

STATE OF MARYLAND

vs.

GWYNNE L. TAVEL, JR.

IN THE CIRCUIT COURT
FOR ANNE ARUNDEL COUNTY

Case No.: C-02-CR-21- 1301

CRIMINAL INFORMATION

THE STATE PROSECUTOR for the State of Maryland, informs and charges, GWYNNE L. TAVEL, JR., with having committed the following offenses in Anne Arundel County, Maryland.

I. INTRODUCTION AND BACKGROUND

At all times relevant to this Information:

1. GWYNNE L. TAVEL, JR. ("TAVEL") served as a sworn officer of the Annapolis Police Department starting on or about August 5, 2015.
2. Officer TAVEL was transferred to what is now called the Criminal Investigation Section ("CIS") on or about July 13, 2017.
3. Officer TAVEL was promoted to Police Officer First Class ("PFC") in CIS on or about December 14, 2017.
4. Officer TAVEL was promoted to Corporal in CIS on or about September 5, 2019.
5. The rank of Corporal is a supervisory position in the Annapolis Police Department.
6. The Annapolis Police Department has General Orders, which serve as published directives to enforce policies and procedures originated by the Annapolis Police Department upon all personnel under the Department's command.

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CRIMINAL DEPARTMENT

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7. The Annapolis Police Department used a Record Management System (“RMS”) database called “In Pursuit” to track and manage its cases.
8. The Annapolis Police Department assigns a unique case number to each case assigned to an officer in CIS.
9. General Order J.5 establishes guidelines for the designation of case closures. The cases can be recorded as: open, suspended, closed by arrest, closed by exception, false reports, and unfounded complaints.
10. Pursuant to General Order J.5, “Open” cases are cases currently assigned for investigation and investigative efforts that are active.
11. Pursuant to General Order J.5, “Suspended” cases are cases that have been actively investigated, and all possible leads have been exhausted. In the event any additional information is developed, the case can be reopened for further investigation.
12. Pursuant to General Order J.5, “Closed by Arrest” cases are cases where an offense is closed by arrest or solved for crime reported purposes when at least one person is “1. Arrested; 2. Charged with the commission of the offense; and 3. Turned over to the court for prosecution...”.
13. Pursuant to General Order J.5, “Closed by Exception” are cases where law enforcement is not able to close by arrest. Many times all leads have been exhausted and everything possible has been done in order to clear the case. If the following questions can all be answered “yes”, the offense can then be cleared “exceptionally” for crime reporting purposes: “1. Has the investigation definitely established the identity of the offender? 2. Is there enough information to support an arrest, charge, and turning over to the court for prosecution? 3. Is the exact location of the offender known so that the suspect can be

- taken into custody? 4. Is there some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender?"
14. Pursuant to General Order J.5, "False Reports and Unfounded Complaints" cases are cases "which is determined through investigation to be false or baseless. If the investigation shows that no offense occurred nor was attempted, the reported offense can be unfounded for UCR [Unfounded Complaint Report] purposes."
 15. General Order L.1 establishes the responsibilities of CIS.
 16. Pursuant to General Order L.1, "When the Criminal Investigations Section enters into an investigation, the investigator assigned to the case shall assume charge and shall be responsible for the completion of the investigation."
 17. General Order M.1 states and reaffirms "the rules and regulations instituted and enforced by the Annapolis Police Department in a codified form."
 18. Section 14 of General Order M.1, states, "No member of the Department shall knowingly make any false statement or misrepresentation of any material fact, oral or written, under any circumstances, with the intent to mislead any person or tribunal."
 19. On or about July 22, 2020, a supervisor in CIS ("SERGEANT A") was emptying a large metal filing cabinet in preparation for removing the cabinet from the office.
 20. The cabinet held closed or suspended files before they were sent to a long-term storage facility.

II. CASE 18-3551

21. On or about August 17, 2018, a supervisor ("SERGEANT B") in the CIS Department assigned Annapolis Police Department case number 18-3551 to Officer TAVEL.

22. Case 18-3551 was classified as a sex offense where VICTIM 1 reported that she was raped.
23. Officer TAVEL submitted an overtime slip for 6.5 hours of overtime related to work on case 18-3551 and another case on August 26, 2018.
24. Officer TAVEL submitted an overtime slip for 7.0 hours of overtime related to work on case 18-3551 and another case on August 30, 2018.
25. On August 28, 2018, at 12:51 PM, VICTIM 1 emailed Officer TAVEL to discuss her case. Officer TAVEL responded to her email on August 28, 2018, at 12:53 PM.
26. VICTIM 1 emailed Officer TAVEL her response on August 28, 2018, at 1:03 PM.
27. VICTIM 1 emailed Officer TAVEL to ask about her case on August 29, 2018, at 10:50 AM.
28. There was no response from Officer TAVEL.
29. At all times during the investigation of the case by Officer TAVEL, VICTIM 1 was cooperative and actively engaged in trying to obtain updates and the status of the investigation.
30. On April 15, 2020, at 12:38 PM Officer TAVEL accessed the RMS database, In Pursuit, for file 18-3551.
31. On April 15, 2020, at 12:38 PM Officer TAVEL closed case 18-3551 adding the language: "victim refuses to cooperate, unable to continue investigation".
32. On September 29, 2020, case 18-3551 was reassigned to another CIS detective, ("DETECTIVE M").
33. On September 24, 2021, VICTIM 1's mother informed DETECTIVE M that Officer TAVEL asked her if she believed her daughter's rape allegations. Officer TAVEL also

