

HAVRE DE GRACE POLICE DEPARTMENT



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June 15, 2020

To: NAACP-Harford County
Harford County Caucus of African American Leaders
BRIDGE Maryland
Together We Will Harford County/Upper Chesapeake

**Reference: Response to the Letter to Harford County Law Enforcement Agencies
Received on Saturday, June 6, 2020**

Thank you for your letter dated June 6, 2020, which outlines 10 Actions For A Better Harford County. I appreciate the organizations collaborating in an effort to implement recommendations that will improve relationships, increase public trust, and protect citizens and law enforcement officers alike. I believe those are reasonable and desired outcomes for our county as a whole.

As Chief of Police for the City of Havre de Grace, I feel very fortunate that our Police Department has a good partnership with our community. However, it is only through the collective continual efforts between our citizens and our police officers that have brought us together to make our City a wonderful community in which to live, work, play, and visit. It is truly through the relationship with our communities that has made a significant difference in the safety of our city. This in turn has made the City of Havre de Grace listed as one of the top ten safest cities in the State of Maryland for several years and one of the top five safest cities in the United States to raise children. Again, this is in no small part to our community working with our Police Department. Finally, I am very lucky to serve citizens who genuinely care about their city and each other.

As I have stated on numerous occasions, we are here because of and for our citizens. The officers in our Police Department strive every single day to perform our duties properly and in an unbiased manner. We strive to display the highest level of integrity while protecting the rights of those we serve. But reform in general must come from many stakeholders such as community and law enforcement leaders, our elected officials, organizations such as yourselves, and of course, those who live in our communities. It will be hard work and take real commitment to make the changes that are necessary and sustainable.

Responses for each of the 10 Actions For A Better Harford County:

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- 1.) **By July 15, 2020, develop a community survey with community input on the 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.**

The Havre de Grace Police Department has started this process by beginning to form a work a group of citizens and our Police Department to develop the community survey. As you are aware, creating a survey has very specific requirements that will allow for fair, impartial responses in which to achieve the goal of assessing the level of trust between the community and law enforcement. The survey can be germane strictly to our city or perhaps encompass Harford County Law Enforcement in general.

While the Havre de Grace Police Department has not conducted a community survey in recent years, we work diligently to meet with our citizens and every type of group, association, business, religious affiliation, age group, and volunteer organization, along with schools, and service clubs within our city in an effort to discuss and resolve any type of problem or issue that effects the quality of life within their respective group, as individuals or the city as a whole.

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

Our Standards of Conduct policy is consistent with the values and mission of the Havre de Grace Police Department and it identifies what is expected of all department members. If personnel commit an unlawful act or other transgression, typically that act or misbehavior is included in the Standards of Conduct policy. Please understand it is virtually impossible to list every single possible prohibitive action, however, we have identified what a reasonable person would believe are the majority of important matters concerning conduct. In addition to the Havre de Grace Police Department policy on conduct, the members of the Police Department must also follow the rules and regulations defined in the Personnel Handbook for each employee of the City of Havre de Grace.

In addition to the Standards of Conduct policy, our Personnel Complaints policy is a mechanism for reporting, investigation, and disposition of misconduct. In the Personnel Complaints policy, each step of the process is identified. When one discusses misconduct investigations one often looks at Use of Force, and Prohibiting Bias-Based Policing. Our Department has both policies and they are based on both Federal and State laws and practices.

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- 3.) **Immediately mandate independent investigation and prosecution of officer-involved shootings and in-custody deaths. Special Prosecutors must be appointed at the State or Federal level.**

I am not opposed to an independent investigation in the case of an officer involved shooting or in-custody death. This type of an investigative assignment would have to be agreed upon and include a memorandum of understanding outlining the various responsibilities incumbent upon the Police Department and the investigating law enforcement agency.

Please keep in mind while the criminal investigation is being conducted, a separate Administrative Investigation is being conducted to determine if all personnel involved acted in compliance with department policy. The purpose of this investigation is different and it is conducted for internal and administrative purposes.

Over the last couple of years there has been legislation introduced that would have required an outside agency conduct investigations of an officer involved death. However, both the House Bill (983) and Senate Bill (898) did not pass. During this most recent Legislative session in Annapolis, House Bill 1251 was introduced and it pertained to Attorney General – Independent Investigation of Law Enforcement – Involved Death. This bill would require the Attorney General to conduct an independent investigation in police related involved death cases. I support the bill as this would require the Attorney General to conduct an independent investigation or conduct a review of a completed investigation.

- 4.) **Within 4-6 months, re-evaluate training, hiring, and LEA employment evaluation 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 website, individual jurisdictions' websites, and on all relevant social media platforms.**

The Havre de Grace Police Department continually reviews our policies, procedures and training to adapt best practices, changes in Federal and State laws, court decisions, Maryland Police Training and Standards Commission requirements, as well as input from our community.

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For several years the officers in our agency have received training and education in a wide variety of issues such as:

- Implicit bias;
- Anti-discrimination and de-escalation;
- Diversity
- Scenario Based Training;
- Crowd Control First Amendment Protection;
- Force Reporting and Force Investigations;
- Public Perception of Police and Use of Force;
- Judgmental Use of Force Training Simulator;
- Mental Health First Aid for people in crisis;
- Suicide Prevention;
- Managing Stress;
- Autism

This is a brief list of topics taught on a continual basis and is not intended to be an exhausted list of all the training and education officers receive. Throughout an officer's career starting from the initial training in the entrance level police academy and at a minimum of every two years, much of this training is a mandate to maintaining the officer's law enforcement certification.

