

Caroline County 2024 Police Accountability Board Report

Prepared for the Caroline County Commissioner's

Prepared By:

The Police Accountability Board

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Caroline County's Police Accountability Board continues to serve the county with John Bartlett as the Chairman. Open discussions with Law Enforcement Agencies addressing community concerns at each PAB meeting maintain beneficial results for public safety and awareness. Guest speakers from municipal law enforcement departments and the Sheriff's Office have spoken quarterly explaining the complaint process policies and how each has embraced this new legislation positively. The public portal aspect of the IAPro software remains a benefit to citizens utilizing the internet to file complaints in a private and secure setting. The ACC continues to actively review cases and make recommendations on police complaint investigations that fall under the purview of the legislation.

The County was able to secure the PACT grant again for 2025. This grant requires quarterly reports from LEAs as well as the PAB Administrator. Per the PACT-2025 agreement, the PAB Administrator requests data from the heads of local Law Enforcement agencies regarding performance measure questions set by the PACT agreement in addition to answering progress report questions. These reports provide pertinent information that is included in this year-end report.

\$153,597.00 in grant funds were approved. These funds will be utilized towards the renewal of the IAPro Software, annual computer licensing for all our Board members, body-worn cameras, Lexipol and Police One Academy software, citizen training and attorney expenses, security for PAB meetings, office supplies, as well as payroll for the Police Accountability Board Administrator. Our request is for the State to continue to offer this grant program as well as additional police-oriented grant programs to ensure the local Police Departments can purchase the required technology, resources, and tools to comply with the law. The PAB as well as the ACC continue to have outside legal counsel attending each meeting. This addition has proven valuable. The total fee paid as of December 1st, 2024 from the Police Accountability Community Transparency Grant ("PACT") is \$6,880.00.

Police Executive Research Forum ("PERF") partnered with the Governor's Office of Crime Prevention to research counties in the state of Maryland on the implementation of the Maryland Police Accountability Act of 2021. On March 7, 2024, PERF held a summit in Annapolis. Chairman, John Bartlett, Caroline County Paralegal, Mary Berneski, and PAB Administrator, Kim Raeder were invited to attend. Multiple attendees provided insight into how the county is coping with this new law and the standard practices in place. In June 2024 the PERF report was distributed. This report combined information gathered from PERF's survey of Maryland PAB members, PAB/ACC staff, and law enforcement leaders, observations of PAB meetings and annual report reviews, multiple stakeholder interviews, and the Implementation Summit held in Annapolis on

March 7, 2024. The Caroline County ACC standardized a list of items to include in each complete investigation from the Police Departments which was added as part of the PERF report.

Caroline County has received nine complaints since January 1, 2024, a total of twenty-seven filed complaints since the passing of the Maryland General Assembly House Bill 670, also known as the Maryland Police Accountability Act of 2021, which became effective on July 1, 2022. The complaint topics alleged an officer's rude and discourteous behavior, a police chase, use of force, conduct unbecoming, and sexual assault. As of November 21, 2024, the Sheriff's Office fielded approximately 25,275 calls for service that generated only 6 citizen complaints. The other complaints involved the Federalsburg, Ridgely, and Greensboro Police Departments. Eight of the nine complaints filed have been closed with an exoneration and/or unfounded. The last complaint was not in the purview of the Police Accountability Board or Administrative Charging Committee since it involved a police chief. The only noted trend from these eight complaints filed was the majority alleged an officer's rude and/or discourteous behavior.

There is one complaint on a Denton Police Department Officer stemming from an incident in December 2023, that has reached the Trial Board stage; however, due to the death of the appointed Retired Law Judge, the Trial Board date has been delayed. The Office of Law is actively recruiting a retired circuit court judge or administrative law judge willing to serve in the county. Two citizens have been trained and appointed.

On June 25, 2024, the County Commissioners of Caroline County amended Resolution #2022-015 reducing the number of Police Accountability Board (PAB) alternate board members from three to one. During the coming year, the County Attorney, County Paralegal and Police Accountability Administrator will work with the County Commissioners to adopt the ACC Rules of Procedure as well as legislate a PAB ordinance rather than a resolution.