told VICTIM 1's mother that he would consider pressing charges against VICTIM 1 for making a false statement related to the rape allegations she made in case 18-3551.

34. Case 18-3551 was listed as a case in the file cabinet to be sent to a long-term storage facility.

COUNT 1 - MISCONDUCT IN OFFICE

35. On or about April 15, 2020, at Anne Arundel County, Maryland, GWYNNE L. TAVEL, JR. in violation and perversion of his duties as a sworn police officer for the Annapolis Police Department, did corruptly commit misconduct in office by knowingly, willfully, and intentionally, while exercising his duties of office, using his supervisory role to close case 18-3551, which was assigned to him, falsely reporting that VICTIM 1 refused to cooperate as the documented reason for the case closure, against the peace, government and dignity of the State.

Common Law
CJIS Code 2-0645 Misconduct in Office
Penalty: Anything not cruel and unusual

COUNT 2 - MISCONDUCT IN OFFICE

36. On or about September 29, 2020, at Anne Arundel County, Maryland, GWYNNE L. TAVEL, JR. in violation and perversion of his duties as a sworn police officer for the Annapolis Police Department, did corruptly commit misconduct in office by knowingly, willfully, and intentionally, while exercising his duties of office, failing to take steps to conclude his investigation of VICTIM 1's rape case or communicate with VICTIM 1 before closing the case, against the peace, government and dignity of the State.

Common Law
CJIS Code 2-0645 Misconduct in Office
Penalty: Anything not cruel and unusual

III. CASE 18-4269

37. The STATE fully incorporates paragraphs 1-29 of this Information.

On or about October 8, 2018, at 11:53 AM, SERGEANT B assigned case 18-4269 to Officer TAVEL.

38. On or about October 9, 2018, an Annapolis Police Report which lists the reporting officer as Officer TAVEL describes case 18-4269 as a sex offense and states, "I was forwarded an investigation partially completed by [LAW ENFORCEMENT AGENCY A]...the investigation continues..."

39. General Order J.2 establishes guidelines for incidents that require a written report.

40. Pursuant to General Order J.2, sex offenses require a formal written police report.

41. Case 18-4269 was classified a sex offense where VICTIM 2 reported that she was raped.

42. On February 7, 2020, Officer TAVEL accessed case 18-4269 in In Pursuit.

43. On February 7, 2020, Officer TAVEL suspended case 18-4269 in In Pursuit. The description read in part "...DETECTIVE TAVEL ASSIGNED."

44. On or about July 22, 2020, SERGEANT A discovered a folder unlike the ones used by the Annapolis Police Department. The file contained a case from LAW ENFORCEMENT AGENCY A concerning a reported rape. LAW ENFORCEMENT AGENCY A forwarded the case to the Annapolis Police Department shortly after they received the complaint, due to jurisdictional reasons. The case file was assigned case number 18-4269.

45. On or about August 1, 2020, VICTIM 2 was interviewed by SERGEANT A and another detective ("DETECTIVE C") from CIS.

46. On or about August 1, 2020, VICTIM 2 stated she had not been contacted by anyone at the Annapolis Police Department before SERGEANT A and DETECTIVE C.

47. Case 18-4269 was listed as a case in the file cabinet to be sent to a long-term storage facility.

COUNT 3 - MISCONDUCT IN OFFICE

48. On or about February 2, 2020, at Anne Arundel County, Maryland, GWYNNE L. TAVEL, JR., in violation and perversion of his duties as a sworn police officer for the Annapolis Police Department, did corruptly commit misconduct in office by knowingly, willfully, and intentionally, while exercising his duties of office, using his supervisory role to suspend case 18-4269, which was assigned to him, without any documented basis for the suspension, against the peace, government and dignity of the State.

Common Law
CJIS Code 2-0645 Misconduct in Office
Penalty: Anything not cruel and unusual

COUNT 4- MISCONDUCT IN OFFICE

49. On or about August 1, 2020, at Anne Arundel County, Maryland, GWYNNE L. TAVEL, JR., in violation and perversion of his duties as a sworn police officer for the Annapolis Police Department, did corruptly commit misconduct in office by knowingly, willfully, and intentionally, while exercising his duties of office, failing to take basic investigatory action, including contacting VICTIM 2, after being assigned case 18-4269, against the peace, government and dignity of the State.

