice Internships.

Results: This Department did not have any interns in 2019.

9. Encourage Harford Community College to include the Aberdeen Police Department as a regular part of the Ride-Along included in the college's Criminal Justice Internships.

Activity: HCC has been encouraged to include APD's Ride-Along Program.

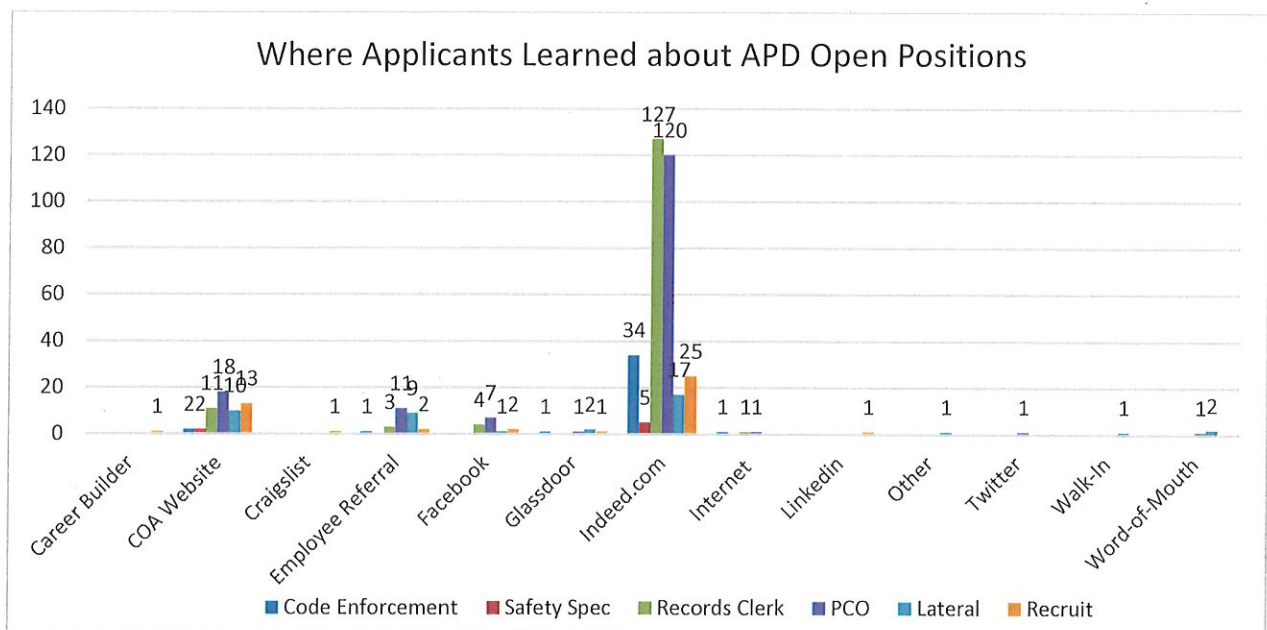
Results: .

C. Analysis

1. Where Applicants for all Jobs learned about the Open Positions

The City Human Resources Department placed Police Officer Job announcements in Indeed.com. The Aberdeen Police Department posted Job announcements on the Aberdeen Police Department Website and on Department social media.

74% of all applicants learned about APD positions through Indeed.com. The next most often source was the City of Aberdeen Website.



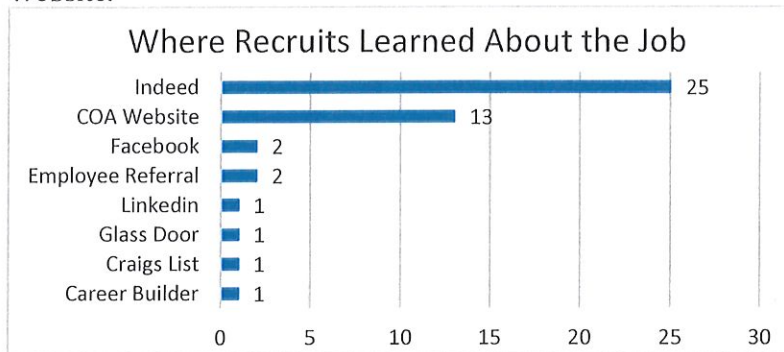


ABERDEEN POLICE DEPARTMENT

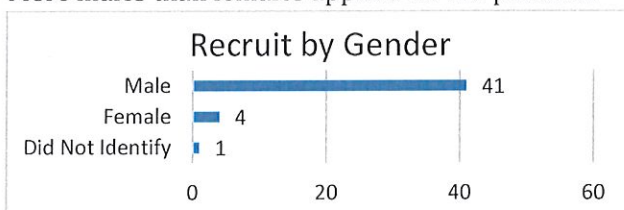
Summary and Analysis: 2019 Recruitment Plan

