GETTING ACCESS TO IAD FILES

DEBORAH KATZ LEVI
MARYLAND OFFICE OF THE PUBLIC DEFENDER



IA PRO SOFTWARE OR **NO SOFTWARE** PROJECT

- 7 2005-1599.pdf
- 7 2008-0844.pdf
- 7 2008-1421.pdf
- 2009-1951E.pdf
- 2010-0940.pdf
- 7 2011-0268.pdf
- 7 2011-0520.pdf
- 7 2011-0772.pdf
- 7 2012-0463.pdf
- × 2012-0403.pui
- 7 2014-0160.pdf
- 2014-0485.pdf
- 7 2014-0585.pdf
- TCIU 10-00142.pdf
- TCIU11-03610.pdf

- 7 2007-0158.pdf
- 7 2008-0866.pdf
- 7 2009-1357.pdf
- 7 2009-2354.pdf
- 7 2010-1059.pdf
- 7 2011-0382.pdf
- 7 2011-0578.pdf
- 7 2011-0905.pdf
- 7 2013-0476.pdf
- 7 2014-0272.pdf
- 7 2014-0496.pdf
- 7 2015-0129.pdf
- tiu_13-01814.pdf
- TCIU12-03492.pdf

- 7 2007-1584.pdf
- 7 2008-1086.pdf
- 7 2009-1803.pdf
- 7 2010-0067.pdf
- 7 2010-1181.pdf
- 7 2011-0494.pdf
- 3 2011-0676.zip
- 7 2012-0331.pdf
- 7 2013-0609.pdf
- 7 2014-0403.pdf
- 7 2014-0559.pdf
- 7 2015-0194.pdf
- CIU11-03286.pdf

CATEGORIES OF MISCONDUCT

- ABSENT WITHOUT LEAVE (AWOL)
- ABUSE OF DISCRETION/AUTHORITY
- ABUSIVE OR DISCRIMINATORY LANGUAGE
- COMPUTER/EMAIL/INTERNET MISUSE
- CONDUCT UNBECOMING A POLICE OFFICER/EMPLOYEE
- CRIMINAL ASSOCIATION
- DOMESTIC INCIDENT
- EXCESSIVE FORCE
- FAILURE TO APPEAR IN COURT (FTA)
 FALSE ARREST/IMPRISONMENT
- FALSE STATEMENT/REPORT
- HARASSMENT
- IMPAIRING FIRST AMENDMENT RIGHTS
- IMPROPER STOP/SEARCH/SEIZURE
- INAPPROPRIATE COMMENTS AND/OR GESTURE(S)
- INSUBORDINATION
- MEDIATION PROGRAM REVIEW

NEGLECT / FAILURE TO REPORT USE OF FORCE

NEGLECT / FAILURE TO SUPERVISE

NEGLECT/ FAIL TO ATTEND AND

COMPLETE REQUIRED TRAINING

NEGLECT/BWC

NEGLECT/FAILURE TO WRITE REPORT

NEGLECT/FIREARMS RELATED

NEGLECT/GENERAL

NEGLECT/PRISONER RELATED

RACE-BASED PROFILING

RESPONDENT IN CIVIL PROTECTIVE ORDER

RETALIATION

SECONDARY EMPLOYMENT VIOLATION

SUPERVISOR REQUEST

SUSPENSION

UNNECESSARY FORCE

UNSAFE OPERATION OF DEPARTMENTAL VEHICLE

USE OF FORCE INVESTIGATION

VCS/DOMESTIC VIOLENCE

VCS/DRIVING UNDER THE INFLUENCE

(DUI)

VCS/OTHER FELONY

VCS/OTHER MISDEMEANOR

VCS/SEXUAL MISCONDUCT

VCS/THEFT RELATED

VEHICLE ACCIDENT

VEHICLE PURSUIT

WORKPLACE HARASSMENT

DISPOSITIONS

- Unfounded
- Sustained
- Not sustained
- Administratively Closed
- Complainant Didn't Follow Through
- Dismissed by Legal

Officers involved:

POLICE SERGEANT

Officer current info:

BUREAU: OPERATIONAL DIVISION: PATROL

COMMAND / SECTION: CENTRAL DISTRICT

Snapshot - officer information at time of incident:

Badge/ID no: BUREAU: DIVISION:

COMMAND / SECTION:

Rank/title:

Age: Years of employment: Years with unit:

Off duty: Off duty employed:

