

### POLICE ACCOUNTABILITY BOARD

### 2024 Annual Report

Bishop Ralph Dennis Chair

Henry P. Callegary, Esq.
Senior Coordination Manager for Public Safety and Accountability

## MESSAGE FROM POLICE ACCOUNTABILITY BOARD CHAIR BISHOP RALPH DENNIS

To: The Honorable John Olszewski, Jr., County Executive The Honorable Israel Patoka, County Council Chair

Per Baltimore County Code §3-3-2705(f), we are pleased to submit the 2024 Annual Report of the Police Accountability Board (PAB) for your review and consideration.

It is a privilege to serve as the Chair of the PAB, following the remarkable leadership of the previous Chair, Linda Shields, who transitioned to a new role on July 1, 2024. I have had the honor of serving on this board since its inception in 2022, and now, in my capacity as Chair, I look forward to continuing the progress we've made on behalf of the residents of Baltimore County.

The work of this board has been significant. Since its formation, the PAB has established a strong foundation for future operations, consistently upholding the principles of transparency, accountability, and public trust. Our efforts in 2022 and 2023 laid the groundwork, and we have built upon those foundations throughout 2024.

As Chair, I am committed to fostering a collaborative atmosphere within the PAB, ensuring a cohesive team effort as we address the vital issues surrounding police accountability. In the coming year, I plan to encourage innovative thinking through what I call "coloring outside the lines and connecting dots," meaning we will continue introducing fresh perspectives and actively engaging with law enforcement agencies and the community we serve. Only through unity—understanding that we are one community—can we achieve meaningful improvement in public safety and accountability.

While the PAB operates autonomously in its decisions, opinions, and recommendations, we greatly value the support and collaboration of the County Executive's office. I would like to extend my sincere gratitude to the County Executive, County Council, and all relevant stakeholders for their ongoing commitment to this board's success.

In 2024, the leadership of the PAB consisted of Ms. Linda Shields, Chair through June 30<sup>th</sup>, myself as Chair, as of July 1<sup>st</sup>, and our diligent team, including Senior Coordination Manager for Public Safety and Accountability, Mr. Henry Callegary, Esq., and Executive Secretary Kelly La Valley. Their hard work, coupled with the contributions of all PAB members, has enabled us to produce this comprehensive report that reflects the significant progress we have made.

I would like to especially acknowledge the members of the Administrative Charging Committee and the PAB nominating and drafting committees for their exceptional dedication and added responsibilities

Looking ahead, I am excited about our continued collaboration with the diverse stakeholders across Baltimore County. Together, we will further our commitment to transparency, fairness, and accountability in policing.

Thank you for your attention to this report. I look forward to any questions or discussions that may arise as we move forward with our shared goals.

Sincerely,

**Bishop Ralph L. Dennis** Chairman, Police Accountability Board Baltimore County

#### HISTORY, PURPOSE, AND STATE AND COUNTY REQUIREMENTS

On April 9, 2021, the Maryland General Assembly achieved final passage of LIDOGTO the Maryland Police Accountability Act of 2021. This legislation established an Administrative Charging Committee for statewide and bi-county law enforcement agencies, and required that all Maryland counties and Baltimore City establish Police Accountability Boards and Administrative Charging Committees, among other changes enacted. This legislation took effect on July 1, 2022.

The Baltimore County Council passed Bill No 24 22 on April 4, 2022, creating the Baltimore County Police Accountability Board and Administrative Charging Committee. Per the terms of this legislation, the Police Accountability Board consists of nine members: one from each of Baltimore County's seven Councilmanic districts (recommended by the relevant member of the County Council, nominated by the County Executive, and appointed by the County Council), as well as two at-large members (nominated by the County Executive and appointed by the County Council). The County Executive appoints one member of the Police Accountability Board as Chair for a term of two years. The term of each member of the Police Accountability Board is three years, with the initial members of the Board serving on a staggered basis, so that three terms expired in 2023, three terms expired in 2024, and three terms expire in 2025.

