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Sheriff

# HARFORD COUNTY SHERIFF'S OFFICE PERSONNEL POLICY

## Office of Professional Standards Notifications & Investigations, Records & Mandatory Reporting

<b>Distribution:</b>	All Personnel		<b>Policy Number:</b>	PER 0211
<b>Responsible Unit:</b>	Office of Professional Standards		<b>Rescinds:</b>	
<b>Original Issued Date:</b>	07/01/22	<b>Revision #</b>	1	<b>Latest Revision Date:</b> 07/24/25
<b>Required 3-yr. Review Completed:</b>	07/24/25		<b>Next Required 3-Yr. Review Due:</b>	07/31/28

### 1. Purpose

To describe the notification and investigation procedures for the Office of Professional Standards (OPS).

### 2. Policy

OPS will be the central repository for all internal investigations involving Agency members and must be notified in certain situations.

### 3. Procedures

#### A. Notifications

##### 1. OPS will be notified immediately when:

- a. A member is involved in an incident that results in the death of individuals or injuries likely to result in death;
- b. A member is charged with a criminal offense;
- c. An allegation of criminal activity is directed at a member warranting a police investigation, regardless of jurisdiction of occurrence;
- d. A member's weapon is discharged other than at the range or the killing of a dangerous or injured animal;
- e. A member is found driving a Harford County Sheriff's Office (HCSO) or HCSO owned, leased, or rented vehicle while under the influence of alcohol or a controlled dangerous substance, or both;
- f. A member has been served with an ex parte protective order or is the respondent in a non-ex parte protective order; or
- g. A member commits any act of serious misconduct warranting an immediate investigation.

##### 2. Upon being notified of any of the incidents listed above, the on-call OPS investigator will immediately notify the Sheriff through the Investigative Services Bureau (ISB) Chief.

3. The ISB Chief will routinely brief the Sheriff or designee on open cases.
4. After business hours, OPS can be notified through the on-call roster on the shared directory or the Investigative Services Bureau Chief.

B. Investigations

1. Generally, OPS will conduct administrative investigations when the following exists:
  - a. There are allegations of sexual harassment or discrimination;
  - b. Protective Orders;
  - c. Allegations of domestic violence;
  - d. Arrests/investigations of employees for violations of criminal and/or motor vehicle laws;
  - e. Allegations of sexual or racial misconduct;
  - f. Civil liability suits against members of the HCSO whereby member actions have not already been investigated;
  - g. Allegations of corruption;
  - h. Allegations of gross misconduct;
  - i. Allegations of the use of excessive force/brutality;
  - j. A member is involved in an incident that results in the death of individuals or injuries likely to result in death;
  - k. In custody deaths;
  - l. Allegations of misconduct against deputies by an allied agency; and
  - m. All other administrative investigations that may be assigned by the Sheriff.
2. The OPS reserves the right to assume case responsibility for any complaint or investigation.
3. Upon receipt of a complaint, the ISB Chief or his designee will contact the complainant by letter within 72 hours to advise that the complaint has been received and will be reviewed. A copy of the letter will be filed with the investigation.
4. Upon receipt of a complaint that has been determined to be eligible for review by the Administrative Charging Committee (ACC), the ISB Chief or his designee will provide a copy of the complaint to the HCSO Victims' Rights Advocate to contact the initiating member of the public to explain the complaint, investigation, administrative charging committee, and trial board process.

5. At the conclusion of an administrative investigation, the OPS investigator will make factual recommendations in writing as to whether the complaint is sustained, non-sustained, or unfounded.
6. Once a complaint or administrative investigation has been closed and/or completed, the ISB Chief or his designee will contact the complainant by letter within 72 hours after final disposition has been made, and to each member accused, advising the outcome of the complaint. A copy of the letter will be filed with the investigation.
7. Upon conclusion of an ACC eligible administrative investigation, the ISB Chief or his designee will provide a copy of the investigation to the Victims' Rights Advocate so they may provide a case summary to a complainant within 30 days after final disposition of the case.