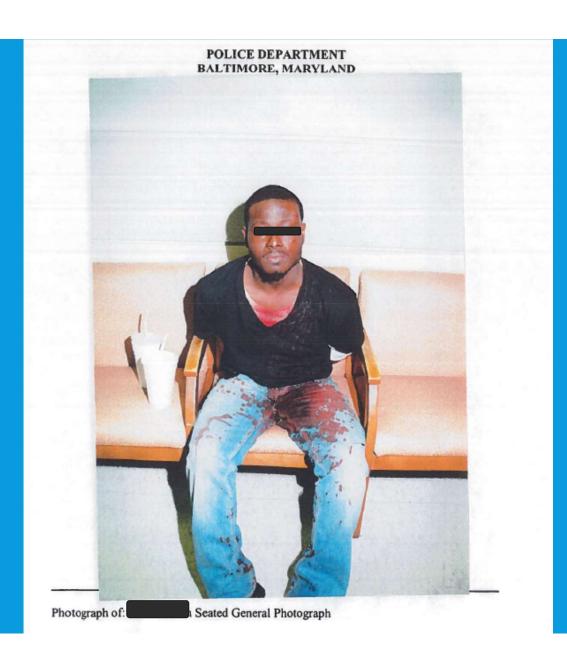
Allegations:

EXCESSIVE FORCE - - NOT SUSTAINED - Feb 17, 2010
DISCOURTESY - - NOT SUSTAINED - Feb 17, 2010
HARASSMENT - - UNFOUNDED - Feb 17, 2010
MISCONDUCT/VCS ILLEGAL SEARCH OF PREMISES - - NOT SUSTAINED - Feb 17, 2010
MISCONDUCT/VCS MISDEMEANOR THEFT - - UNFOUNDED - Feb 17, 2010
FALSE IMPRISONMENT - - SUSTAINED - Feb 17, 2010
FALSE ARREST - - UNFOUNDED - Feb 17, 2010

Charges:

RULE 1. CONDUCT 03/09/2010 [] - JUDGEMENT OF ACQUITTAL May 15, 2013

RULE 1. SECTION 19 03/09/2010 [] - DISMISSED BY LEGAL May 15, 2013



FALSE STATEMENT - - NOT SUSTAINED - Jun 16, 2010 MISCONDUCT/GENERAL - - SUSTAINED - Jun 16, 2010

Actions taken:

F: Dec 13, 2011 - SEVERE LETTER OF REPRIMAND Days/hrs suspended/assessed: - [Action/discipline

completed]

completed]

SEVERE LETTER OF REPRIMAND, FIFTEEN (15) DAYS LOSS OF LEAVE, FIFTEEN (15) SUSPENSION WITHOUT
PAY TO BE TAKEN WITHIN FIVE (5) CONSECUTIVE PAY PERIODS.

F: Dec 13, 2011 - LOSS OF LEAVE Days/hrs suspended/assessed: 15

SEVERE LETTER OF REPRIMAND, FIFTEEN (15) DAYS LOSS OF LEAVE, FIFTEEN (15) SUSPENSION WITHOUT
PAY TO BE TAKEN WITHIN FIVE (5) CONSECUTIVE PAY PERIODS.

F: Dec 13, 2011 - SUSPENSION Days/hrs suspended/assessed: 15
SEVERE LETTER OF REPRIMAND, FIFTEEN (15) DAYS LOSS OF LEAVE, FIFTEEN (15) SUSPENSION WITHOUT PAY TO BE TAKEN WITHIN FIVE (5) CONSECUTIVE PAY PERIODS.

Charges:

RULE 1, CONDUCT 03/14/2011 [F] - DISMISSED BY LEGAL Dec 13, 2011

RULE 1. SECTION 17 03/14/2011 [F] - DISMISSED BY LEGAL Dec 13, 2011

RULE 1. SECTION 6 03/14/2011 [F] - DISMISSED BY LEGAL Dec 13, 2011

RULE 1. SECTION 19 03/14/2011 [F] - DISMISSED BY LEGAL Dec 13, 2011

POLICE SERGEANT

Officer current info:

BUREAU: OPERATIONAL DIVISION: PATROL

COMMAND / SECTION: CENTRAL DISTRICT

Snapshot - officer information at time of incident:

BUREAU: DIVISION:

COMMAND / SECTION:

