

Baltimore City Police Accountability Board
December Meeting Minutes
December 2nd, 2024

I. Welcome

Chair Joshua Harris opened the meeting at 8:15 PM. Chair Harris opens the floor for any celebrations that have occurred in the last 30 days. Chair Harris shares his son turned one (1) recently.

II. Roll Call

Mansur Abdul-Malik
Ambassador Peter Boddie
Joshua Harris, Chair
Megan Kenny
Stephanie V. Lee, Secretary
Harold Madison
Dr. Doris Minor-Terrell
Maraizu Onyenaka
Jesmond Riggins, Esq.
Jamal Turner, Vice Chair
Avi Wolasky
Bryan Upshur, Esq.

Board Absent

Marc Broady, Esq.
Dr. Janetta Gilmore
Lisa Nguyen

III. Review and Approval of Agenda

Chair Harris will entertain a friendly amendment to add Update from the Data Committee under new business. It was moved by Vice Chair Jamal Turner and seconded by Board Member Megan Kenny to adopt the agenda with the added agenda item. Motion Carried

IV. Review and Approval of Minutes

It was moved by Board Member Kenny and seconded by Board Member Maraizu Onyenaka to approve the November meeting minutes. Motion Carried

V. Staff Updates

Interim Director Caron Watkins delivers the staff updates. Interim Director Watkins announces her last day with the Office of Equity and Civil Rights (OECR) will be December 6th as she has accepted a new opportunity. Chief of Investigations, Lisa Kelly,

will serve as Interim Director while the Mayor's office prioritizes this vacancy and commences a search for a permanent director moving forward. Additionally, the roles of the Chief of the Police Accountability Division¹ and Deputy Chief² of the Police Accountability Division are both posted online.

There are seven (7) trained civilians available to serve on trial boards. OECR is close to finalizing a memorandum of understanding with the Office of Administrative Hearing with assistance from the Law Department.

OECR retained the services of Funk & Bolton to write the 2024 annual report. The report writer has met with various committees and a draft report should be completed in the coming weeks. Interim Director Watkins appreciates Vice Chair Turner and Board Member Jesmond Riggins for their assistance in coordinating content for the annual report.

OECR continues to make sure suggestions for legislation to the Mayor's office is reflective of the ideas, thoughts and recommendations of the PAB. Zachary Wellman, OECR's legislative liaison, has conferred with the Mayor's Office of Government Relations to determine where they are with regard to any finalized proposals, which should be announced soon. Interim Director Watkins asks board members to elevate any recommendations they have.

Jumel Howard, OECR's Community and Engagement Coordinator, has been working with the Community and Organizational Engagement Committee under the leadership of Chair Mansur Abdul-Malik to identify ways to continue outreach via social media and grassroots community engagement efforts.

The Youth board member vacancy will be addressed when the Mayor's next term starts.

The PAB can expect their next quarterly stipend in December and will be notified when they are ready.

Interim Director Watkins continues to encourage the PAB to use their laptops and city-issued email addresses as confidential information is disseminated based on the nature and sensitivity of their work.

¹ https://baltimorecity.wd1.myworkdayjobs.com/en-US/External/job/Chief-of-Police-Accountability--Operations-Manager-I--NCS----Office-of-Equity-and-Civil-Rights_R0010358

² https://baltimorecity.wd1.myworkdayjobs.com/en-US/External/job/Deputy-Chief-of-Police-Accountability--Operations-Officer-IV--NCS----Office-of-Equity-and-Civil-Rights_R0010356

The next PAB meeting will be held on January 6th.

Interim Director Watkins appreciates the time she spent at OECR and working with the PAB. Chair Harris appreciates Interim Director Watkins for her willingness to step into this role and wishes her the best. Vice Chair Turner appreciates Interim Director Watkins for her hard work, dedication, effort and energy she placed into the PAB and OECR and wishes her the best in her next role. Board Member Riggins appreciates Interim Director Watkins for the time she spent with the PAB and for being open, receptive and getting OECR back on track. Board Member Riggins hopes the next person who is placed into the directorship is someone the PAB can work with and hopefully stick around for a while as OECR has seen numerous directors over 7 years.

Chair Harris asks if the PAB will have to be sworn in again due to the Mayor's next term. Deputy Director Young clarifies they were sworn in for four years. Interim Director Watkins clarifies there is conversation about this issue with the Mayor's Office of Government Relations and will return with an answer.

VI. Quarterly Meeting with Heads of Law Enforcement

A. Commissioner Richard Worley, Baltimore Police Department

Commissioner Richard Worley announces the City may have less than 200 homicides this year since 2011. Regardless, there are still too many homicides. Commissioner Worley's goal when he began was to come under two hundred (200) homicides and next year he wants lower homicides. Between homicides and shootings, there will be over two hundred fifty (250) less people shot in the City so far this year. Baltimore Police Department recently began tracking robbery numbers, which are down slightly. This has been a battle all year simply because of juveniles which is like a revolving door. They arrest the same ones, but all BPD can do is their job and it is up to juvenile services to do theirs. Hopefully in January, BPD will be fully compliant in a few more areas of the consent decree and a few will come into initial compliance. Staffing is still low; however, Commissioner Worley is encouraged because they just put in a new class that has forty-six (46) officers. Thirty-two (32) are theirs and fourteen (14) are from outside agencies. Eventually they will have to limit the number of outside agencies they can allow because they are getting higher numbers. They were down as much as one thousand nine hundred eighty-two (1982) officers but are up to one thousand nine hundred and ninety-one (1991) officers. They want to get to over two thousand (2000) officers, but just they just had three (3) or four (4) officers retire today at the retirement ceremony. There is a new contract that should help keep some of the officers that are in the twelve (12) to twenty (20) year mark, which is a good thing. The Mayor stepped up and did a good job with the contract. The City and Fraternal Order of Police negotiated things, and they are good.