#### C. Records and Files

1. A "Complaint Against Personnel" master file for each member will be securely and confidentially maintained by OPS.
2. The master file is available for public review except for a record of technical infraction; and any records relating to an administrative or criminal investigation of misconduct by a law enforcement deputy including an internal affairs investigation record, hearing record, and records relating to a disciplinary decision. These records are not subject to mandatory denial of inspection, but instead are subject to discretionary denial.
3. Corrections records access.
  - a. The Correctional Officers' Bill of Rights (COBR) provides for the expungement of any record of formal complaint if the sworn correctional member has been exonerated on all charges or if the charges are non-sustained or unfounded and three years have passed since the findings were rendered by the HCSO.
  - b. OPS will periodically review its records and without request from the sworn correctional deputy, expunge a formal complaint or other material pursuant to the COBR.
4. Law enforcement records relating to an administrative or criminal investigation of misconduct by a police officer, including an internal affairs investigation record, a hearing record, and records relating to a disciplinary decision, may not be expunged or destroyed by a law enforcement agency (MD. Public Safety Code § 3-112 (2023)).
5. Expunged files may be sent to the State Records Management Center and can only be retrieved by the Sheriff, the Chief Deputy, the Harford County Law Department, or the Assistant Attorney General representing the HCSO.
6. All original reports and recordings related to internal investigations will be forwarded to OPS for filing.
7. OPS will maintain the integrity and confidentiality of all internal investigations and records.

#### D. Office of Professional Standards Tracking Number

1. Upon receiving any citizen complaint, commanders will obtain a tracking number from OPS.
2. Commanders will report sustained cases resulting in non-disciplinary personnel counseling to OPS via a Memorandum ([SO-212](#)) so that the tracking number can be closed.
3. Sustained cases resulting in Alternative Disciplinary Procedure, summary punishment, hearing board, or waiver of a hearing board will be reported to OPS via a Memorandum ([SO-212](#)) at the conclusion of the proceeding.
4. OPS will record all dispositions in the tracking number database.

E. OPS Offices

1. OPS investigators are assigned to a single office that is centrally located to provide support and assistance to commanders, supervisors, and employees.

F. Annual Analysis of Complaints Against Personnel

1. Annually, the **ISB Chief or his designee** will prepare a summary report of all complaints against personnel that were investigated during the previous calendar year that includes the data elements required by the Maryland Police Training and Standards Commission (MPTSC).
2. The report will be forwarded annually by way of the chain of command to the Sheriff.
3. A summary of the prior year's cases will be included in the HCSO Annual Report.
4. No persons who are the subject of any complaint or disciplinary action will be identified.

G. Statutory Reporting

1. Annually, the **ISB Chief or his designee** will report to the MPTSC the following, in accordance with Maryland Code in the format provided:
  - a. Serious law enforcement deputy involved incidents;
  - b. The number of deputies disciplined; and
  - c. The type of discipline administered to those deputies.

#### 4. Summary of Changes

- A. **On July 24, 2025, the Agency 3-year policy review was conducted, and the following revisions and changes were made:**
  1. **Revised the title of the policy from "Office of Professional Standards Notifications & Investigations" to "Office of Professional Standards Notifications & Investigations, Records & Mandatory Reporting."**
  2. **New language was added under the following areas within Section 3. Procedures:**

- a. Section 3.B.1.j, Investigations: A member is involved in an incident that result in the death of individuals or injuries likely to result in death.
- c. Section 3.B.4, Investigations: Upon receipt of a complaint that has been determined to be eligible for review by the Administrative Charging Committee (ACC), the ISB Chief or his designee will provide a copy of the complaint to the HCSO Victims' Rights Advocate to contact the initiating member of the public to explain the complaint, investigation, administrative charging committee, and trial board process.
- d. Section 3.B.7, Investigations: Upon conclusion of an ACC eligible administrative investigation, the ISB Chief or his designee will provide a copy of the investigation to the Victims' Rights Advocate so they may provide a case summary to a complainant within 30 days after final disposition of the case.
- e. Section 3.C.2, Records and Files: The master file is available for public review except for a record of technical infraction; and any records relating to an administrative or criminal investigation of misconduct by a law enforcement deputy including an internal affairs investigation record, hearing record, and records relating to a disciplinary decision. These records are not subject to mandatory denial of inspection, but instead are subject to discretionary denial.
- f. Section 3.C.4, Records and Files: Law enforcement records relating to an administrative or criminal investigation of misconduct by a police officer, including an internal affairs investigation record, a hearing record, and records relating to a disciplinary decision may not be expunged or destroyed by a law enforcement agency (MD. Public Safety Code § 3-112).

Approved  
  
JEFFREY R. GAHLER  
SHERIFF  
DATE 9.16.25