Among its responsibilities, the Police Accountability Board must hold quarterly meetings with leaders of Baltimore County law enforcement agencies to improve matters of policing, appoint members of the public to the Administrative Charging Committee and Trial Boards, receive complaints of police misconduct from members of the public and forward said complaints to the Administrative Changing Committee, review outcomes of disciplinary matters considered by the Administrative Charging Committee, and submit an annual report. The annual report must be submitted to the County Executive and County Council, and must identify trends in the disciplinary process of police officers in Baltimore County, and make recommendations on changes to policy that would improve matters of policing.

The Baltimore County Administrative Charging Committee is made up of five members of the public, including two members appointed by the Police Accountability Board, two members appointed by the County Executive, and either the Chair of the Police Accountability Board or the Chair's designee. The purpose of the Administrative Charging Committee is to review the findings of a law enforcement agency's investigation and any charges recommended pertaining to a complaint of police misconduct involving a member of the public, and make a determination that the police officer is administratively charged, or not administratively charged. In cases where the officer is administratively charged, the Administrative Charging Committee must recommend discipline in accordance with the law enforcement agency's disciplinary matrix. If the officer is not administratively charged, the Administrative Charging Committee determines whether the charges are unfounded or that the officer is exonerated. If an officer is administratively charged, the chief of the law enforcement agency must offer discipline at least at the level recommended by the Administrative Charging Committee, although they may offer a higher level of discipline than recommended.

In the event that a law enforcement officer does not accept the discipline offered by the chief of the law enforcement agency, the officer may request a trial board to review the complaint and investigatory file. A trial board is made up an active or retired Administrative Law Judge (or a retired District Court or Circuit Court Judge), an officer of equal rank to the officer to which the complaint was directed, and a member of the public appointed by the Police Accountability Board.

An additional description of the complaint process is included in this Annual Report, as well as links to the meetings, agendas, and minutes of the Police Accountability Board and Administrative Charging Committee meetings in 2024.

#### POLICE ACCOUNTABILITY BOARD MEMBERS

Member Name	Councilmanic	Term	Profession
	District		
Peter Fitzpatrick	1 <sup>st</sup>	July 1, 2023-June 30,	Registered Nurse
		2026 (2 <sup>nd</sup> Term)	
Karen Williams	2 <sup>nd</sup>	July 1, 2024-June 30,	Beautician and
		2027	Community
			Association President
Ralph Dennis (Chair)	3 <sup>rd</sup>	July 1, 2022-June 30,	Bishop; Senior Pastor
		2025	Emeritus
Vacant	4 <sup>th</sup>	-	-
Renee Streib	5 <sup>th</sup>	July 1, 2023-June 30,	Retired
		2026	
Scott Richman	6 <sup>th</sup>	July 1, 2023-June 30,	Attorney
		2026	
Elizabeth Dishon-	7 <sup>th</sup>	July 1, 2024-June 30,	Personal Assistant
Feuer (ACC		2027 (2 <sup>nd</sup> Term)	
Designee)			
Nigeria Rolling-Ford	At-Large (District 4	July 1, 2024-June 30,	Legal Administrative
	Resident)	2027 (2 <sup>nd</sup> Term)	Assistant
Kara White	At-Large (District 4	July 1, 2022-June 30,	Social Worker II-
	Resident)	2025	Adult Services

#### ADMINISTRATIVE CHARGING COMMITTEE MEMBERS

Member Name	Appointing	Term	Profession
	Authority		
Elizabeth Dishon-	Designee of the PAB	June 1, 2023-June 1,	Personal Assistant
Feuer	Chair	2026	
Joan Harris (Chair)	County Executive	June 1, 2023-June 1,	Attorney
	Appointee	2026	
Sharon Knecht	County Executive	June 1, 2023-June 1,	Archivist
	Appointee	2026	
Tamesha Peterson	PAB Appointee	September 16, 2024-	Pupil Personnel
		September 16, 2027	Worker
Christopher Tsui	PAB Appointee	June 1, 2023-June 1,	Attorney Advisor
(Vice-Chair)		2026	

#### CIVILIAN TRIAL BOARD ROSTER

Member Name	Profession
J. Hollis Albert	Certified Playground Safety Inspector
Wesley Bohle	Traffic Inspection Supervisor
Anthony Kish	Retired