They just need more officers. Even if they hired five Hundred (500) officers today, they would not be on the street for nine (9) months because they have to go through field training and the Academy, which is almost six (6) months.

Board Member Riggins asks how many officers would constitute a fully staffed police department. Commissioner Worley notes it would be around two thousand five hundred and ninety (2590) officers. In 2011, the last time there was less than two hundred (200) homicides, they had three thousand two hundred (3200) officers. BPD is now one-third (1/3) of the department, they were back then. They have done a lot of staffing studies because the City has lost population during that time. They could staff the department with two thousand five hundred (2500) officers, which puts them down about six hundred (600) officers. Depending on what numbers you use, some will say it needs to go up to three thousand (3000) officers. Commissioner Worley's goal is to get to two thousand five hundred (2500) officers because that is one of the biggest things that will stop them from satisfying the consent decree and why there is a certain amount they are supposed to reach to satisfy the consent decree. However, the judge is willing to work with everybody knowing they may never reach that number again. Even though they are extremely short, BPD is still able to do the work because they have civilianized a lot of their people, replacing officers with professional members so officers can be on the street. The Public Integrity Bureau (PIB) has several civilian investigators. BPD has civilian investigators in homicide and district detective units. They are trying to replace officers because there are a lot of officers doing work that officers don't need to be doing when they can be on the street. Some of them have been in those positions for a while and they will elect to retire, which is fine. Right now, around two thousand five hundred (2500) officers is where BPD wants to be. Chair Harris asks how many officers BPD currently has. Commissioner Worley restates are one thousand nine hundred ninety-one (1991) officers currently.

Board Member Kenny asks for clarification about the correlation between the number of officers and number of homicides in the City. Commissioner Worley clarifies there were three thousand two hundred (3200) officers in 2011 when there were one hundred ninety seven (197) homicides in the City.

Board Member Kenny asks how calls to 988 are coordinated between mental health crisis teams and BPD as there can be situations where the police are not needed on the scene. Commissioner Worley notes it depends on the way the call get routed which means referring and training their dispatchers who do not work for the police department; they work for the City. It is a slippery slope because they want to avoid a mistake where police are needed but not sent. Commissioner Worley believes their officers are trained to deal with these situations as they deal with them every day and have done a good job. They have to look into diverting these calls without having officers present more. People can call 988 and handle their crisis over the phone and BPD may never get a call. Board Member Kenny believes it is in the best interest of the City for BPD to divert some of

these calls. Board Member Kenny asks what the next steps for that looks like. Commissioner Worley notes the next steps is training for 911 operators and call takers and training should come from clinicians.

Board Member Kenny asks if there is a law that requires police to respond to every 911 call. Commissioner Worley notes they divert a lot of calls, which is how they can do more with less. There are alarm calls that are diverted, calls for accidents are diverted to a company if there are no injuries. They have diverted a lot of calls over the years because in the past it was thought that there were over a million calls, but when they did a deep dive, there was not. There were repeat calls with multiple officers going to a call. They began adjusting as they anticipated a staffing crisis. One requirement of the consent decree is forty percent (40%) of an officer's time is to be dedicated to being the police, which is about twenty-four (24) minutes of every hour. Although they are not far from this goal, they need to divert more calls and handle things a bit differently. This is why they have telephone and online reporting. They try to keep officers in service that need to respond to emergencies. Board Member Kenny recommends legislation for 911 diversion training to be strengthened because diverting to medical and mental health professionals who can properly assess the situation is appropriate. Chair Harris references how calls for addiction and overdose is diverted to the Baltimore City Fire Department. Commissioner Worley notes BPD still responds to calls for overdoses because they also have Narcan which has they have used over two hundred (200) times this year. Board Member Kenny shares she has been in recovery from alcohol for eleven (11) years and stresses the importance of harm reduction and overdose prevention sites.

Chair Harris asks if BPD has seen an increase in the number of crisis intervention trained officers. Commissioner Worley has seen an increase as they are to have twenty percent (20%) of officers trained and have just reached twenty-one percent (21%). They began a voluntary program for officers who are field trained and crisis intervention trained to take home vehicles. They would like this program to become mandatory.

Vice Chair Turner asks about the number of officers that index to the population in the City. Commissioner Worley notes they are constantly conducting staffing studies, which is how they determined they no longer need three thousand two hundred (3200) officers and that two thousand five hundred (2500) officers is sufficient for the population size of the City. They determine this through the calls for service. For part one (1) crimes, they must respond in less than ten (10) minutes. Overall, they try to respond to calls for service within ten (10) minutes if possible.

Vice Chair Turner asks Commissioner Worley how he is preparing for the shift from state control to local control and what changes he believes will happen because of the shift. Commissioner Worley has not prepared anything because his job is not going to change under local control. They will continue to do their job and does not foresee any issues. He

has a good relationship with the Mayor and City Council. BPD will continue to do their best to lower crime while reforming the department.