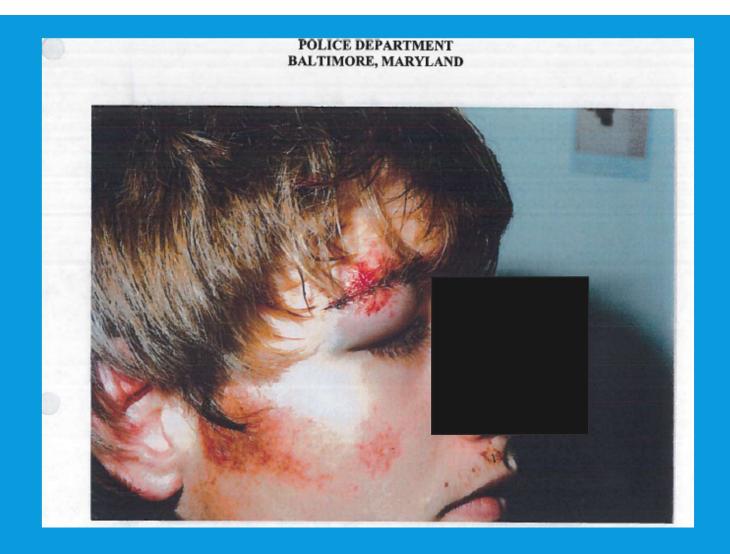
Rank/title:

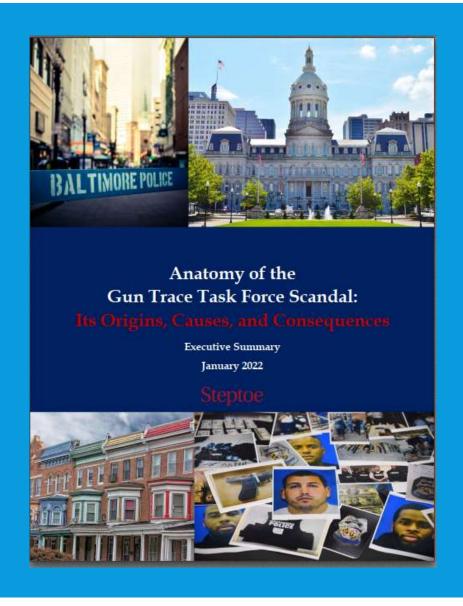
Age: Years of employment: Years with unit: Off duty: Off duty employed:

Allegations:

NEGLECT OF DUTY - - NOT SUSTAINED - Jun 16, 2010 NEGLECT OF DUTY - - SUSTAINED - Jun 16, 2010 NEGLECT OF DUTY - - SUSTAINED - Jun 16, 2010 NEGLECT OF DUTY - - UNFOUNDED - Jun 16, 2010 NEGLECT OF DUTY - - NOT SUSTAINED - Jun 16, 2010 NEGLECT OF DUTY - - SUSTAINED - Jun 16, 2010

Actions taken:





GTTF Investigation Report, pp. iii-iv:

"If officers engaged in a foot pursuit, suspects would frequently be beaten once they were caught, and in some cases deliberately sent to the hospital. ...

BPD members conducted stops and made arrests without a sufficient factual or legal basis. ...

Facts acquired through lawful investigations would often be supplemented by evidence acquired illegally through other means. ...

Officers were taught that their courtroom testimony should not vary from the incident reports or charging documents they had submitted, even if those documents were wrong. ...

These practices have long been embedded in BPD's culture and help to explain why it provided a nourishing environment for corruption and misconduct."

GTTF Investigation Report, pp. vii-viii:

"A common form of corruption, which was not universally perceived by officers as inherently wrong, was making misrepresentations of fact to support law enforcement actions such as stops, arrests, and searches. ...

This category of misconduct took various forms. The BPD officer would falsely represent that an observation or set of observations had been made by the officer himself rather than by the supervisor or informant. Or the officer would fabricate the observation entirely. The falsehood would then be perpetuated through false testimony, if necessary, that would be consistent with the inaccurate written accounts of what had happened.

Our investigation demonstrated that this type of corruption was casual, routine, and pervasive—and carried with it no consequences. BPD members focused on the outcome—the arrest of someone they believed to be guilty—rather than the dubious means they used to achieve it. "

"Responses to a 2000 survey revealed "that nearly one out of every four BPD members believed that as many as 25% of BPD members were engaged in stealing money or drugs from drug dealers —a stunning result."