Sheila Lewis	Retired
Gary Tosadori	Attorney
Bernadette White	Retired

#### ADMINISTRATIVE STAFF

Name	Position
Henry Callegary	Senior Coordination Manager for Public
	Safety and Accountability
Kelly La Valley	Executive Secretary

#### POLICE ACCOUNTABILITY BOARD MEETINGS

<b>Meeting Date</b>	Link to Recording	Meeting Agenda	<b>Meeting Minutes</b>	
January 12, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
March 18, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
April 16, 2024	Recording	Agenda	Minutes	
May 10, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
June 24, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
September 16, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
November 18, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
December 16, 2024	See PAB Website	Agenda	See PAB Website	

#### ADMINSTRATIVE CHARGING COMMITTEE MEETINGS

<b>Meeting Date</b>	Link to Recording	Meeting Agenda	<b>Meeting Minutes</b>	
January 5, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
February 2, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
March 1, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
March 8, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
April 5, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
April 12, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
May 3, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
June 7, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
July 12, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
August 2, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
August 16, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
September 13, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
October 18, 2024	Recording	<u>Agenda</u>	Minutes	
November 15, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	
December 13, 2024	Recording	<u>Agenda</u>	<u>Minutes</u>	

Additional information, as well as links to meeting recordings, agendas, and minutes, can be found on the Baltimore County Police Accountability Board website (https://www.baltimorecountymd.gov/boards-commissions/executive/PAB)



MARYLAND
POLICE AND
CORRECTIONAL
TRAINING
COMMISSIONS

# POLICE MISCONDUCT COMPLAINT PROCESS

#### POLICE ACCOUNTABILITY BOARD

Receives complaint from public PSA § 3-102 (a)(3)

Forwards complaint to appropriate law enforcement agency within three days PSA § 3-102 (d)

#### LAW ENFORCEMENT AGENCY

Upon completion of investigation, forwards investigatory file to county
Administrative Charging Committee
PSA § 3-104(d)

#### LAW ENFORCEMENT AGENCY

Receives complaint from public PSA § 3-103 (a)

Investigates complaint PSA § 3-104 (d)

#### MARYLAND STATE AGENCY

Upon completion of investigation, forwards investigatory file to Maryland State Administrative Charging Committee PSA § 3-104 (d)

#### ADMINISTRATIVE CHARGING COMMITTEE

Reviews investigatory file and within 30 days determines whether to charge officer or request further review

PSA § 3-113 (b)

Officer not charged

Issues written opinion detailing findings and determinations; recommends discipline according to matrix; within 30 days from receipt of investigation but no longer than 1 year and 1 day PSA § 3-104 (e) (3); § 3-113 (b), (c)

Law enforcement agency head offers discipline recommended by Administrative Charging Committee or a higher degree according to the matrix within 15 days

PSA § 3-105 (c)

Officer accepts discipline, discipline is imposed and matter is final PSA § 105 (c) (3)

Make a determination that allegations are unfounded or officer is exonerated PSA § 3-104 (f) (2)

Issues written opinion detailing findings and determinations within 30 days from receipt but no longer than 1 year and 1 day from receipt of complaint PSA § 104 (e) (6); 3-113 (b), (c)

Officer does not accept discipline PSA § 105 (c) (4)

#### TRIAL BOARD

Matter referred to the trial board for a hearing PSA § 105 (c) (4)

Trial Board hearing and decision

Officer does not seek judicial review within 30 days

Circuit Court adjudicates petition for judicial review

Officer seeks

judicial review

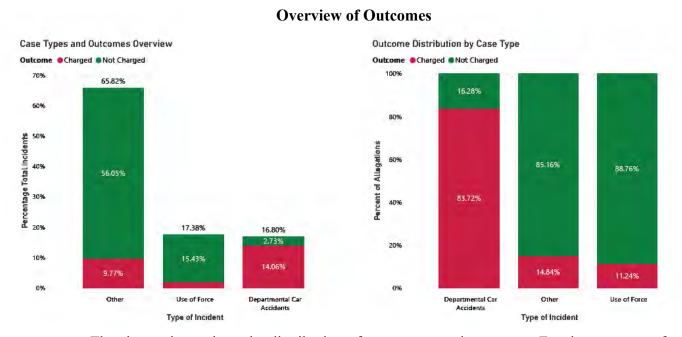
within 30 days

PSA § 106 (k) (1)

