



**POLICE DEPARTMENT**

**PERSONNEL  
PROCEDURE #352**

**EXPEDITED  
RESOLUTION OF  
MINOR VIOLATIONS**

Responsible Executive:  
Chief of Police  
Responsible Office:  
Vice President for Public Safety  
Approved by:  
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**Table of Contents**

**POLICY STATEMENT ..... 1**

**WHO IS GOVERNED BY THIS POLICY ..... 1**

**PURPOSE ..... 2**

**DEFINITIONS ..... 2**

**POLICY ..... 3**

**CORE PRINCIPLES ..... 3**

**PROCEDURES ..... 3**

**POLICY ENFORCEMENT ..... 11**

**RELATED RESOURCES ..... 12**

**CONTACTS ..... 12**

**Policy Statement**

It is the directive of the Johns Hopkins Police Department (JHPD) to efficiently resolve cases alleging minor employee misconduct where the accused officer does not contest the allegations and therefore extensive investigation and adjudication are not required. This expedited process, known as expedited resolution (ER), benefits the officer, the department, and the public by allowing for the imposition of discipline swiftly, fairly, and consistently to bolster accountability, effectively utilize JHPD resources, and provide an opportunity for the officer to learn and improve performance promptly.

Nothing in this Directive releases a supervisor from the obligation to refer observed or alleged violations that do not meet the definition of an ER-eligible violation to the Public Safety Accountability Unit (PSAU) for a formal investigation.

**Who Is Governed by This Policy**

All sworn police officers, as defined MD Code, Public Safety, § 3-201, in service with the JHPD are governed by this Directive.

## Purpose

The purpose of this Directive is to define the use of the Expedited Resolution of Minor Violations process (referred to throughout this Directive as ER), which allows for the efficient and consistent resolution of a minor policy violation without a formal investigation or hearing. Only ER-eligible allegations, as defined by this Directive, are able to be resolved through the ER process.

## Definitions

<b>Disciplinary Matrix:</b>	The Maryland Statewide Police Disciplinary Matrix, available at <a href="https://mdle.net/pdf/Commission_Approved_Uniform_Disciplinary_Matrix.pdf">https://mdle.net/pdf/Commission_Approved_Uniform_Disciplinary_Matrix.pdf</a> .
<b>Expedited Resolution (ER)–Eligible Violation (“ER-Eligible Violation”):</b>	A minor violation of a JHPD rule, policy, procedure, order, regulation, or verbal/written instructions that has or may have minimal negative impact on operations or the professional image of the JHPD. The alleged behavior or action shall not be the subject of a complaint made by a member of the public. ER-eligible infractions are those that would fit into Category A of the Disciplinary Matrix.
<b>Member:</b>	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
<b>Mitigating Factors:</b>	Conditions or events that relate to the violation, but do not excuse or justify the violation, that are considered in deciding the degree of penalty. Examples of mitigating factors include but are not limited to the following: <ul style="list-style-type: none"><li>• The officer’s actions are attributable to selfless concern for the well-being of others,</li><li>• The officer’s lack of disciplinary history,</li><li>• The officer’s complimentary work history,</li><li>• The officer’s prior positive work history,</li><li>• The violation was the inadvertent result of reasonable, otherwise compliant performance,</li><li>• The officer’s prompt acceptance of responsibility for the conduct and willingness to be held accountable,</li><li>• The officer’s commission of the violation at the direction of a superior (who might also be subject to separate discipline),</li><li>• Unusually serious workplace tensions or stressors, and</li><li>• The violation is attributable to limitations beyond the control of the officer that are caused by legally protected physical or mental disabilities or conditions.</li></ul>
<b>Officer:</b>	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
<b>Police Misconduct:</b>	As defined in MD Code, Public Safety, § 3-101, a pattern, practice, or conduct or failure to act by a sworn JHPD officer that includes but is not limited to (1) depriving persons of rights protected by the constitution or law of the state of Maryland or the United States, (2) a violation of a criminal statute, (3) a violation of JHPD standards, directives, or policies.
<b>Presentation</b>	The meeting, held as soon as practical but no more than seven calendar days

<b>Meeting:</b>	after receipt of the Expedited Resolution (ER) Form, where the accused officer's commanding officer discusses the allegation and proposed discipline with the accused officer and representative (if applicable).
<b>Reflection Period:</b>	A period of time during which the officer has up to seven calendar days to consider the findings and recommended penalty after being presented with the facts underlying the complaint.
<b>Resolution Agreement:</b>	An agreement between the officer and the JHPD to resolve the allegation without formal investigation, captured in the ER Form.
<b>Resolution Meeting:</b>	The final meeting, occurring after the Presentation Meeting and a Reflection Period (where applicable), where an officer decides on either the negotiated penalty or a disciplinary investigation.