"Presumably, if the definition of corruption had been expanded to include misrepresentations and lies in official police documents, which was common at the time, the number would have been even higher."

GTTF Investigation report, page viii

GTTF Investigation Report, page viii:

"IA was reviled and distrusted by the BPD rank-and-file, and as a result, it had great difficulty recruiting and retaining capable investigators. IA investigators received no formal training of any kind, which further degraded its reputation and discredited its work.

. . .

Many BPD members believed the outcome of trial boards depended more on whom you knew than on what you did.

Simply put, the system that existed to deter, detect, and punish misconduct lacked credibility and both internal and external legitimacy."

IN THE CIRCUIT COURT FOR BALTIMORE CITY

STATE OF MARYLAND

XS.

CASE NO.

Defendant

*** *** ***

DEFENDANT'S MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE UNDER RULES 4-263 AND 4-264 AND REQUEST FOR A HEARING

The above-named defendant, by and through undersigned counsel, Deborah Katz Levi, respectfully requests that this Honorable Court issue a Subpoena for Tangible Evidence for the production of the Baltimore City Police Department's (BPD) complete Internal Affairs Division's (IAD) files pertaining to Officer Joseph M. Donato because those files are likely to contain evidence that is usable at trial, as well as impeachment evidence, which the State is required to disclose under the Fifth and Sixth Amendments to the United States Constitution, Article 21 of Maryland's Declaration of Rights, Brady v. Maryland, 373 U.S. 83 (1963), Kyles v. Whitley, 514 U.S. 419 (1995), Fields v. State, 432 Md. 650 (Md. 2013), and Rules 4-263 and 4-264 of the Maryland

Controversial Baltimore Police officer banned from city courthouse



Statistics Mayor Stephante Rawlings-Bosse, second from right, shows her Onbles semplated off to Statistical Police Police (Fabrical Rayles) Latinote, right write waiting around quantoes Statistics (May 19, 3512, (State Ruant)).



Sheriff's Office FOIA PIA Office 28712 Glebe Road Easton, MD 21601

January 21, 2022

To Whom It May Concern:

Pursuant to the Maryland Public Information Act, I am hereby requesting access to the records listed below and held by the Sheriff's Office FOIA:

- Copies of any and all internal affairs complaints, including internal, citizen, or other agency complaints for Officer Justin Aita.
- Complete investigative files for each complaint, including but not limited to reports of recorded statements, video surveillance or body camera footage, investigative files, witness interviews, and photographs.
- The investigative findings of each complaint.
- Any correspondence from the Civilian Review Board, Police Advisory Commission or other civilian police oversight board.
- The final disposition of each case, if any.

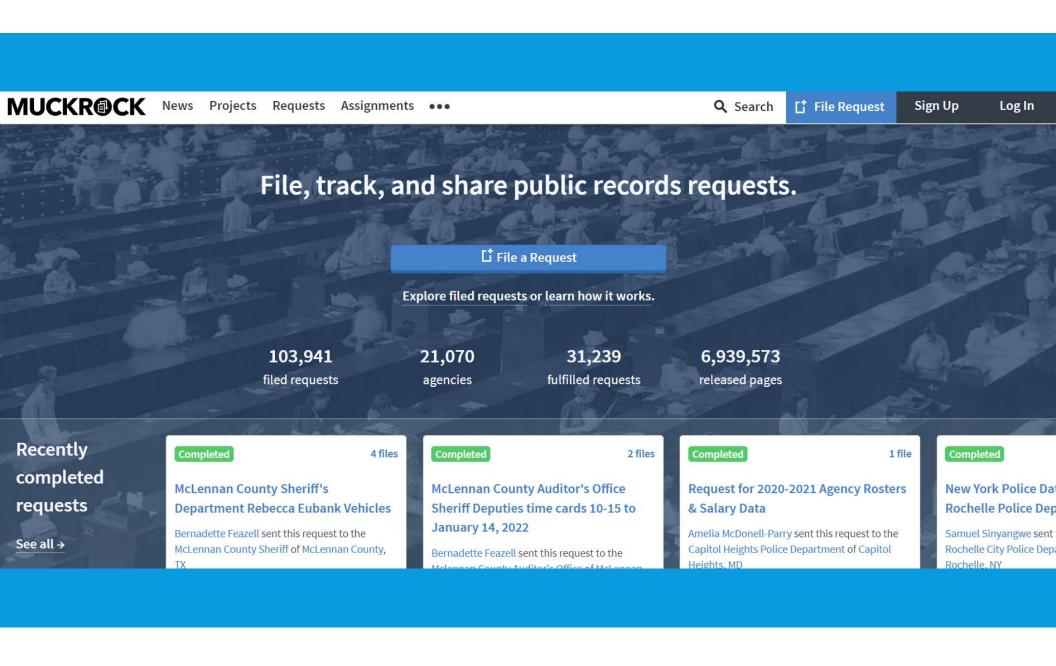
The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. Alternatively, please consider waiving any fees, pursuant to § 4-206(e)(2)(ii) of the General Provisions Article, as this request is on behalf of individuals served by the Maryland Office of the Public Defender, a state government agency, which solely serves indigent citizens of Maryland. As a result, my request for the above-listed public records is in the public interest. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