2. Recruit Police Officer

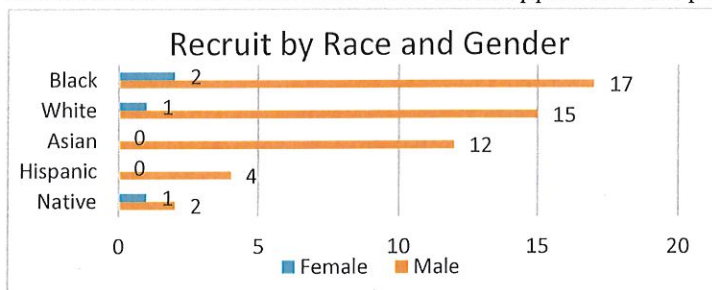
Recruit Police Officer applicants found the job most frequently on Indeed.com, followed by the City Website.



More males than females applied for the position.

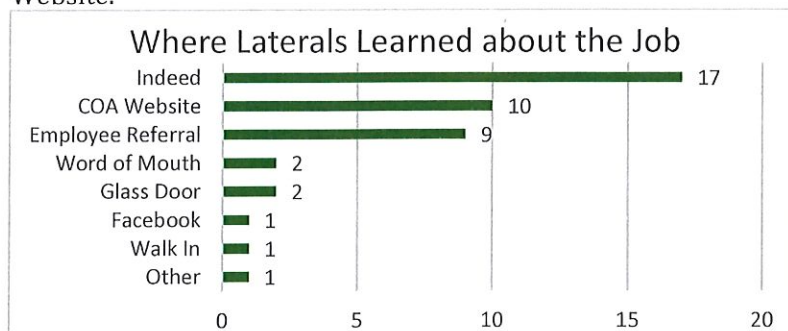


More African Americans than other races applied for the position.



3. Lateral Police Officer

Lateral Police Officer applicants found the job most frequently on Indeed.com, followed by the City Website.

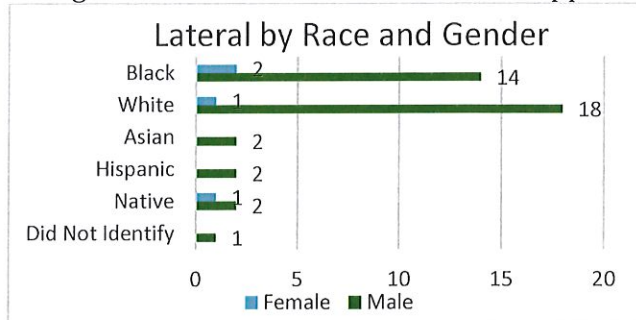




ABERDEEN POLICE DEPARTMENT

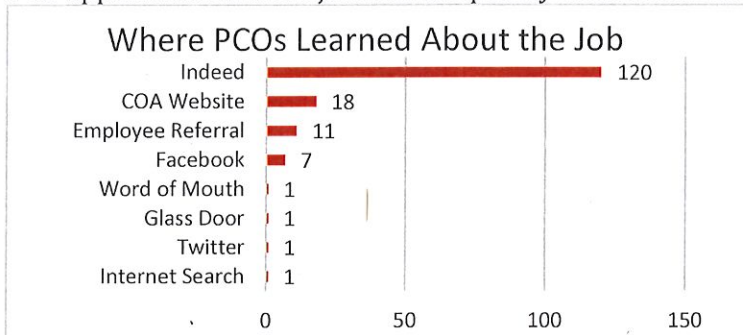
Summary and Analysis: 2019 Recruitment Plan

A larger number of Caucasian and Black applicants applied for the positions.

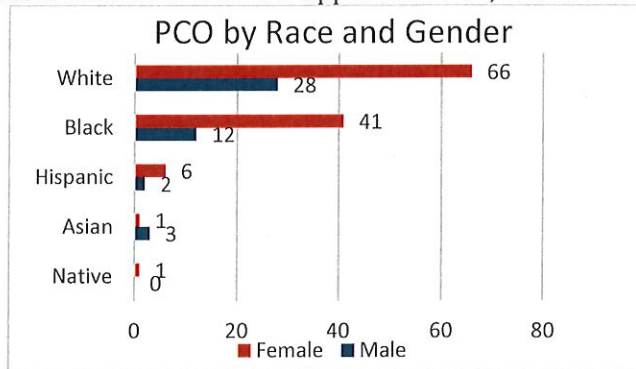


4. Police Communications Officer

PCO applicants found the job most frequently on Indeed.com.