## Policy

JHPD commanding officers are responsible for the ultimate supervision of their subordinates. As part of the JHPD's robust and comprehensive disciplinary system, commanding officers can address certain minor violations efficiently to correct deficiencies and maintain discipline within their commands while ensuring consistency with the JHPD's disciplinary standards. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 26.3.1.a)

## Core Principles

- I. **Officer Accountability:** For certain types of minor violations or minor misconduct allegations, officers may be held accountable through an expedited process where the violation is sufficiently minor and of minimal negative impact and the officer does not contest the allegations. If officers do not agree to participate in this process when eligible, the incident is referred to PSAU for a formal investigation.
- II. **Accountability Systems:** ER is part of the larger accountability system created and managed by the JHPD and other Johns Hopkins University and Baltimore City entities to ensure transparency and consistency in holding officers accountable for their actions and to ensure that the JHPD's operations are functioning effectively. As issues arise that point to deficiencies or problems with these systems, the JHPD will resolve them to ensure its accountability systems are reliable and trustworthy.

## Procedures

- I. **General** (CALEA 26.1.4.c)
  - A. In order for a complaint to be eligible for ER, all the following circumstances shall apply:
    - The complaint must not involve officers and members of the public,
    - The complaint must fall within Category A of the Disciplinary Matrix,
    - The complaint must not require extensive investigation, and

- The officer who is the subject of the complaint must not contest the allegations of the complaint.
- B. ER is not a “right” or “entitlement.” At any time prior to the PSAU Executive Director’s final approval, the matter can be handled through the formal investigation process.
  - C. The ER process cannot be used or function without the complete and unwavering truthful admission of the officer. Officers are required to be honest and truthful at all times. Officers shall truthfully answer all questions directed to them on the order of the Chief of Police, their designee, superiors, or any official investigative body.
  - D. The ER process shall never be available as an option for cases related to or deriving from a complaint involving a member of the public.
  - E. PSAU serves as the main identifier and reviewer of ER-eligible violations to ensure appropriateness and consistency in the implementation of the ER process. As such, violations **shall only** be resolved through ER in instances where PSAU has referred the case to the officer’s command for resolution through ER.
  - F. If at any point a more serious violation (a non-ER-eligible violation) is, or comes to light as being, a part of the same incident, the full case shall be investigated by PSAU and no part of the case shall be resolved through ER.
  - G. ER shall not be available to resolve a minor violation if the officer has already committed two similar minor violations within a one-year period. In those cases, the third similar violation shall be investigated by PSAU.
  - H. Violations handled by ER will be documented in the complaint management system (CMS) and disclosed in accordance with JHPD Directive #463, Exculpatory & Incriminating Evidence.
  - I. At any time during the ER process, the officer may present exonerating or exculpatory evidence to the Chief of Police for consideration. This would prompt the case to be returned to PSAU.
  - J. All offers of discipline, including those made through resolution agreements via the ER process, shall be reviewed and approved by the Chief of Police.

## **II. Evaluation of Complaints for ER Process**

- A. All minor violations shall be entered into CMS. PSAU will classify all allegations within 72 hours.