Common Law
CJIS Code 2-0645 Misconduct in Office
Penalty: Anything not cruel and unusual

IV. CASE 19-4696

50. The STATE fully incorporates paragraphs 1-29 and 33-40 of this INFORMATION.
51. On or about September 23, 2019, at 1:49 PM, SERGEANT B assigned case 19-4696 to Officer TAVEL.
52. Case number 19-4696 is described as a child sex offense case.
53. VICTIM 3 reported being inappropriately touched by a family member that VICTIM 3 was living with, which is a disclosure.
54. On October 15, 2019 at 9:32 AM, a social worker from the Anne Arundel County Child Advocacy Center emailed OFFICER Tavel stating "...there was a disclosure" in case 19-4696.
55. On May 22, 2020, Officer TAVEL accessed case 19-4696 in In Pursuit.
56. On May 22, 2020, Officer TAVEL closed "unfounded" case 19-4696.
57. On May 22, 2020, Officer TAVEL edited the description of the case to state "closed unfounded, no disclosure."
58. On January 5, 2021, a new detective ("DETECTIVE S") was assigned case 19-4696.
59. On or about January 5, 2021, DETECTIVE S obtained a report from the Anne Arundel County Child Advocacy Center. The report was created on September 23, 2019.
60. On or about January 5, 2021, DETECTIVE S obtained a copy of the CPS preliminary Child Abuse Report. The report was created on December 6, 2019.
61. The report states in the "Investigation Disposition Narrative", "SEXUAL ABUSE INDICATED." It further states, "Law Enforcement Investigation is currently open with Gwynne Tavel with the Annapolis City Police Department..."

COUNT 5- MISCONDUCT IN OFFICE

62. On or about May 22, 2020, at Anne Arundel County, Maryland, GWYNNE L. TAVEL, JR., in violation and perversion of his duties as a sworn police officer for the Annapolis Police Department, did corruptly commit misconduct in office by knowingly, willfully, and intentionally, while exercising his duties of office, using his supervisory role to close unfounded case 19-4696, which was assigned to him, and falsely reporting that there was "no disclosure" when there was a disclosure, against the peace, government and dignity of the State.

Common Law
CJIS Code 2-0645 Misconduct in Office
Penalty: Anything not cruel and unusual

CHARLTON T. HOWARD, III
MARYLAND STATE PROSECUTOR

By:



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Dist. Court No. ISSUE SUMMONS
Tracking No.: 22-7002-00041-1
Prosecutor: Sarah R. David, Deputy State Prosecutor
Description: White or Caucasian, Male; DOB:
Location:

REQUEST FOR SUMMONS

PLEASE ISSUE a criminal summons in this case for the Defendant, GWYNNE TAVEL,
to be issued to counsel for GWYNNE TAVEL, Andrew White, Esquire, at the following address:

Andrew White, Esquire
400 E. Pratt Street, Suite 900
Baltimore, M.D. 21202

NOTICE

TO THE PERSON CHARGED:

1. This paper charges you with committing a crime.
2. If you have been arrested and remain in custody, you have the right to have a judicial officer decide whether you should be released from jail until your trial.
3. If you have been served with a citation or summons directing you to appear before a judicial officer for a preliminary inquiry at a date and time designated or within five days of service if no time is designated, a judicial officer will advise you of your rights, the charges against you, and penalties. The preliminary inquiry will be cancelled if a lawyer has entered an appearance to represent you.
4. You have the right to have a lawyer.
5. A lawyer can be helpful to you by:
 - (A) explaining the charges in this paper;
 - (B) telling you the possible penalties;
 - (C) explaining any potential collateral consequences of a conviction, including immigration consequences;
 - (D) helping you at trial;
 - (E) helping you protect your constitutional rights; and
 - (F) helping you to get a fair penalty if convicted.
6. Even if you plan to plead guilty, a lawyer can be helpful.
7. If you are eligible, the Public Defender or a court-appointed attorney will represent you at any initial appearance before a judicial officer and at any proceeding under Rule 4-216.2 to review an order of a District Court commissioner regarding pretrial release. If you want a lawyer for any further proceeding, including trial, but do not have the money to hire one, the Public Defender may provide a lawyer for you. To apply for Public Defender representation, contact a District Court commissioner.
8. If you want a lawyer but you cannot get one and the Public Defender will not provide one for you, contact the court clerk as soon as possible.
9. **DO NOT WAIT UNTIL THE DATE OF YOUR TRIAL TO GET A LAWYER.** If you do not have a lawyer before the trial date, you may have to go to trial without one.

Defendant

Date/Time