More females than males applied for PCO, and most were White, followed by Black.



D. Evaluation of each objective's strengths and weaknesses

1. Increase the number of qualified sworn African-American, Hispanic, and Female applicants for the position of Police Officer.

Situation: The objectives were drawn from current demographics and applicant statistics from the previous year. Qualified African-American, Hispanic, and Female applicants were underutilized.

Results: The Human Resources Department was successful in its efforts to increase the numbers of minority and female applicants. All objectives for qualified applicants were met in 2018.



ABERDEEN POLICE DEPARTMENT

Summary and Analysis: 2019 Recruitment Plan

Recommendation: 2018 objectives of increasing numbers of qualified minority and female applicants for sworn positions should be the same objectives in 2019.

E. Demographic Data of Department Employees (31.2.2c)**2. Sworn Officers**

2019 Sworn Officer demographic data changed, compared to 2018:

Number of Caucasian officers rose by 3%;

Two Hispanic officers left the Department, leaving 0%

2019 Female Sworn Officer demographic data rose by 2%, compared to 2018

2018	Sworn Officers #	Sworn Officers %	Female Sworn Officers #	Female Sworn Officers %
Caucasian	35	85%	7	17%
African-American	3	7%		0%
Hispanic	1	2%		0%
Other	2	5%		0%
Total	41	100%	7	17%

2019	Sworn Officers #	Sworn Officers %	Female Sworn Officers #	Female Sworn Officers %
Caucasian	37	88%	8	19%
African-American	3	7%		0%
Hispanic	0	0%		0%
Other	2	5%		0%
Total	42	100%	8	19%

F. Recommendations for the 2020 Recruitment Plan (31.2.2b)

1. Remove the Recruitment Brochure Project in Section D of the Plan. The Department distributes detailed information about qualifications, job description, selection process, and the reapplication process. This project is a very low priority.
2. Appoint a Recruitment Coordinator, other than the Accreditation Manager—who no longer participates in the Department's recruitment efforts—to complete the Annual Summary and Analysis and revise successive Recruitment Plans.

G. Summary

1. APD received a much smaller number of applications in 2019, compared to 2019. Law enforcement agencies all over Maryland were competing for the same applicants.
2. Indeed.com continues to be the largest source of a diversified group of applicants by gender and by race. Interestingly, APD's Facebook page was rarely cited as a source of finding the job opening, and APD's Website was never cited.
3. In 2018 and 2019, larger numbers of applications from minorities were received, however, large numbers of all applicants were unable to pass the elements of the selection process.
4. Four lateral police officer candidates were the highest ranking in the selection process. In 2019, 4 males were hired: 3 are Caucasian and 1 is black.



ABERDEEN POLICE DEPARTMENT

Summary and Analysis: 2019 Recruitment Plan

Signatures and Approvals

	Revisions Approved (✓)	Not Approved (✓)	
_____ Recruitment Plan Administrator Shirley Echols			_____ Date
_____ Administrative Division Commander Will Reiber	_____	_____	_____ Date
_____ Deputy Chief of Police Kirk Bane	_____	_____	_____ Date
_____ Chief of Police Henry G. Trabert	_____	_____	_____ Date



The Aberdeen Police Department Policies & Procedures Manual



Exhibit 10

Chapter 20 Use of Force
Section 01 Force and Deadly Force

GO 20-017, 06/11/2020
Supersedes GO 16-030

A. Policy

1. Officers will use reasonable force when force is used to accomplish lawful objectives. (4.1.1)
 - a. Reasonable force is only that force which is necessary to accomplish lawful objectives.
2. The use of excessive force, regardless of the provocation or action of the offender, shall result in certain and severe disciplinary action and may result in criminal prosecution.
3. The policies regarding use of force may not cover every situation.
 - a. At the discretion of the Chief of Police, any deviation from these policies will be evaluated on a case-by-case basis.
4. This policy is for Department use only and does not apply in any criminal or civil proceeding.