- B. PSAU's Classification Supervisor will determine if the alleged violation is eligible for the ER process. If it is eligible, the PSAU Classification Supervisor will complete Part 1 of the ER Form.
- C. Upon approval of Part 1 of the ER Form by the PSAU Executive Director or their designee, within two working days, it will be routed to the accused officer's commanding officer via CMS, along with the CMS entry, any supporting documents, and the accused officer's discipline summary.  
(CALEA 26.3.1.a)

### **III. Officer Notification** (CALEA 26.1.5)

- A. Within two working days of receiving the ER referral, the accused officer's commanding officer shall notify the officer about the allegation. This notification shall include:
  - A copy of the CMS entry and the ER Form received from PSAU,
  - Any other documentation (including the JHPD rules, policies, and procedures) regarding the alleged violation and penalty as categorized within the Disciplinary Matrix, and
  - Communication informing the officer of their options to either have the allegation investigated by PSAU or engage in the ER process.
- B. The commanding officer shall schedule a Presentation Meeting with the accused officer within seven calendar days from receipt of the ER referral. The accused officer may, at any point, request the case to be returned to PSAU.

### **IV. Preparation for Presentation Meeting** (CALEA 26.1.5)

- A. The commanding officer shall complete Part 2, Section A, of the ER Form prior to the Presentation Meeting, documenting a recommended penalty based on the Disciplinary Matrix and including an explanation.
- B. The officer may secure a representative to attend the Presentation Meeting with them and shall prepare to discuss the matter at the meeting.

### **V. Presentation Meeting** (CALEA 26.1.5)

- A. The officer's commanding officer conducts the Presentation Meeting with the officer to discuss the allegation and a proposed discipline within seven calendar days from the receipt of the ER referral. The officer may have a representative attend as well.
- B. During the Presentation Meeting, the alleged minor violation and proposed discipline will be discussed.

- C. The officer will have three options at the Presentation Meeting:
- **Immediate Resolution:** The officer may immediately accept the sustained allegation and the recommended discipline, as categorized within the Disciplinary Matrix,
  - **Reflection Period:** The officer may take a period of reflection (up to seven calendar days) to consider the findings and the recommended penalty. The officer will sign to acknowledge receipt of the ER Form and their obligations during the Reflection Period, or
  - **Request a Case Investigation:** The officer may elect to have the case investigated by PSAU.
- D. If the Reflection Period is chosen, then prior to concluding the Presentation Meeting, a follow-up Resolution Meeting will be scheduled for seven calendar days afterward (or as close to that date as practical without exceeding seven calendar days).
- E. Officers using a Reflection Period shall consider the proposed penalty and be prepared to discuss it and to determine a course of action at the Resolution Meeting. The officer may also secure the advice or attendance of any officer representative or counsel. However, the availability of an officer representative or counsel shall not be the cause to unreasonably delay any meeting (see Section VIII, Extraordinary Circumstances Extension, below).
- F. At any point prior to or at the Resolution Meeting, the officer may accept the recommended penalty originally proposed.
- G. The officer may request to negotiate the discipline. This entails considering other penalties within the Disciplinary Matrix guidelines that both the commanding officer and the officer agree are appropriate for the case at hand. The commanding officer cannot agree to any discipline for the violation that is outside the Disciplinary Matrix guidelines.

## **VI. Resolution Meeting**

- A. The Resolution Meeting is the final meeting in the ER process. The accused officer will not be allowed any additional opportunities to consider the allegations or penalty.
- B. At the Resolution Meeting, the accused officer and their representative, if applicable, can negotiate the penalty. They may not negotiate or agree upon other issues, such as the officer's assignment or pay, the disposition of past discipline, or other pending misconduct charges. Every effort should be made by the officer and their commanding officer to negotiate a resolution, but the penalty must be within Disciplinary Matrix guidelines for the alleged violation. The intention of the penalty is not to punish the

officer for behavior but to correct the behavior so that it does not occur in the future. (CALEA 26.1.5)

- C. At the conclusion of the Resolution Meeting, the possible outcomes are:
- The officer accepts responsibility and the negotiated resolution. The officer and the commanding officer sign the ER Form indicating resolution, or
  - The officer does not accept responsibility or does not agree with the penalty. The applicable sections of the ER Form will be completed, and the case will be referred to PSAU for investigation.

## **VII. Resolution Disagreement**

- A. If the accused officer has admitted to an alleged violation but disagrees only with the proposed discipline, every effort should be undertaken to resolve the disagreement without a formal investigation. Any delay shall not be extended beyond the five-day extraordinary circumstances extension discussed below.
- B. If an acceptable resolution cannot be agreed upon, the case shall be returned to PSAU for administrative investigation.