Trial Board decision is final

#### REVIEW OF DISCIPLINARY MATTERS

The following charts display the outcomes of disciplinary matters involving Baltimore County Police Department (BCPD) members reviewed by the Administrative Charging Committee (ACC) in 2024, as of October 31, 2024. No matters involving the Baltimore County Sheriff's Office were reviewed in 2024.



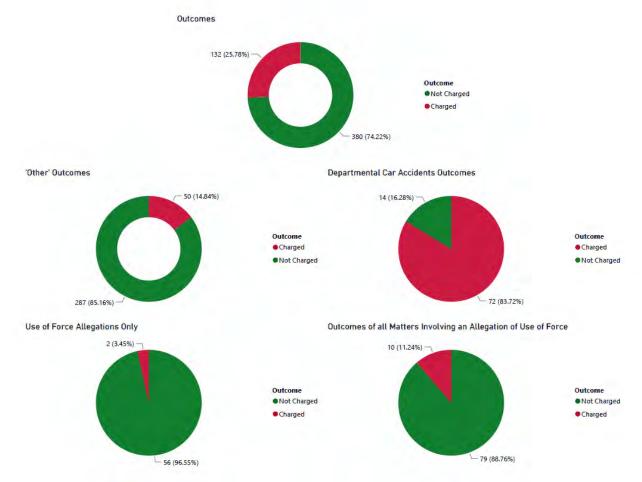
The above-charts show the distribution of case types, and outcomes. For the purposes of these charts, and those following, incidents are broken-down into the following three categories:

Use of Force: Any incident in which an officer was accused of violating the Baltimore County Police Department's use of force policy. Included in the "Charged" category are cases where officers were charged with a policy violation as part of a broader complaint that included an alleged violation of the use of force policy. For instance, an officer may be alleged to have violated the use of force policy, as well as being rude and discourteous. If the officer was not charged for violating the use of force policy, but was charged for rude and discourteous conduct, that appears under the above "Use of Force" category for the purposes of the above-chart.

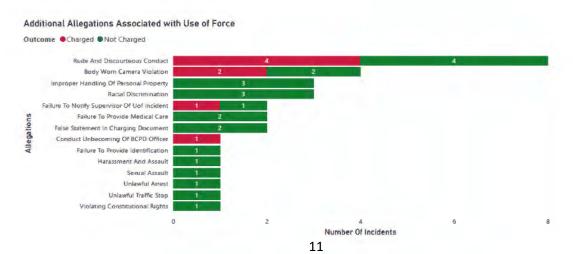
**Departmental Car Accidents:** This category includes allegations stemming from incidents where a member of the Baltimore County Police Department was involved in a car crash, and deemed to be at-fault for the crash by the Baltimore County Police Department Departmental Accident Review Committee (DARC).