Board Member Peter Bodde congratulates Commissioner Worley on the reduction of fatal shootings. Board Member Bodde's concern is the recent violent assaults in his community of Fells Point involving youth. The crimes seem to be more violent and he is not happy with the police response. Commissioner Worley notes most of their issues are with juveniles, which he believes, will change with the recent law enacted on November 1, 2024. For the last two years, youth have been a revolving door where they are arrested, sent to juvenile detention and released. It got to a point where if a youth was caught with a stolen car, juvenile booking did not want to take them and were sent home to their parents where they were allowed to be back out in the streets. BPD had a few instances where a youth was caught with a stolen car twice in the same night. There recently arrested a youth who had seven previous robbery arrests. Commissioner Worley hired Lisa Reynolds who was previously with the Department of Juvenile Services (DJS). Ms. Reynolds has been an asset when she took over juvenile book as they can implement measures, they did not know they could previously because she has all the specifics. Now, every youth they arrest goes to juvenile booking and then it is left to the DJS. DJS is still not detaining as many youths as BPD would like, but they are being released on ankle monitors which notifies BPD as soon as a violation occurs. They will end up arresting youth for more serious crimes which is unfortunate. Commissioner Worley recounts a recent incident where several youths were arrested over the weekend, and all were released except a 16-year-old who had to remain detained because they are homeless. We are all failing these young people if we do not give them an alternative to crime. Commissioner Worley believes there needs to be more programs with discipline as all youth do not need incarceration, but there needs to be some kind of consequence when they commit a violent crime. The incident Board Member Bodde is referring to in the Central District had a response time of forty (40) minutes. Commissioner Worley asks Board Member Bodde to share this information about this incident with him.

Chair Harris asks if BPD is tracking data related to the detained youth's school attendance. Commissioner Worley notes most of the youth they detain do not go to school. BPD is working with the Baltimore City School Police to come up with alternatives. Commissioner Worley references the Youth Stat Data Hub put in place by the Mayor when youth were dying at a high rate at the beginning of the year. Homicides and shootings for young people should be down this year. The problem is youth are committing acts of violence against each other. BPD is noticing youth stealing cars to commit robberies. Although stolen car crime rates are down, they are not down enough for Commissioner Worley because they are still higher than they were two (2) years ago.

Chair Harris asks Commissioner Worley for assistance in reaching the State's Attorney's Office to attend a PAB meeting.

Board Member Riggins asks how BPD believes it can reach the consent decree standard of completing administrative investigations within ninety (90) days given that it is nowhere near that standard. It took seven (7) years for BPD to become in full and effective compliance with the Community Oversight Task Force portion of the consent decree. Deputy Commissioner Brian Nadeau does not believe they will ever get to ninety (90) days based on the volume of cases they have. When he joined in 2019, they more than two thousand (2000) cases, and they are down to one thousand four hundred (1400). During COVID, they dropped to one thousand (1000), but has since increased. Part of those cases come from BPD's own internal self-assessments for self-correction. The Administrative Charging Committee (ACC) receives half of those cases, and the rest go to the Disciplinary Review Committee (DRC), which is an entity like ACC, just with BPD members. DC Nadeau does not believe they will make the ninety (90) day deadline as they have the largest volume in the state of Maryland and the understaffing of the department. They have hired civilians to assist with the staffing issue, however, they only handle the less serious cases. BPD is in discussion with the Court as ninety-two percent (92%) of their cases were very good or excellent. In 2019, it was twenty-two percent (22%). Not only does BPD have to do a case and get a charge, they have to win in a trial board which is like a court hearing; it is not an easy thing to do. They also want to maintain their good and excellent rating to make sure they win at trial boards. It does not help to hand out punishments that does not stick. BPD has ten (10) civilians in the Public Integrity Bureau (PIB) to help with some of the cases. However, the sworn members in PIB often are promoted and leave so their positions must be filled with a new person who will need to learn the job specifics

Board Member Riggins asks even if the department was fully staffed, would the ninety (90) day timeline would be out of reach? DC Nadeau notes they were under the assumption that the case volume would be reduced in the current staffing report. The case volume did reduce, but not the level they assumed it would. They believed it would reduce to under one thousand (1000) cases, but they are at one thousand four hundred (1400) cases. The detectives must watch body worn cameras of every officer to make sure there are no other violations, not just the incident. This takes a voluminous amount of time. A study said it would take thirty (30) hours to do a case. It takes thirty (30) hours to do a case if there is only one officer and there are not hours of body worn camera, otherwise it takes longer. Their current staffing level is to be at thirty-five (35) sworn officers, ten (10) civilian members and five (5) sergeants. Even if they had that, they still would not reach the ninety (90) day deadline. They have explained this to the court, it is just due to the volume of cases that must be investigated and maintain a high level of investigation.

Board Member Riggins asks what BPD plans to do if they cannot meet this requirement of the consent decree. DC Nadeau notes when the consent decree was entered into, the people that entered into it made agreements based on what they believed at the time. There are other areas of the consent decree that are concerning based on changes in training and other areas that would not have been known at the time the consent decree was created. There is an ongoing discussion with the monitors, Department of Justice (DOJ) and Judge about those items that need to be fixed. The ninety (90) day timeline is one of those items that has been under discussion. The volume of cases fluctuates which makes it hard to determine what the actual volume will be. Many of the cases heard by the ACC are not serious misconduct cases which was not the case in 2019 when there were many serious misconduct cases. Most of the officers committing serious misconduct have been terminated so the cases now are minor cases of misconduct.