Deborah Levi Director of Special Litigation Maryland Office of the Public Defender (443) 272-1068





DEPARTMENT OF POLICE

Marc Elrich
County Executive

Marcus G. Jones Chief of Police

December 10, 2021

Ms. Levi.

I am providing a status update and fee notification to your request R007731-102621, in which you have asked for internal affairs records of MCPD officers, specifically:

"Copies of any an all internal affairs complaints, including internal citizen, or other agency complaints of the following 49 officers:

```
o Alexander Dos Santos
o Dominic Acosta (3251);
o Joseph Alvarez (2243);
                               (2419);
                                                              o John McClellan (3000);
                                                              o Sean McKinney (3055);
o Todd Archer (2437);
                               o Melissa Dzenkowski
o Melvin Avelar (2187);
                                                              o Douglas Miller (2054);
                               (2560);
o Anand Badgujar (3027);
                               o Cody Fields (2789);
                                                              o Dina Montysko (2361);
o Kevin Baxter (2467);
                               o Wendy Giovacchini
                                                              o Kevin Moris (2646);
                                                              o Yves-Didier N'kodia
o George Boyce (0041);
                               (1542);
o Catherine Brewer
                               o Michael Graves (2578);
                                                              (2688);
(2012);
                               o Morgan Herceg (3061);
                                                              o Michael Peitzmeier
o Daniel Campbell (2536);
                               o Devon Hitson (2878);
                                                              (2651);
o John Christ (1329);
                               o Dionne Holiday (9317);
                                                              o Michael Schwager
o Jason Cokinos (2346);
                               o Robert Kamensky
                                                              (2611);
o Thomas Conlon (9371);
                                                              o Sarit Scott (1273);
                               (0943);
o Frank Corn (3171);
                               o Jarrett King (2643);
                                                              o William Seidel (1039);
o Roderick Cox (9134);
                               o Jesse Knuth (2199);
                                                              o Timothy Serlo (2908);
                                                              o Gabriel Stone (2215);
o Kevin Cristmon (3076);
                               o My Q. Le (2622);
                               o Nathan Lenhart (2801);
                                                              o Joshua Swecker (2679);
o Michael Damskey
                               o Chris Malouf (2024);
(2791);
                                                              o Charles Valente (3075);
o David Delacruz (1268);
                               o Michael Mancuso
                                                              and
                                                              o Victoria Yuen (2339)
o Christopher Diez-
                               (2587);
Canseco (2974);
                               o Patrick McCarthy
```

- Complete investigative files for each complaint, including but not limited to reports of recorded statements, video surveillance or body camera footage, investigative files, witness interviews, and photographs.

- The investigative findings of each complaint.

100 Edison Park Drive Gaithersburg, Maryland 20878 www.montgomery.countymd.gov - www.mymcpnews.com Acosta The document redaction estimate is \$90.00. There are no media files.

Alvarez No records exist.

Archer The document redaction estimate is \$330.00. The media redaction estimate for

\$15,300.00.

Avelar The document redaction estimate is \$210.00. The media redaction estimate for

\$850.00.

Badgujar The document redaction estimate is \$3,030.00. The media redaction estimate for

\$18,450.00.

Baxter No records exist.

Boyce No records exist.

Brewer No records exist.

Campbell The document redaction estimate is \$360.00. There are no media files.

Christ The document redaction estimate is \$120.00. There are no media files.

Christmon The document redaction estimate is \$960.00. The media redaction estimate for

\$5,512.00.

Cokinos The document redaction estimate is \$240.00. There are no media files.