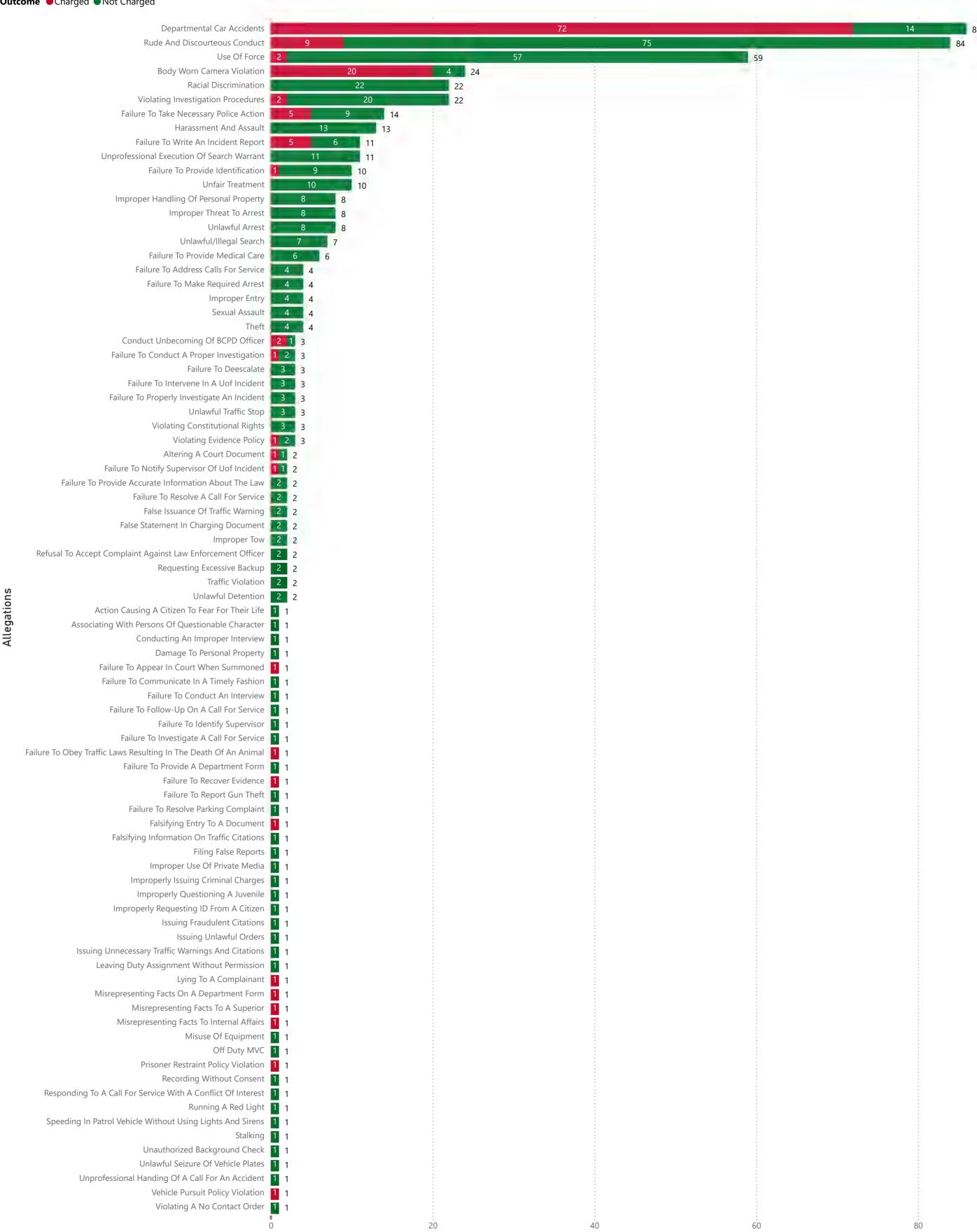
**Other:** This category includes all allegations of misconduct. A complete breakdown of all "Other" allegations and outcomes is included in this report.