Board Member Riggins reiterates his question on BPD's plan if they cannot meet the requirement in the consent decree and what is a reasonable timeline for BPD to complete investigations. DC Nadeau believes complaints should be investigated the day the complaint is made, and both the complainant and member should get an answer. For the member under investigation, an investigation can hold up a few things for them and they are always wondering what will happen. Currently, a lot of people do not want to go into law enforcement because they do not know what will happen; they do not trust people to not file complaints against them and do not trust prosecutors to go after them. There is general negativity toward law enforcement over the past, five to six (5-6) years, which is rightly deserved but has hurt recruitment. On the complainant side, they want an answer as soon as possible. However, with the current staffing level and even with a full staff, they would not make the ninety (90) days. There have been changes in the law. They are now required to move forward with a case if it is criminal, when previously they would wait for the State's Attorney's Office. DC Nadeau does not have a perfect answer to this question. Minor cases are completed quickly, serious cases take longer. If they have new staff, it can take a minor case longer to complete. Many of the complaints, especially the ones ACC hears, have to do with members of the public who they have to find to cooperate or decline to cooperate which forces BPD to investigate by other means.

Board Member Riggins continues to stress the ninety (90) day requirement and asks if BPD does not believe it will meet that deadline, what BPD is looking to do when it comes to extending the deadline or excising it from the consent decree. DC Nadeau does not believe it will ever get excised because it is going to be a number that the court is going to mandate them to meet. DC Nadeau does not know what the number will be. They have a new recruitment campaign launching in January that will hopefully draw more people to BPD. DC Nadeau is not sure what a good number will be regarding the investigations even with a full staff because they do not know if the cases will be serious

or minor. They do not know what the court will say, and it is not up to BPD to decide; it is up to the DOJ and Judge to come up with a number, if they even change the number.

Chair Harris reads a question from the chat. Is there data to support the claim of reoffending youth. Commissioner Worley has data on youth and reiterates the addition of Lisa Reynolds from DJS.

Chair Harris asks if there is a complaint process for civilian members of BPD that interact with the public or is it the same complaint process for sworn officers.

Commissioner Worley notes it is the same complaint process for sworn officers.

Chair Harris asks what is the second and third largest allocation of BPD's budget besides staffing. Commissioner Worley believes it is the maintenance of buildings, cars and infrastructure as they have many old buildings. The Mayor gave approval to build a new Northeast and Northwest Districts, which will not be built for three (3) to four (4) years. They are looking to move more resources to the Sun building. Their parking garage was shut down because it was unsafe and cost \$6 million to fix.

Chair Harris reads a question from the chat: Has BPD looked at reducing non-safety related traffic stops? Commissioner Worley has not because fatal accidents will be double the amount they were last year, and it is escalating. They did a study and created a traffic initiative plan for the summer. Commissioner Worley did not have to look at their car stop numbers to know they were not doing as well as the last few months. Last week there were three (3) or four (4) fatal accidents where pedestrians were struck by vehicles. They must continue to keep their traffic enforcement to get people to slow down.

Chair Harris asks Commissioner Worley to describe BPD's community policing for 2024. Sarah Ritter is the Deputy Chief of Community Policing. Victim services is one of the biggest roles of community policing. Previously, BPD had officers notifying families of homicide victims of their loved one's passing, however, the officers were not very empathetic. Community Policing has built victim services to help homicide victims and victims of non-fatal shootings and their families. This will take effect on December 15th. Community Policing will report directly to Commissioner Worley so they can spread it out amongst all the bureaus and agencies BPD works with. BPD recently had a big takedown, but they don't work unless they keep the community free of drug dealers. The communities need wraparound services. They offered services in exchange for guns to the indicted individuals, but they declined. The ones that remained need to be offered education, jobs, housing and other resources to help them be successful and stop committing crimes. This is what community policing looks like. This is also the approach of all city agencies. Commissioner Worley believes the broken windows theory is still relatively true in neighborhoods with violence. There is trash piled up and vacant homes. During COVID, BPD had three or four officers in neighborhood services that handled meetings and took care of the communities, however, that is not community policing.

Community policing is all of the officers going to meetings, dealing with the public, talking with the public and walking on foot. Commissioner Worley's biggest goal was to increase foot patrols, which are up forty percent (40%) which is still low.

Vice Chair Turners asks if the Citizens on Patrol program is still active. Commissioner Worley believes a few districts have it. It is not as robust as it used to be. Vice Chair Turner highlights his Northeast district where a few members of the community want to participate in the Citizens on Patrol program. They are having trouble finding personnel who are trained for that. Commissioner Worley recalls the program being robust under a previous Major but will look into districts that currently offer the program. During COVID a lot of programs went away such as the Explorers that need to be brought back.

Board Member Onyenaka notes the recent redistricting has her neighborhood in the Central District. She understands Central district is working hard but feels overmatched by construction. From her perspective, her neighborhood has problem areas they are trying to keep from spreading, but it is well known they are not going to get help or it will take a long to time to get help, which does not help reduce the problems they are trying to manage. Commissioner Worley reports that at the end of the year, they will have eighteen (18) months of data to reexamine the Central District. Northeast District went from one of the biggest districts to the smallest district in terms of personnel. Commissioner Worley would not have done it that way but will listen to the neighborhood and citizens to see if they need to adjust in the districts. In 2025, each District will be divided into two (2) sectors. This will not change anything for citizens as the number of cars will stay the same. Central District has the most officers and cars but are still overwhelmed with the amount of work they must do, especially on weekends in the downtown area. Commissioner Worley commends Major Sinchak and although Central District is still leading in robberies, they have made good advances lately.

Chair Harris and Commissioner Worley clarify the Community Policing Division is established under Sarah Ritter and will report directly to Commissioner Worley.