Conlon The document redaction estimate is \$1,140.00. The media redaction estimate for

\$5,800.00.

Corn	The document redaction estimate is \$90.00. There are no media files.								
Cox	The document redaction estimate is $$1,590.00$. The media redaction estimate for $$13,950.00$.								
Damskey	The document redaction estimate is \$1,680.00. The media redaction estimate for \$6,530.00.								
Delacruz	The document redaction estimate is \$420.00. The media redaction estimate for \$4,650.00.								
Diez-Canseco	Diez-Canseco No records exist.								
Dos Santos	The document redaction estimate is \$0.00. There are no media files.								
Dzenkowski	No records exist.								
Fields	The document redaction estimate is \$210. There are no media files.								
Giovacchini	The document redaction estimate is \$6,000.00. The media redaction estimate for \$99,500.00.								
Graves	No records exist								
Herceg	The document redaction estimate is \$90.00. There are no media files.								
Hitson	The document redaction estimate is \$969.00. The media redaction estimate for \$18,950.00.								
Holliday	The document redaction estimate is \$450.00. The media redaction estimate for \$4,047.00.								
Kamensky	The document redaction estimate is \$60.00. There are no media files.								
King	The document redaction estimate is \$600.00. The media redaction estimate for \$4,800.00.								
Knuth	No records exist.								
Le	The document redaction estimate is \$600.00. The media redaction estimate for \$5,600.00.								

OPR Number			Complaint		Off: First	Num					
Compared Conduct A 20 6.039 Political Activity Non-Sustained A 2017-004 Administrative investigation Yes Alexander David 87 Patrol Conduct (inappropriate A 2 06.039 Political Activity Non-Sustained Architecture A 2 06.016 Human Relations Sustained Written Counseling Alexander Conduct Sustained Architecture A 2 06.016 Human Relations Sustained Written Counseling Alexander David 87 Patrol Conduct B 16.01 Use of Force Unfounded Conduct Con	OPR Number	Incident Type		Off: Last name		100000000000000000000000000000000000000	Division	Allegation	Policy / Directive:	Finding	Action taken
Al2017-004 Administrative investigation Ves Alexander David 87 Patrol OPR2020-0315 Administrative investigation Ves Alexander David 87 Patrol OPR2020-0315 Administrative investigation Ves Alexander David 87 Patrol OPR2020-0315 Administrative investigation Ves Alioto Daniel 74 Command Profesioner without permission Al2017-022 Administrative investigation Ves Alioto Daniel 74 Command Conduct 2.06.003 Cooperation with Investigation Ves Alioto Daniel 74 Command Conduct 2.06.003 Cooperation with Investigation Ves Alioto Daniel 74 Command Conduct 2.06.003 Cooperation with Investigation Investigation No Alvey Artina 275 SOD Performance -failure to A 2.06.006 Performance of Duty Sustained Written Reprimand Vertical Notes of Conduct 2.06.003 Cooperation with Investigation Investigation Investigation No Bail Carl 315 CID Performance (Vehicle Notes) Administrative investigation No Bail Carl 315 CID Performance (Vehicle Notes) Administrative investigation No Bail Carl 315 CID Performance (Vehicle Stop Guidelines E Notes) Administrative investigation No Bail Carl 315 CID Performance B 3.02.004 Vehicle Stop Guidelines E Notes of Patrol Performance Investigation No Bail Carl 315 CID Performance B 3.02.004 Vehicle Stop Guidelines E Notes of Patrol Performance Investigation No Bail Carl 315 CID Performance A 2.06.006 Performance Level Sustained Written Counseling (Form 313) Al2017-072 Administrative investigation No Bail Carl 315 CID Performance B 3.02.004 Vehicle Stop Guidelines E Notes of Patrol Performance Investigation No Bail Carl 315 CID Performance A 2.06.006 Performance of Duty Sustained Written Counseling (Form 313) Al2017-072 Administrative investigation No Bail Carl 315 CID Performance B 3.02.004 Vehicle Stop Guidelines E Notes of Patrol Performance Investigation No Bail Carl 315 CID Performance A 2.06.006 Performance of Duty Sustained Written Reprimand Notes of Patrol Performance Investigation No Bail Notes of Patrol Performance Investigation No Bail Notes Office Notes of Patrol Performance Investigation No Performa	OPR2020-2574	Administrative investigation		Alexander	David	87	Patrol		A 2.06.039 Political Activity	Non-Sustained	
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State's Attorney for Baltimore County

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410-867-6600

November 29, 2021

Deborah Levi Office of the Public Defender 201 St. Paul Place Baltimore, MD 21202

MPIA Request

Ms. Levi:

I have received your request under the Maryland Public Information Act by email dated November 11, 2021, for a "Do Not Call" list and the basis for placement on a "Do Not Call" list.