## **VIII. Extraordinary Circumstances Extension** (CALEA 26.1.5)

- A. If the accused officer's commanding officer determines that extraordinary circumstances exist that require additional time for consideration of new information, or that it is otherwise in the best interest of the JHPD or the accused officer, the commanding officer may request from PSAU an extension of up to 10 additional calendar days. The commanding officer must explain the reason for the request. The Executive Director of PSAU or their designee must approve the extension.
- B. The following are examples of circumstances where an extension request may be warranted:
- The accused officer is out on medical leave.
  - The accused officer had a preapproved vacation scheduled at the same time.
  - The accused officer's counsel is unavailable.
  - The accused officer admits to full culpability but there remains disagreement about the appropriate disciplinary outcome.

## **IX. Resolution Agreement**

- A. No resolution prescribed on the ER Form shall be considered complete until approved by the Chief of Police. The Chief will receive resolution

agreements for review after the PSAU Executive Director, or their designee, has reviewed the ER Form within two working days of its receipt. (CALEA 26.1.5)

- If the Chief of Police does not agree with the resolution, the matter shall be referred back to PSAU for investigation.
- B.** Officers who elect to negotiate discipline through the ER process must waive their rights in writing to a trial board under the Police Accountability and Discipline Act once the ER agreement has been finalized.
- C.** A formal investigation may be conducted if PSAU or the officer's supervisor receives any new information regarding the original matter. While the resolution agreement will not be undone, PSAU may conduct a full investigation, which could carry additional penalties, if there are further issues that arise. If it is later discovered that any ER outcome was resolved through fraud or false information, the resolution agreement will be null and void.

## **X. PSAU Responsibilities**

- A.** Upon receipt of a CMS entry or allegation of misconduct, PSAU will intake and classify the allegation, per PSAU's guidelines. The PSAU Classification Supervisor will determine if the alleged violation meets the criteria for the ER process, in accordance with the Disciplinary Matrix.
- B.** **Complaints initiated by a member of the public shall not be eligible for ER.** If a case already in the ER process later becomes the subject of a publicly generated complaint, PSAU will notify the officer's commanding officer that the case must be returned to PSAU for investigation.
- C.** If it is an ER-eligible violation, PSAU will complete Part 1 of the ER Form and attach it to the CMS entry.
- D.** PSAU will also (1) assign a PSAU case number, (2) ensure a copy of the ER referral is attached to the case in CMS, along with all relevant documents and data, and (3) track the progress of each ER referral.
- E.** Upon approval of the ER Form by the PSAU Executive Director or their designee, the form is routed to the accused officer's commanding officer with the CMS entry, any supporting documentation, and the officer's PSAU disciplinary summary.
- F.** Upon completion of the ER process at the command level (with or without a resolution agreement), the ER Form, along with copies of all documents or data related to the ER referral, will be returned to PSAU for approval.
- G.** The PSAU Executive Director or their designee will review any ER resolution agreements received and will approve or reject the ER Form



within two working days. They will then route the ER resolution agreement to the Chief of Police for final approval.

- H. Once the ER Form has gone through all levels of approval, PSAU will review all materials to ensure the file is complete and will ensure that disciplinary dispositions are recorded in CMS.

## **XI. Commanding Officer's Responsibilities** (CALEA 26.1.5)

- A. The commanding officer shall ensure that all allegations of misconduct, including minor violations and apparent ER-eligible violations, are entered into CMS.
- B. Within two days of receiving notification from PSAU of an ER-eligible case, the commanding officer shall advise the accused officer of the minor violation and provide them with notification consistent with Section III.A above.
- C. If the accused officer elects to engage in the ER process, the commanding officer shall schedule a Presentation Meeting to occur within seven calendar days of receiving the referral.
- D. Prior to the Presentation Meeting, the commanding officer shall complete Part 2, Section A, of the ER Form, providing a recommended penalty based on the Disciplinary Matrix and including an explanation.
- E. At the Presentation Meeting, the commanding officer will review the allegation and the proposed discipline, consistent with the Disciplinary Matrix.
- F. If the accused officer accepts responsibility for the alleged violation and agrees with the proposed discipline, an immediate resolution is reached. Part 2, Section C, of the ER Form must be completed and forwarded to PSAU via CMS.
- G. If the officer requests a Reflection Period, they will have a period of seven calendar days to reflect on the matter. The officer must complete Part 2, Section C, of the ER Form acknowledging the Reflection Period request. A Resolution Meeting shall be scheduled before the Presentation Meeting ends.
- H. If a resolution is reached, Part 3 of the ER Form shall be completed and signed by the commanding officer and accused officer, indicating a resolution was reached. The commanding officer will then route the form to PSAU via CMS. If a resolution is reached, the commanding officer shall also document whether the officer was in compliance with training and legal standards at the time of the occurrence; whether the incident indicates a need for additional training, counseling, or other nonpunitive