Chair Harris allows Deborah Levi from the Office of the Public Defender (OPD) to ask a question. Ms. Levi notes non-safety related stops are not feeding reckless driving. It is like an expired tag and law enforcement agencies across the country have stopped enforcing non-safety related stops to eliminate unnecessary interactions with the public that can be dangerous for everybody and use resources more widely. OPD has pre-filed legislation with sponsors to address this issue. They are also working with law enforcement agencies around the country to discuss the proposal. They are inviting Commissioner Worley to talk about some of the data that supports their position and hope Commissioner Worley will respond to their request. Ms. Levi focuses her practice on police misconduct and strongly disagrees with the assertion that there is not a lot of serious misconduct and can go over that data with Commissioner Worley. Ms. Levi

commends Commissioner Worley on the reduction of homicides. To do build trust with the community, Ms. Levi suggests Commissioner Worley consider abandoning the phraseology that says robberies are attributed to juveniles, they are reoffending, committing multiple robberies, they are revolving doors. Many children in the City are doing wonderful things every day. When children are spoken about like juveniles and reoffenders, we turn them into monsters, it terrorizes the community which fractures it and scares people away. As a public defender and former Baltimore City School teacher, Ms. Levi asks Commissioner Worley to consider turning away from the narrative that is hurting the City.

Commissioner Worley believes Ms. Levi took his comments to mean he was speaking about every juvenile. He was speaking on the ones who are committing the crimes and said we must do better for the juveniles because they are our future. However, there are a core group of young people who are committing robberies that BPD is catching. Commissioner Worley agrees there are more individuals going well than doing bad, but he works for the police department and mostly deals with youth when they are making an arrest. When they speak about youth, they are speaking about the violent acts in question. They can't possibly talk about all the juveniles that are doing well, unfortunately there are a core group that are misbehaving and need discipline. Commissioner Worley wishes none of them would be arrested nor commits crimes. It has to start in the household with discipline because they end up with young people that become victims of shootings, homicides and robberies, which no one wants.

As far as the non-safety car stops, Commissioner Worley will not stop them nor support stopping them because they have officers who may pull a car over for an expired tag and the person shouldn't be on the street because they do not have a license. Most of the people driving without a license, a suspended license or have a warrant do not make sure their vehicle is up to date. For example, if your license is suspended, they will not give you tags for your car. Commissioner Worley is open to reviewing the data from OPD but would have to be convinced to change his mind on this topic.

Board Member Kenny reiterates the topic of youth whose brains are not fully developed and are being punished and demonized by language that is being perpetuated. Chair Harris agrees everyone is working to improve the conditions children grow up in.

Chair Harris allows Alfredo Fooks, a member of the public, to ask a question. Mr. Fooks introduces himself and shares he recently moved to Southwest Baltimore. He has made many calls to 311 and 911 and the local police department. He has spoken with Major McGrath. Mr. Fooks is concerned about the lack of response to 911 calls from his neighborhood. Mr. Fooks would like to know the responsibility of civilians receiving 911 calls. Commissioner Worley explains 911 and 311 operators are all civilians. 911 is for emergencies and 311 is for non-emergencies. If you call 311, you should expect to wait

up to forty-five (45) minutes to one (1) hour for a police officer to respond, if it is given to the police department. 311 operators have the discretion to divert the call to other city agencies. 911 will ask questions to figure out what the emergency is and send it to a dispatcher who is also a civilian that works for BPD. That person will send the call to a police officer. There is about a three (3) to five (5) minutes wait before a 911 call gets to an officer. If it is a shooting or similar emergency in progress, they will handle it quickly. For package thefts, BPD has an online reporting system where individuals can report issues and keep officers in service. If someone calls 911 and it does not get answered by an officer, Commissioner Worley needs to know about that, as that is not the customer service they want. The telephone reporting unit is all sworn officers which is made up of officers that are hurt and cannot go out on the street. When a report is filed online, they are reviewed. Chair Harris notes individuals can dial 311 for non-emergency matters to file a report and have an officer return the phone call. Chair Harris shares his phone number with Mr. Fooks.

B. Dr. Branville Bard, Johns Hopkins University Police Department

Dr. Branville Bard reminds the public Johns Hopkins operates on three campuses: Homewood, Peabody and East Baltimore. The authorizing legislation created the Johns Hopkins Police Department Accountability Board, which is a fifteen (15)-member civilian oversight body with authority to review all of their policies, trainings and other metrics. Unlike the PAB, the Johns Hopkins Accountability Board cannot review or investigate complaints against their police department. They are required to satisfy annual reporting requirements. The report is published by October 1st and is available on the public safety website at publicsafety.jhu.edu³. The report covers a range of metrics including the total number of officers, applicants, denials, and applicant demographics to complaints against police, dispositions and funds used for the department. Dr. Bard encourages members to review the report. Currently, there are ten (10) employees, most of whom are command of supervisory ranks. Including Dr. Bard serving as the chief of police, there are two deputy chiefs: Monique Brown and Rachel Jefferson. A third deputy chief will be announced in the coming weeks. They have one (1) captain, one (1) lieutenant, four (4) police officers, three (3) of whom are entry level which means they started the police academy at the beginning of October and will not join until March as certified police officers. The fourth officer is already a certified officer in Maryland. She is in field training now. Their only non-sworn individual is the Community Engagement Advisor, Corey Ramos. There was a soft roll out of the JPD earlier this semester. This means they were in full uniform with marked vehicles on campus for the first time. Dr. Bard characterizes it as a soft roll out because their sole focus has been on engagement opportunities and not enforcement. They have been taking every opportunity to engage

with stakeholders at events like new student orientation. They held a coffee with cop event and several other events and attended many university events like Oktoberfest celebration. They have been attending meetings of recognized bodies such as the Black Faculty and Staff Association. Dr. Bard is ready to engage with neighboring communities in conversation and collaboration. Dr. Bard hopes they will serve up to full capacity within the next three (3) years. They are statutorily capped at one hundred (100) employees. When they are fully staffed, we should expect to see between twelve (12) and sixteen (16) officers split between the three campuses.