This office does not specifically have a "Do Not Call" list as you have chosen to define that list. We do, however, possess a record of current officers or recently departed officers whom we either have indicated an intention not to call as a witness or will make disclosures to counsel for a defendant if the officer may be called as a witness. Despite the fact that you only asked for those which fit the category of "do not call," I have enclosed the entire record regarding officer witnesses. We possess no other records consistent with your request.

In the event you feel this is in any way a denial of your request, you have the right to seek. judicial review of this response pursuant to General Provisions Article, §4-362.

Deputy State's Attorney For Baltimore County

Current sworn officers that were sustained for an integrity violation, available to testify after disclosure of the nature and circumstances of the violation:

Andre Davis #3210 Andre Baldwin #5573 Robert Bouder #4003 Eltringham #4053

Current sworn officers available to testify, but were not sustained with integrity issues where the

state discloses Information: Sekuo Hinton #4372

Ryan Massey #4405

Current sworn officer pending an Integrity violation:

Anthony Westerman #5718- guilty disp pending Brian Petrozzino #6188 Deonte Parnell #6346 - resigned before a finding Dearndre Ross #6053 - resigned before a finding Brittani Genco #6088 Thorn Allen #5531 resigned before a finding Devanta Barnes #6003 resigned before a finding Will Johnson #5436 Chris Williams #4286 Nelson Lopez # 6484 resigned before a finding Brayden Santos #6300 Sade Thomas #5915 Davon Lesane #5641

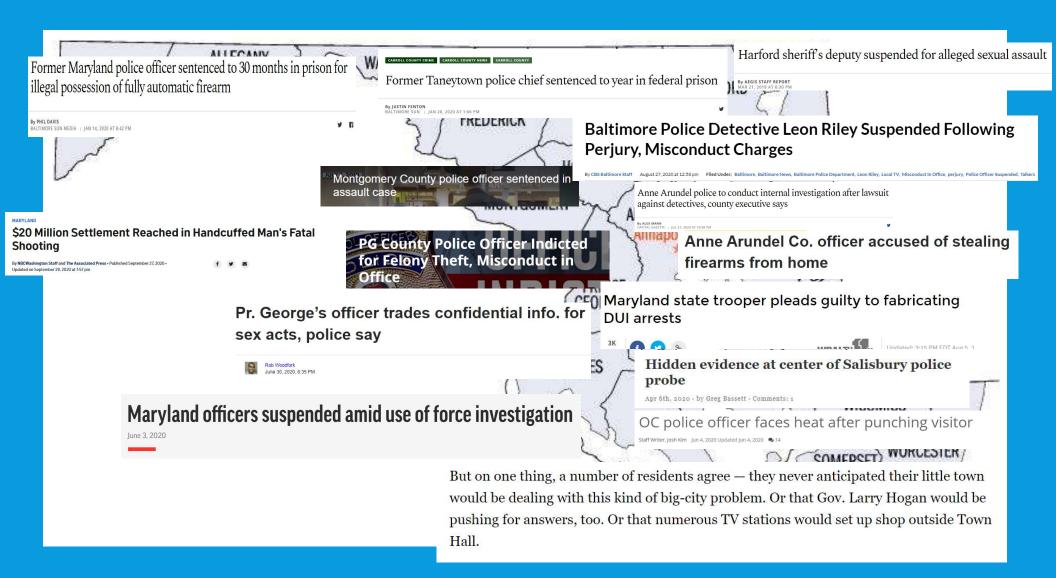
Thomas Mannion BCDC TFC Jung Heo #6367

Officers that the SAO will not call testify Not sustained for an integrity violation:

Daniel Galloway

Calvin Edwards - the state agreed that he could go to court for the school bus cameras, but never in court where it is his personal observations of a case.

Brandon Sands - the state agreed that he could go to court for the school bus cameras, but never in court where it is his personal observations of a case.





Jessica Lussenhop, BBC, April 3, 2018 http://www.bbc.co.uk/news/resources/idt-sh/when_cops_become_robbers







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