B. Definitions

1. **Force** – The amount of effort required by police to compel compliance by an unwilling subject.
2. **Deadly force** – Physical force which is intended to cause death or grave injury, or which creates some specified degree of risk that a reasonable and prudent person would consider likely to cause death or grave injury.
3. **Neck Hold** – **The following neck hold and all other neck holds are prohibited unless deadly force is authorized**
 - a. carotid restraint hold;
 - b. a lateral vascular neck constraint; or
 - c. a hold with a knee or other object to a subject's neck.
4. **Less-Lethal force** – Physical force which is intended to be less likely to cause death or grave injury.
5. **Medical Aid (Appropriate Medical Aid)** – may include increased observation to detect obvious changes in condition; flushing chemical agents from the eyes; applying first aid; evaluation by paramedics; or for more serious or life threatening incidents, immediate aid by medical professionals.
6. **Physical Injury** – impairment of physical condition or substantial pain.
7. **Serious physical injury** – Physical injury that causes serious or permanent disfigurement, serious impairment of health or loss or protracted impairment of the function of any bodily organ or limb and that creates a reasonable risk of death.
8. **Reasonable belief** – The facts or circumstances the officer knows, or should know, are such to cause an ordinary and prudent person to act or think in a similar way under similar circumstances. The proper application requires careful attention to the fact and circumstances of each case, including:
 - a. The severity of the crime at issue,
 - b. Whether the suspect poses an immediate threat to the safety of the officers or others, and



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Exhibit 10

Chapter 20 Use of Force
Section 01 Force and Deadly Force

GO 20-017, 06/11/2020
Supersedes GO 16-030

c. Whether he is actively resisting arrest or attempting to evade arrest by flight.

9. **Physical Techniques** – Actions using body movement and strength to defend against or control a resisting subject.

C. Less-Lethal Force (4.1.4)

1. Physical Techniques

- a. When physical force is necessary and justified, officers may use physical techniques.
- b. Officers shall be trained to use only that force necessary to accomplish their lawful duties. (4.3.3b)

2. Less-Lethal Weapons

- a. Officers shall not use less lethal weapons when lesser force will accomplish the task.
- b. Authorized less lethal weapons include intermediate weapons and chemical agents. (see Weapons policy for approved weapons and chemical agents)
- c. When physical force is necessary and justified, officers may use non-lethal issue weapons:
- 1) To defend against violent attack when the use of firearms would not be appropriate or advisable;
 - 2) To overcome the violent resistance of a subject when making an arrest;
 - 3) To subdue or incapacitate a subject to prevent imminent physical harm to the officer or another person;
 - 4) To restrain or take a suspect into custody; and/or
 - 5) To bring an unlawful situation safely and effectively under control.
3. Officers shall document their use, except in training situations, of physical techniques and less-lethal weapons on the Incident Report and on the Use of Force Report form.

D. Use of Less Lethal Weapons (4.1.4)

1. ASP Expandable Baton

- a. May be deployed in these circumstances including, but not limited to:
- 1) Subject who is violently resisting arrest;
 - 2) Subject is actively fighting or injuring another officer or citizen; or
 - 3) Lesser force would not complete an arrest or stop an active assault.
- b. Would not normally be deployed under these circumstances:
- 1) Against a handgun or other firearm;
 - 2) Against a knife; or
 - 3) Against a person already handcuffed.

2. Oleoresin Capsicum (OC) Spray

- a. May be deployed in these circumstances including, but not limited to:
- 1) When necessary to defend the officer or others; or



The Aberdeen Police Department Policies & Procedures Manual



Exhibit 10

Chapter	20	Use of Force
Section	01	Force and Deadly Force

GO 20-017, 06/11/2020
Supersedes GO 16-030

- 2) To prevent the commission of a crime.
- b. After deploying the Spray, officers shall: (4.1.5)
 - 1) Make every effort to relieve the subject's discomfort after exposure.
 - a) Provide contaminated subjects with fresh air and water.
 - b) Provide all subjects a short decontamination period prior to transport, only when practical
 - 2) Request emergency medical assistance when an exposed person:
 - a) Does not resume normal breathing after the first 5 minutes;
 - b) Hyperventilates;
 - c) Loses consciousness;
 - d) Stops breathing;
 - e) Suddenly becomes incoherent; or
 - f) Turns pale.
- 3. TASER
 - a. The TASER may be deployed in these circumstances, including but not limited to:
 - 1) The subject is displaying active resistance or aggression;
 - 2) Lesser force options have been ineffective; or
 - 3) The subject poses a threat from a distance and closing the distance places an officer at risk of injury.
 - b. Officers must consider secondary injuries when deploying the TASER.
 - c. After deploying the TASER (4.1.5)
 - 1) Officers may remove the ECD darts (probes) from the subject after the subject is restrained.
 - 2) The deploying officer shall have transported to a medical facility for examination following exposure to an ECD any person who:
 - a) Still has probes in the skin due to the officer's having difficulty removing the probes (owing to probe or barb separation);,
 - b) Requests medical attention—officers shall ask persons if they desire medical attention;
 - c) Is hit in a sensitive area (e.g., face, head, female breasts, male groin);
 - d) Does not appear to recover properly after being hit;
 - e) Has been energized more than three times;
 - f) Has had more than one ECD effectively used against him or her in any given incident;
 - g) Has been subjected to a continuous energy cycle of 15 seconds or more; or