Caroline County Commissioner President Breeding requested an opinion from the Attorney General's Office on whether a complaint of police misconduct involving a member of the public may be withdrawn after it is filed with a law enforcement agency pursuant to either § 3-102 or § 3-103 of the Public Safety Article. The Attorney General responded, "We conclude that, while a complainant may seek to withdraw such a complaint, the withdrawal does not alter the obligations that the Public Safety Article and its implementing regulations place upon the law enforcement agency to investigate the complaint and forward it to the appropriate civilian charging committee, called an Administrative Charging Committee ("ACC"), for a charging determination" (Office of the Attorney General, 2024). The full opinion is available on the State of Maryland, Office Of The Attorney General website <https://www.marylandattorneygeneral.gov/Pages/Opinions/index.aspx>.

The Police Accountability Board has continued to express interest in online or in-person training classes. The Maryland Police Training and Standards Commission held in-service training for PAB members and ACC members. Each 1-day training provided an overview of the disciplinary matrix and process, including the roles and responsibilities of the PAB, ACC, and Trial Board members. The training was held in Caroline County, hosting the surrounding county board and committee members. Unfortunately, due to the class being held during daytime working hours, no PAB members from Caroline County attended. Two of the five ACC members were in attendance, with the PAB Chairman attending both days. Chairman Bartlett spoke to both ACC & PAB members at their next respective meeting dates explaining the information discussed during training for members who were unable to attend either session.

Caroline County Attorney, Stewart Barroll, and Worcester County Attorney, Roscoe Leslie, had the honor to speak in Orlando, FL at the International Municipal Lawyers Association 89th Annual Conference September 27th, 2024, on the Citizen Police Accountability Board Implementation. The attorneys discussed how the implementation of civilian oversight was going in their respective counties, identified challenges and successes, and provided suggestions to attorneys from other states who are preparing for similar legislation.

During this past year, PAB & ACC members, Police Chiefs, and the Sheriff have voiced several concerns. The top concern is the lack of ability to expunge exonerated complaints from an officer's file. It is strongly recommended that legislation be introduced to provide for the expungement of exonerated complaints from an officer's record. Another concern was voiced by the Caroline County Chiefs Association expressing their disagreement with the practice of summoning police officers before the ACC to answer questions. The PAB passed a motion on November 21, 2024, to "Invite the elected state and local legislators to attend the next PAB meeting".

The ACC recommends that all trial boards be held in Caroline County, so that our board citizens do not travel outside the jurisdiction due to cost and/or time restraints. Lastly, what happens if the discipline imposed by the ACC is not presented to the officer by the LEA within the 15-day timeline prescribed by the statute.

We appreciate the County Commissioners taking the time to review this report. We hope the information presented provides valuable insight into the Police Accountability Board and Administrative Charging Committees' dedication to their roles and responsibilities as valued volunteer members.

Police Accountability Board Quarterly Meeting Topics

Meeting Minutes: <https://www.carolinemd.org/>

February 20, 2024

- 2023 PAB Annual Report
- Update on citizen complaints filed and investigated by the ACC
- Police Executive Research Forum partnering with the Governor's Office of Crime Prevention
- Q&A with Sheriff's Office and local municipalities

April 4, 2024 "Special Meeting"

- Vote for appointment of a citizen to the trial board

May 21, 2024

- Update on citizen complaints filed and investigated by the ACC
- Sheriff Baker & Captain Helmer presentation: "Complaints Against Deputy's Sheriffs"
- Trial board training
- Q&A with Sheriff's Office and local municipalities

June 12, 2024 "Special Meeting"

- Vote for appointment of a citizen to the trial board

August 20, 2024

- Update on citizen complaints filed and investigated by the ACC
- Chief McDermott, Federalsburg Police Department, spoke about the new Police Accountability Act, LEBOR, and how his department has embraced the change by developing an "Office of Accountability" at the Federalsburg Police Department
- Q&A with Sheriff's Office and local municipalities

November 21, 2024

- Update on citizen complaints filed and investigated by the ACC
- PAB In-Service Training
- ACC In-Service Training
- Year-end report
- Q&A with Sheriff's Office and local municipalities
- PAB is concerned that their role is not what they thought it would be
- PAB motion passed to "Invite the elected state and local legislators to attend the next PAB meeting" & include "Caroline County Chiefs Association expressing their disagreement with the practice of summoning police officers before the ACC to answer questions".

December 30, 2024

- Discuss and approve the 2024 annual report