#### **Outcomes by Incident Type**

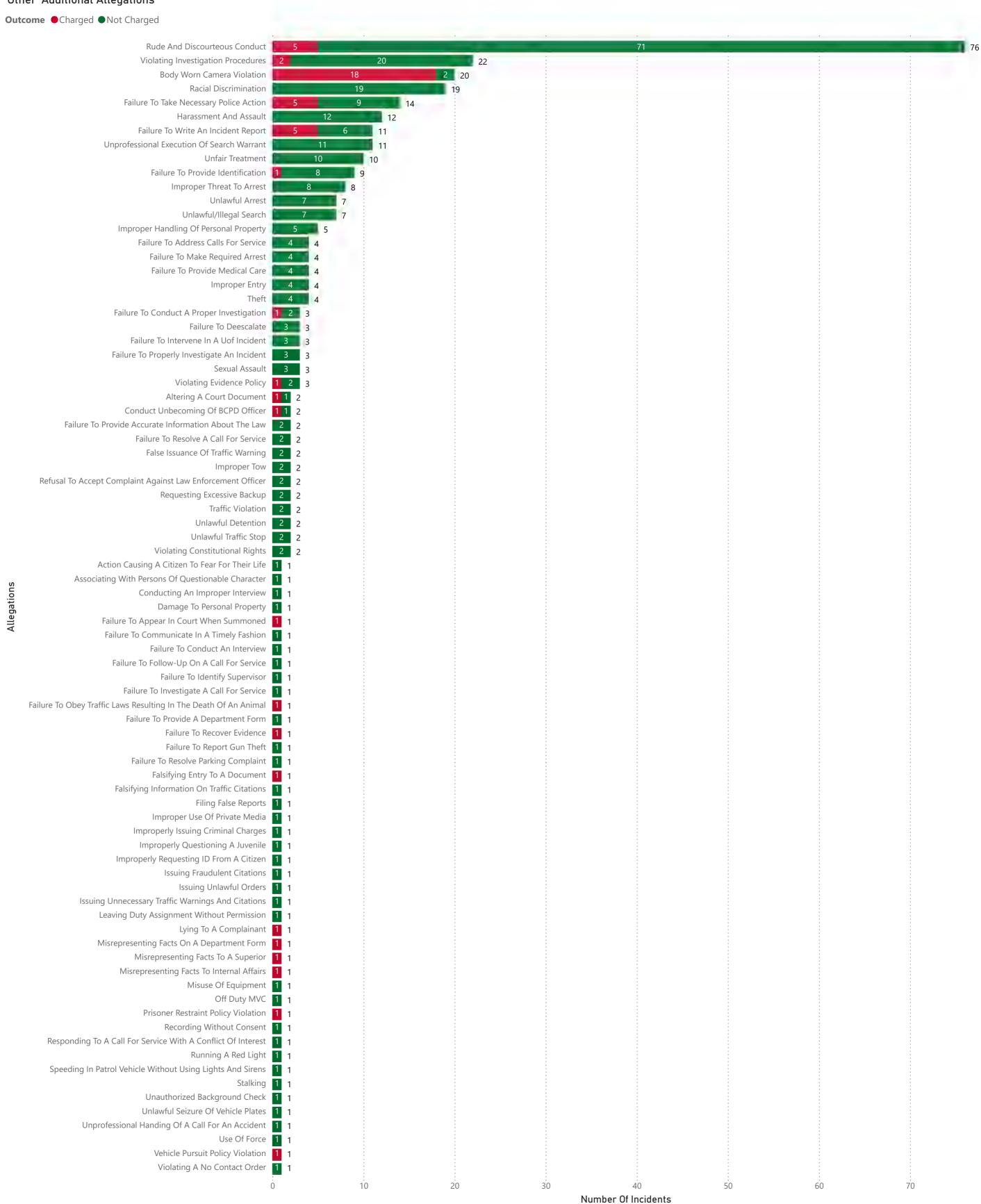


These charts break-down the outcomes by incident type. Of note, "Outcomes of all Matters involving an Allegation of Use of Force" includes cases where officers were charged with a policy violation as part of a broader complaint that included an alleged violation of the use of force policy. "Use of Force Allegation Only" specifically refers to allegations of use of force itself, and are also included within the "Outcomes of all Matters Involving an Allegation of Use of Force" Chart. "Outcomes of all Matters Involving an Allegation of Use of Force" includes the outcomes of all allegations included within a use of force complaint (for instance, an allegation of rude and discourteous conduct made in conjunction with a complaint for a violation of the use of force policy). The below chart breaks-down those additional allegations.





Number Of Incidents



#### TRIAL BOARD INFORMATION

No.	Date	Charges	Outcome	Discipline
1	May 7, 2024	Rude and	Guilty	Formal written
		discourteous		counseling <sup>1</sup>
		conduct		
2	November 6,	1) Failure to take	1) Not guilty, 2)	One day loss of
	2024	necessary police	Guilty, 3)	leave and
		action by failing	Guilty, 4) Not	written
		to issue a traffic	guilty	reprimand
		citation for		
		leaving the scene		
		of an accident; 2)		
		failure to		
		recover/document		
		evidence; 3)		
		violating		
		investigation		
		procedures; and		
		4) failing to write		
		a required report		
3	November 18,	Departmental	Guilty	Formal written
	2024	Accident		counseling
		(Property		
		Damage)		
4	November 25,	Departmental	Guilty	Formal written
	2024	Accident (Death		counseling
		of Animal)		
5	December 2,	Body-worn	Not guilty	N/A
	2024	camera violation		
		(two officers		
		charged)		

-

 $<sup>^{1}</sup>$  Decision vacated due to legal technicality and converted to oral written counseling per agreement.