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- h) Has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to ECD exposure.

E. Deadly Force – Permitted (4.1.2)

1. An officer may use deadly force only when the officer reasonably believes that the action is
 - a. In defense of human life, including the officer's own life, or
 - b. In defense of any person in imminent danger of serious, life threatening physical injury.

F. Firearms Use (Other than Deadly Force) – Permitted

1. A police employee of the Department may discharge a firearm:
 - a. To kill a dangerous animal that is jeopardizing the safety of the public or the police employee;
 - b. To kill an injured animal to relieve its suffering;
 - c. To give an alarm or to call assistance when no other means is available and such action will not endanger or threaten the public; or
 - d. When used in practice on a firing range.

G. Firearms Use Outside of Maryland

1. The authority of a police employee of the Department to use a firearm during fresh pursuit outside of Maryland is identical to the authority to use a firearm within Maryland.
2. The use of deadly force during fresh pursuit outside of Maryland must be justified to authorities within the foreign jurisdiction.
3. Justification will be based upon the employee's strict adherence to Aberdeen Police Department policy.

H. Firearm Use – Prohibited

1. An officer shall not discharge a firearm:
 - a. As a warning; (4.1.3)
 - b. At or from a moving vehicle except:
 - (1) as a measure of self-defense or defense of another when the suspect is using potentially deadly force other than the vehicle;
 - (2) when a vehicle is driven in a manner deliberately intended to kill or severely injure a police employee or citizen who is on foot; or
 - c. In any attempt to apprehend a misdemeanor.

I. Officer's Responsibilities After Using Force

1. The officer involved shall:
 - d. Ensure the scene is safe;
 - e. Check subject for injuries: (4.1.5)
 - (1) Offer appropriate medical aid to any injured parties;
 - (2) Call medical assistance if necessary;



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- f. Notify immediate supervisor; and
 - g. Complete a Use of Force Report (see Chapter on Reporting Use of Force) and other required documents.
- 4. After using deadly force, the officer involved shall not discuss the incident with anyone other than:
 - a. The supervisor;
 - b. The investigators assigned to conduct the criminal or administrative investigation; and selected legal counsel.
- 5. The officer involved shall remain at the scene of the incident pending the arrival of a supervisor.

J. Supervisor's Responsibilities in Deadly Force Situations

- 1. The supervisor may remove the officer involved in the incident to a more appropriate location if the supervisor determines such relocation is in the best interest of the officer, affected citizens, or to facilitate the completion of the investigation of the incident.
- 2. The supervisor shall notify the chain of command.
- 3. The supervisor shall leave weapons, magazines, spent casings, and other potential items of evidence in place and secure the scene.
- 4. Upon arrival at the scene, the supervisor shall ensure:
 - a. Protection of the scene and all evidence;
 - b. Assignment of necessary personnel;
 - c. Separation of witnesses, including officers; and
 - d. Notification of the officer's family, if appropriate.
- 5. The supervisor shall not:
 - a. Handle weapons and magazines, spent casings, and other potential items of evidence;
 - b. Clear live rounds from chamber; or
 - c. Count rounds in remaining magazines.
- 6. The supervisor shall remain in charge of the scene until relieved by a superior, specialized unit, or authorized officers.

K. Command Staff Responsibilities

- 1. Command Staff will remove from enforcement duty assignment any employee whose action(s) or use of force in an official capacity resulted in death or serious physical injury: (4.2.3)
 - a. Pending the results of an administrative review; and
 - b. Pending a determination by the appropriate psychological services as to duty status.
- 2. Command Staff shall:
 - a. Afford the officer involved all rights as provided by law; and
 - b. Ensure that the officer involved is allowed to obtain legal representation.