Board member Onyenaka asks how the relationship between JPD and their accountability board is. Chief Bard met with the board in October and the relationship is cohesive and collaborative. The board strives to be independent, and they do a good job. Chief Bard believes the board has been incredibly productive. JPD adopted a policy manual, and the Johns Hopkins Accountability Board reviewed. Chief Bard believes the accountability board has made 69 recommendations and JPD adopted 62 of them.

C. Sheriff Sam Cogen, Baltimore City Sheriff's Office

Sheriff Sam Cogen apologizes for not attending the last PAB meeting. Sheriff Cogen reports the Sheriff's Office is engaged as a service provider in Baltimore in a manner it was not previously. They are in every area of the City, providing assistance on the weekends and evenings during special events. Since engaging in these events, they have not had any major incidents occur. They have recently been providing service at the stadium during home games for the Ravens. Sheriff Cogen views this positively, as residents expect the Sheriff's Office to provide a service to them and did not exist previously. The Sheriff's Office is community based and the National Football League is an economic booster in the City. The Sheriff's Office ensures people are safe when they attend these games. The Sheriff's Office has recently hired another civilian investigator who will work with Internal Affairs Director, Inspector Angela Wise to ensure cases are completed in a timely manner. Sheriff Cogen does not believe they have any cases before the ACC. They are awaiting a trial board. Sheriff Cogen reiterates his admiration for the work of the PAB and ACC and stresses the importance of civilian oversight and transparency of law enforcement agencies. It is helpful for Sheriff Cogen to investigate and have the investigation reviewed by the community he is accountable to and receive a disciplinary recommendation. Sheriff Cogen understands there have been discussion about the level of independency of the PAB. He is interested in what that means to make his own determination. Currently, the Sheriff's Office does not choose who is on the PAB or ACC, which he is fine with because the PAB is representative of the citizens and who he reports to. He is just interested in what independence would look like to determine if it were something, he would support. The Sheriff's Office is an independent office, responding directly to citizens which makes transparency important. If the Sheriff's

Office is not community policing or engaging in law enforcement services that citizens are comfortable with, Sheriff Cogen will be replaced as an elected official.

Chair Harris has spent a significant amount of time at the courthouse over the last three months and commends the Sheriff Cogen on his phenomenal deputies. He appreciates the way they respond to situations in the courthouse and their de-escalation skills. Chair Harris provides context to Sheriff Cogen's comments regarding independence which was a recommendation in the PAB's 2023 annual report. There was a news article to establish an independent office of police accountability due to cases being sent to the ACC late. The PAB will share their recommendations with elected officials. Independence is one of the best practices for civilian oversight of law enforcement and not something that just came up. It was a recommendation in the COTF report that was published shortly after the death of Freddie Gray. Chair Harris appreciates Sheriff Cogen's interest in their independence.

Board Member Onyenaka recalls a previous meeting where Sheriff Cogen discussed a backlog of evictions and would appreciate an update on the average number of days it takes to enforce an eviction once an eviction is ordered by the Court. Sheriff Cogen encourages the PAB to refer to the eviction schedules on the Sheriff's website where all scheduled evictions are published. Evictions are published by the date the order was entered and when the order is scheduled to be executed. There are a significant number of evictions scheduled. The Sheriff's Office's biggest concern are wrongful detainers which are people in someone else's property without a landlord-tenant agreement, also known as squatters. They are observing a rise in these types of evictions. Last month they had 100 squatter cases waiting for eviction. They are observing eviction numbers return to pre-COVID levels. They are observing a dip in evictions due to an increase in filing fees which is a result of the Rental Rights Protection Act. They are still observing the impact of the legislation.

Board Member Onyenaka asks what the average number of days it takes for the Sheriff's Office to serve an eviction, as she recalls it took a longer amount of time to serve an eviction during COVID. Sheriff Cogen does not have an exact number as it varies depending on the volume of evictions. Evictions cannot be served a mandatory fourteen (14) day window by law. Sheriff Cogen estimates thirty (30) days or fourteen (14) days after the fourteen (14) day window based on volume. It also depends on when evictions are filed by the landlord which are usually done in bulk when rent is due.

Chair Harris asks how many body attachments the Sheriff's Office receives monthly. Sheriff Cogen reports they receive many warrants, most of which are probation violation warrants. They will see many more probation warrants issued due to monitoring companies mandatory reporting when an individual is out of compliance. They will monitor these warrants and can use additional staff as this is an important function of the

Sheriff's Office. They are serving about three (3) to four (4) warrants a day and know the number of warrants being issued exceeds the amount they are serving. The more deputies they have assigned to warrants, the more they can bring in front of the court to have their cases adjudicated.

Board Member Riggins asks for an update on the procurement of body worn cameras for the Sheriff's Office. Sheriff Cogen reports all the equipment has been beta tested and are ready to go. Deputies should be wearing body worn cameras in the new year.