corrective action; and whether the incident suggests that the JHPD should revise its policies, tactics, or training.

- I. If a resolution is not reached, Part 3 of the ER Form must be completed, indicating there was no resolution. The commanding officer should then route the form to PSAU for formal investigation.
- J. If at any time the commanding officer believes the misconduct requires formal PSAU investigation, the commanding officer shall confer with the PSAU Executive Director.

## **XII. Accused Officer's Responsibilities**

- A. Upon notification of an ER referral, the officer may secure the attendance of an officer representative. The officer shall be fully prepared to discuss the allegations and proposed discipline at the Presentation Meeting.
- B. During the Presentation Meeting, the officer will review the accusation and proposed penalty with the commanding officer. The officer may offer any mitigating or exculpatory evidence for consideration by the commanding officer.
- C. If the accused officer accepts full responsibility for the violation and the proposed discipline, a resolution agreement will have been reached. The ER Form shall be completed. The resolution will not be complete until approved by the PSAU Executive Director.
- D. The accused officer can request a Reflection Period of up to seven calendar days and shall complete the ER Form indicating this request.
- E. If the officer takes advantage of a Reflection Period, they shall attend a Resolution Meeting within seven calendar days of the Presentation Meeting. The accused officer may attempt to negotiate the recommended penalty.
- F. If the accused officer does not accept full responsibility or the proposed discipline at the Resolution Meeting, the officer must complete the ER Form indicating a resolution has not been reached. The allegations will then be investigated by PSAU.
- G. The accused officer has the right to request a PSAU investigation at any point during the Presentation Meeting, Reflection Period, or Resolution Meeting.
- H. The accused officer's signature is required on the ER Form in order to complete the process. The officer has the right to note any disagreements and attach a separate statement if they wish to do so.

- I. The accused officer shall maintain confidentiality of the violation and resolution process.
- J. The accused officer is required to disclose minor misconduct resolved through ER in accordance with JHPD Directive #463, Exculpatory & Incriminating Evidence.

**XIII. Audits & Assessments**

- A. PSAU will audit the JHPD’s disciplinary process, annually at a minimum, to ensure quality control and that the imposition of officer discipline is fair and consistent with the department’s policies and protocols. As part of this audit, PSAU will review ER agreements for appropriateness and compliance with JHPD guidelines, including:
  - Whether cases were properly classified as ER eligible,
  - Whether the timelines outlined in this Directive were met,
  - Whether penalties fall within the applicable range in the Disciplinary Matrix,
  - Whether there are inconsistencies in the application of discipline for similar violations under similar circumstances, and
  - Whether there are differences in implementation by unit, rank of the officer being disciplined, or race or gender of the officer being disciplined.
- B. The JHPD will make public any of the audit’s findings, to the extent state and federal law permits.

**Policy Enforcement**

<b>Enforcement</b>	Police Department managers and supervisors are responsible for enforcing this Directive.
<b>Reporting Violations</b>	Suspected violations of this Directive should be reported to PSAU.

## Related Resources

<b>University Policies and Documents</b>
Operational Procedure #463, Exculpatory & Incriminating Evidence
<b>External Documentation</b>
<b>Police Department Forms and Systems</b>
<a href="https://powerdms.com/ui/login">https://powerdms.com/ui/login</a>

## Contacts

<b>Subject Matter</b>	<b>Office Name</b>	<b>Telephone Number</b>	<b>Email/Web Address</b>
Policy Clarification and Interpretation	Policy Management	(667)306-8618	<a href="mailto:jhpdpolicyinquiry@jh.edu">jhpdpolicyinquiry@jh.edu</a>