#### TRENDS IN DISCIPLINE

The Baltimore County Administrative Charging Committee (ACC) began hearing cases involving allegations of misconduct by Baltimore County Police Department Officers and Sheriff's Office Deputies in July, 2023. That year, the ACC issued a total of 17 opinions. Of those, one officer was administratively charged for a body-worn camera policy violation. The ACC issued just three opinions involving complaints for use-of-force policy violations, and no officers were charged for use-of-force policy violations. In 2024, the ACC addressed 456 allegations of misconduct involving Baltimore County Police Department officers. A total of 107 charges were issued for policy violations, including 2 charges for violations of the use of force policy.

The much greater volume of opinions issued in 2024 is due primarily to the time it takes to investigate complaints against police officers by members of the public, along with greater public awareness of the new disciplinary process. Because only matters occurring on or after July 1, 2023 have been sent to the ACC for adjudication, and because of the length of time required to investigate complaints of misconduct, many of the opinions issued by the ACC in 2024 stem from complaints filed in 2023. Therefore, it would be misleading to directly compare 2023 and 2024 due to the disparity in volume of cases and their complexity, and draw trends based on those comparisons. The PAB will be better able to address and analyze trends in policing in the 2025 Annual Report, when two full years of data can be compared and contrasted.

#### POLICY RECOMMENDATIONS

#### Recommendation #1: Tolling "1 year and 1 day" deadline in criminal investigations

**ISSUE:** Md. Code, Pub. Safety, §3-113(c) states that "(t)he process of review by the investigating unit through disposition by the administrative charging committee shall be completed within 1 year and 1 day after the filing of a complaint by a citizen." This timeframe ensures that files are reviewed in a timely manner by the Administrative Charging Committee. However, in the event that the underlying complaint triggers a criminal investigation, this timeline can be very problematic. Namely, a criminal investigation and prosecution are unlikely to be completed within a year and a day of the receipt of a complaint, creating a scenario where the Administrative Charging Committee is required to make a decision in a case where an ongoing criminal investigation is also taking place prior to the conclusion of the criminal matter. This may lead to situations where the investigatory file presented to the Administrative Charging Committee lacks adequate information (such as statements by law enforcement officers) when a criminal investigation is ongoing. In turn, such a situation increases the likelihood of an officer not being administratively charged appropriately by the Administrative Charging Committee due to a lack of evidence. As the Administrative Charging Committee is the only means for disciplining an officer in a matter involving the public, this scenario creates the very real possibility in which the Administrative Charging Committee fails to recommend discipline for an officer facing criminal prosecution.

**SOLUTION**: The Maryland General Assembly should pass legislation akin to House Bill 188 (2024) and Senate Bill 608 (2024) that tolled the 1 year and 1 day deadline in cases where the officer was subject to a criminal investigation. Under those bills, the 1 year and 1 day deadline commenced from the date of (1) the investigating law enforcement agency's determination that the matter is not related to criminal activity, (2) the final disposition of all criminal charges, or (3) the Administrative Charging Committee or law enforcement agency's receipt of notice that the appropriate prosecutorial authority declined to file criminal charges.