D. Old Business

a. Annual Report

Board Member Riggins reports there are no additional updates for the annual report. The ACC will meet with the report writer on December 6th. The Policy and Advice Committee will meet to go through the various recommendations that should be placed in the report. The Data Committee is moving along. Chair Harris reiterates Board Members have a responsibility to make recommendations based on their conversations with heads of law enforcement, their policies to improve policing. Ultimately, they are looking to create a change in culture which is not the result of just a policy. Chair Harris encourages Board Members to submit any recommendations or ideas to the Policy and Advice committee.

b. Bylaws Committee

The chair of the Bylaws Committee, Marc Broady, is not in attendance but Chair Harris thanks him and committee members for their work. Chair Harris shares the Bylaws went through a review by the Law Department and were recently voted out of the committee. Board members received a copy of the Bylaws in the afternoon. Chair Harris will allow board members to provide comments and feedback on the Bylaws and will reconvene to move them forward as the official Bylaws. Board Member Riggins notes the current Bylaws are only a foundation and will be built upon in the future. Chair Harris reiterates Board Member Riggins comments regarding the Bylaws as a living document that can be amended as needed. The PAB agrees to allow board members to make comments on the Bylaws by December 16th.

c. Data Committee

Chair of the Data Committee, Megan Kenny, shares while doing the analysis for the 2024 Annual Report; they discovered some inconsistencies in the data. They have been speaking with vendors of the case management system to resolve the inconsistencies. OECR staff, Brandon Wafford and Tashawn Smithrick have been working to resolve the

inconsistencies. This means there may be a delay in the dissolution of and publication of data in the annual report, as Chair Kenny will not publish data she is not comfortable with or accurate. One of her personal goals as the chair of the Data Committee is to build a sound and accurate data infrastructure the next board members can utilize. Chair Harris reiterates the importance of accurate data.

E. New Business

a. PAB Elections

There will be an election in February for leadership of the PAB. Chair Harris encourages interested board members to be prepared. In the past, interested candidates gave a 2–5-minute speech to share why they are interested in the role.

b. Local Control of BPD

Chair Harris opens the floor for thoughts about local control of BPD. Vice Chair Turner suggests the PAB should make a statement addressing the Mayor and Police Commissioner about the shift in local control. Chair Harris believes this is a good idea and notes this shift eliminates the confusion around whose responsibility it is to make changes.

c. Administrative Charging Committee Updates

Chair Harris allows chair of the ACC, Tiera Hawkes, to share updates from the ACC. Chair Hawkes references an article in the Baltimore Banner that discussed the late cases they have been receiving and its effect on the ACC. The ACC has a time frame in which they must adjudicate a case. When they receive a case late or information is provided late, and case is set to expire, the ACC must come to a decision rather quickly. The case discussed in the article involved multiple officers. BPD changed their findings and sent a report the night before the meeting where they changed their decision. It makes it difficult for the ACC, as they have to make a disciplinary decision immediately. There are a lot of body worn camera footage. For cases with multiple officers, they are reviewing multiple perspectives. Chair Hawkes believes there is room for improvement which the article shed light on. Chair Harris recalls answers from DC Nadeau regarding the ninety (90) day compliance rate for investigations and how unattainable they are and asks Chair Hawkes if she believes additional ACC members or resources is needed to keep up with PIB, Chair Hawkes believes they can support this idea. The ACC is reviewing between twenty (20) to thirty (30) cases a week, which takes up a lot of their time considering members have full time jobs and other commitments. Extra ACC members would help. Chair Harris compares the challenges for BPD to meet the demand of the ninety (90) day deadline with the challenges of the ACC to review the cases. There are concerns about the time constraints, staffing and support. While the staff is amazing and do a good job keeping up with the demand, there is a need for additional resources to effectively

maximize their effectiveness to do their work. Board Member Riggins wonders if they could make a motion to attach the article referenced by Chair Hawkes to the minutes so members of the public can read the article for themselves. Board Member Riggins moved and Board Member Kenny seconded to have the Baltimore Banner article attached to the PAB's December meeting minutes. There were ten (10) in favor, zero (0) against and one (10) abstention. The Motion Carried

F. Public Comment

Chair Harris allows Mr. Duane Davis to make a comment. Mr. Davis states he has been policing the police since 2006 and has been arrested four (4) times. A month ago, Mr. Davis protested in front of the Fox 45 building. Mr. Davis believes Fox 45 used their police connections to try to incarcerate him. They charged Mr. Davis with terrorism. There is an article about the alleged threat. Mr. Davis received a court date for November 26th. Mr. Davis wanted a trial because he wants this to end. Activism is not a criminal activity. Mr. Davis states the charges have been dropped because David Smith has ties with the Baltimore City State's Attorney and Baltimore County elected officials. Mr. Davis was charged with a peace order and is not allowed to be around Fox 45. Mr. Davis believes the media is protected by the shielding law. However, if they are pushing propaganda and releasing media information that is demonizing and criticizing a population in his community. They have a right to be in the streets and do not have a right to have their license to be taken. Mr. Davis's fight is with the police and the media that spreads misinformation. The police had a gun task force, and everybody was sensationalizing the gun task force when they were arresting residents in Baltimore. The gun task force was a criminal enterprise. There was nothing done to compensate the people that were damaged by the news. Mr. Davis is still damaged by the news. The police put guns to Mr. Davis's head and threaten him. He wanted to confront Commissioner Worley before he left. Mr. Davis keeps good records and would like to know how the PAB would protect an individual like him. Activism is needed. Mr. Davis has exhausted all his remedies under the law, city, County, state and federal levels. Mr. Davis has given this information to Senator Jill Carter when she was with the OECR. Chair Harris has read the article and expresses his sympathy to Mr. Davis for this incident that occurred and understands Mr. Davis's protests are not harmful. Mr. Davis believes it is against the law for Fox 45 to characterize his protest as a bomb and should have never been charged. Chair Harris believes this is a potential lawsuit. Mr. Davis believes this warrants criminal charges and does not want a civil remedy. This upsets Chair Harris from the PAB perspective and asks if Mr. Davis has filed a complaint. Mr. Davis has filed a complaint with previous directors of OECR. Chair Harris encourages Mr. Davis to file a complaint in Baltimore County which will come before the ACC. This will not remedy the situation with Fox 45 but can investigate how the incident was handled. Mr. Davis reports he has filed a complaint in Baltimore County, but nothing has been done. Chair