Our Department supports the idea of promoting new standards and practices on various media outlets to include the City of Havre de Grace website, the Havre de Grace Police Department Facebook Page and other platforms.

- 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.**

This action is not within my power to correct as it requires a change in Maryland law and would require the Maryland legislature to take that action.

Again, as a reminder, the Law Enforcement Officers Bill of Rights only applies to Administrative Investigations (frequently referred to as Internal Affairs Investigations) and it does not apply to criminal investigations. Any officer in the State of Maryland who is accused of a crime has no more or no less protections (Constitutional rights) than any other citizen who is charged with a crime.

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

The Havre de Grace Police Department currently reviews Use of Force incidents and reports:

- Any trends in the use of force by members;
- Training needs recommendations;
- Equipment needs recommendations;
- Policy revision recommendations.

I am not opposed to effective data collection that provides a thorough and complete analysis of use of force incidents.

- 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 have no qualms with having an open dialogue regarding establishing an independent Civilian Review Board that reviews the entire process from accepting, investigating, to how the investigative report is prepared and presented in cases related to bias and discrimination.

Currently, the City of Havre de Grace has a Public Safety Committee that reviews action items related to public safety and includes Fire and EMS services. This is a volunteer group that service as a liaison between our community, all first responder organizations and the City. With the approval of the Mayor and City Council, I believe an extension of that committee could be formed that would have the ability to act as a civilian review board. However, in order for the participating civilian members to gain a better understanding of why and how law enforcement personnel act in response to various situations, those members should participate in education and training sessions that include department policies and procedures, criminal laws, use of force, and judgmental situations, to name a few.

We have always worked closely with the citizens within our community and see this as yet another way to include residents in another aspect of the Havre de Grace Police Department and the law enforcement profession in general.

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- 8.) **By January 2022 (the next election cycle year), add funding for the implementation of body and 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.**

The Havre de Grace Police Department has started to test and evaluate Body Worn Camera (BWC) systems. This has become an important undertaking for law enforcement agencies throughout our country and has evolved into another tool in the toolbox for police. However, we must maintain proper perspective and understand that a BWC is not a “solve all problems” solution. We must be cognizant that there are limitations to body worn and/or vehicle cameras. A camera can never replace a thorough investigation.

The implementation of cameras is a huge financial commitment that includes not simply the cost for equipment, storage, policy development, etc., but will also require the hiring of at least one additional civilian. This additional person would be responsible for the administration of the program to include working with the State’s Attorney’s Office on case preparation, responding to Freedom of Information Act requests, reviewing footage, program compliance, etc.

The current budget does not support the camera systems, however, we will look to find grants or other alternative methods to help fund the initial cost for the program. Nonetheless, monies will need to be allocated for all of the continuing costs associated with the program.

- 9.) **By 2023 (within three years), increase the diversity hiring of women and underrepresented minorities so that the personnel makeup of Law Enforcement Agencies is representative of the demographics of Harford County.**

The demographics of the Havre de Grace Police Department have consistently represented the demographics of our community. We continually look at new ways to attract qualified candidates to our Police Department because we want only the best people working with and serving our citizens.

As recent as this past December, members of our department along with the City Human Resource Manager attended training focused on recruitment and retention of qualified minority candidates.

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Likewise, they looked at various approaches to overcoming the challenges of attracting those candidates to a small law enforcement agency. By virtue of size, smaller agencies may not perform the same functions or have the same career opportunities, such as specialized units, as a larger police department. This frequently causes our department to lose out on minority candidates.

We continue to meet with various organizations and a diverse section of our community to discuss the requirements for becoming a police officer in the State of Maryland. We actively encourage students to consider public service throughout their school careers and educate them about the standards and requirements necessary for them to be eligible for a career in the law enforcement profession.

We examine our approach to recruitment along with the application, testing, and overall hiring process. The city has a volunteer citizen Employee Wage and Benefits Committee that continually researches and evaluates how to best enhance benefits and improve pay.

To say that recruitment and retention has been difficult for the past five years is an understatement. Fewer and fewer people want to enter the law enforcement profession which has become a crisis and a big challenge for every police department throughout the country. Thus, it is vital to have the input and assistance from the community to help locate, cultivate and recruit qualified candidates into the profession.

10.) Immediately abolish the use of chokeholds and strangle holds.

The members of the Havre de Grace Police Department are trained with the understanding that if any force is to be utilized, this force may not exceed the physical resistance presented by a suspect. Per our policy, officers shall only use that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event in order to accomplish a legitimate law enforcement purpose. The reasonableness of the force used in relation to the circumstances is key. Furthermore, our officers only use compliance techniques that they have successfully completed training and receive certification. The approved techniques for the Havre de Grace Police Department do not include chokeholds, strangle holds, knee on a suspect's neck or any similar tactic.

Conclusion

I am very fortunate to serve the citizens of the City of Havre de Grace. Our community is always willing to do the hard work in collaboration with our Police Department to solve problems. It's the people in our community who understand that it takes the efforts of everyone, citizen and police officer, to build lasting relationships and create sustained, positive change.

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Martin Luther King Jr. said, "People fail to get along because they fear each other; they fear each other because they don't know each other; they don't know each other because they have not communicated with each other." We know our community and they know us. We cannot let the civil unrest in our country define who we are and ruin the relationships that we have built over the years.

Sincerely,

A handwritten signature in cursive script that reads "Teresa Walter". The signature is written in black ink and is positioned above the typed name and title.

Teresa Walter
Chief