### Recommendation #2: Ensure complaints withdrawn by a complainant are investigated by the law enforcement agency

ISSUE: Md. Code, Pub. Safety, §3-102 and §3-103 provide the framework by which a member of the public can file a complaint of police misconduct against an officer with the Police Accountability Board or with the law enforcement agency that employs the police officer who is the subject of the complaint. The law enforcement agency is responsible for investigating the complaint. COMAR 12.04.09.06B. Upon completion of an investigation, the results of the investigation must be forwarded to the Administrative Charging Committee for review and disposition. PS§3-104(d). However, the Code and corresponding regulations do not explicitly address what happens when a complainant withdraws their complaint against a police officer during the investigatory process and prior to the Administrative Charging Committee reviewing the results of the investigation. The Maryland Office of the Attorney General has opined that "(w)e do not think that a complainant's desire to withdraw a complaint alters the clear investigation requirement that (COMAR 12.04.09.06B) imposes." However, absent clarifying language in the Code, there remains a lack of clarity for both law enforcement agencies and Administrative Charging Committees in cases where a complainant withdraws their complaint.

**SOLUTION**: The Maryland General Assembly should amend Md. Code, Pub. Safety, §3-102 to clearly state that a law enforcement agency shall investigate all complaints that are not eligible for mediation, including when the complainant withdraws their complaint. This will ensure all complaints made by members of the public against police officers are investigated by the law enforcement agency, and the results of the investigation are sent to the Administrative Charging Committee for review and disposition.

### Recommendation #3: Remove departmental accident cases from the jurisdiction of the Administrative Charging Committee

ISSUE: Md. Code, Pub. Safety, §3-104(d) states that "On completion of an investigation of a complaint of police misconduct involving a member of the public and a police officer, regardless of whether the complaint originated from within the law enforcement agency or from an external source, the law enforcement agency shall forward to the appropriate administrative charging committee the investigatory files for the matter" (emphasis added). This language requires the law enforcement agency to investigate a matter involving police misconduct absent the filing of a formal complaint by a member of the public. In the majority of cases, this language allows law enforcement agencies to investigate instances where they believe misconduct (whether in the form of a policy violation, a violation of the law, or a violation of a member of the public's constitutional rights) occurred, but no formal complaint was filed. However, this language has created inconsistencies between jurisdictions in cases of departmental accidents. In Baltimore County, all departmental accidents involving a member of the public where the officer was found at fault by the Departmental Accident Review Committee (DARC) are investigated by the Internal Affairs Section, and the results of the investigation are sent to the Administrative Charging Committee for review. This leads to a high volume of cases that do not involve a complaint from a member of the public, and largely fall outside of the expertise and training of the Administrative Charging Committee. Additionally, several jurisdictions in Maryland do not send departmental accident cases to their Administrative Charging Committees, creating inconsistencies that are ripe for legal challenges.

**SOLUTION**: The Maryland General Assembly should amend Md. Code, Pub. Safety, §3-104(d) to clarify that departmental accident cases do not fall within the jurisdiction of the Administrative Charging Committee.

### Recommendation #4: Require the Maryland Police Training and Standards Commission (MPTSC to Adopt an Annual Schedule for Training

ISSUE: Members of the Administrative Charging Committee (ACC) and trial boards are required by the Maryland Police Accountability Act (MPAA) to attend in-person training with the MPTSC prior to serving. This training ensures that members of the ACC and trial boards are equipped with the necessary skills and information to perform their respective roles in the police accountability and disciplinary process. Presently, the MPTSC does not have an annual schedule of trainings for ACC and trial board members, nor is training adequately publicized on their website. Training announcements are sent periodically to administrative staff members in Maryland's jurisdictions, although trainings are canceled when there is a lack of demand. There are often periods of several months or more when no trainings are scheduled. This creates significant difficulties in ensuring new ACC and trial board members receive training, which inturn threatens the ability of the ACC and trial boards to meet their statutorily required duties. For instance, if multiple ACC member step-down, and the next training is not available for several months, the ACC may not have a quorum and will be unable to issue opinions, thus violating the MPAA and running the risk of the 1 year and 1 day deadline to issue opinions lapsing.

**SOLUTION:** The MPTSC should adopt an annual schedule of ACC and trial board trainings. This schedule should be published on the MPTSC website, and circulated to local jurisdictions via email. These trainings should occur at least every-other month to ensure that ACCs and trial boards have adequate membership to achieve a quorum and conduct their statutorily required business. Trainings should not be canceled, except in the event that no individuals sign-up for a training. These changes will create a reliable training schedule which will ensure that ACCs and trial boards are able to fulfill their mandated duties under the MPAA.