Harris believes it might not have been here yet due to the bureaucratic system. Chair Harris will connect Mr. Davis with the Complainant Advocate in OECR.

Chair Harris address the outcome of the 2024 election and how it will drastically change the landscape of civilian oversight of law enforcement. There is an opportunity in Baltimore City to get ahead of the changes happening federally and be a leader in civilian oversight of law enforcement to make sure mechanisms are in place to ensure the undesirable outcomes occur such as immunity for police officers. They can lay the foundation and work to ensure that does not happen on a local level.

Mr. Alfredo Hooks reports his community has been experiencing resistance form parking enforcement and BPD. Mr. Hooks believes the Southwest district needs the PAB to oversee the situation. Mr. Hooks does not appreciate being let down by 911 and every police department he has gone through in any state had a local dispatch for non-emergency calls. His case is still being investigated by Internal Affairs. He has sent out 3 911 calls, including one where he was being assaulted and would have dealt with the situation on his own if he had known the police would not come. The gentleman in that situation pulled a gun on Mr. Hooks and the police never arrived. Mr. Hooks believes this is because of the pressure he is placing on the police department. Mr. Hooks addresses a disagreement in the Zoom chat he would like investigated and will not tolerate disrespect. Chair Harris is not sure what happened in the chat and wants to be respectful of time. Mr. Hooks was given time to speak earlier when he addressed Commissioner Worley although that time is reserved for PAB members. Chair Harris understands Mr. Hooks' concerns and reiterates he has shared his personal contact information with Mr. Hooks to continue this conversation. Chair Harris encourages Mr. Hooks to file a complaint against a specific officer with OECR. Chair Harris will speak with OECR to ensure regulation of the Zoom char.

Claude Guillemard would like to know if the PAB would be interested in hearing the community voices regarding the roll out of the JHUPD, Dr, Bard and Hopkins in general. They own the narrative they put on the website, but the community has been documenting the dismissal of those who opposed JHUPD. This may not look good on paper for some who may welcome the private police force. The community has very serious concerns about what has been happening over the last few years, which makes them think they cannot trust Johns Hopkins University for creating the police force as they describe. Ms. Guillemard is wondering if the PAB would allow them to express their concerns or if they would prefer to be contacted by e-mail. Dr. Bard comes to the meetings regularly, but the community never has a chance to hear any serious answers from him because he does not take their concerns seriously. There are also concerns the Johns Hopkins Accountability Board is not functioning as it is supposed to be. Ms. Guillemard recalls the conversation around the shift to local control for BPD and states the signature of memorandum of understanding between JHUPD and BPD was rushed in

December of 2022 despite wild opposition from the public on the creation of JHUPD. Ms. Guillemard wonders if this could be a time to revisit the memorandum of understanding and have it assessed from the City's perspective. Chair Harris believes the signing of the memorandum of understanding predated Dr. Bard. Ms. Guillemard notes Dr. Bard was there for the signing of the memorandum of understand. Chair Harris notes the PAB would like to hear their concerns. Chair Harris notes Jarrell Bratcher is the chair of the Johns Hopkins Accountability Board who would be a good resource, but concerns can be shared with the PAB. Chair Harris understands there were concerns regarding the boundaries of the JHUPD. Chair Harris encourages members of the public to post their questions in the chat or send them ahead of the meeting so the PAB can facilitate asking those questions directly to the heads of law enforcement agencies. Unfortunately, the PAB only has jurisdiction over civilian complaints against officers and directs individuals to where they can file a complaint.

There is a question in the chat regarding the ACC's ability to use technology such as Evidence.com's transcript function to assist in watching body worn camera footage. Board Member Riggins notes they will be gaining access and are being integrated and using Evidence.com

G. Adjournment

Vice Chair Turner moved to adjourn the meeting and it was seconded by Board Member Kenny. Motion Carried

The meeting was adjourned at 8:20 p.m.

Submitted,

Stephanie V. Lee

Stephanie V, Lee

Board Secretary

0%

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Frustrations with civilian oversight of Baltimore police are boiling over

[Ben Conarck](#) 12/2/2024 5:30 a.m. EST

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(Ariel Zambelich/The Baltimore Banner; Original photos by Jessica Gallagher and Ulysses Muñoz/The Baltimore Banner)

Amid a stalemate with the mayor, police accountability advocates push to shield misconduct reviews from government influence

For a year and a half, a small group of Baltimore residents has been reviewing and recommending charges in police misconduct cases. But over the last several months, a longstanding frustration has been getting worse.

According to two members of the five-person [“administrative charging committee,”](#) the group has been receiving documents, either new or updated, from the Baltimore Police Department just as the misconduct cases are set to expire, leaving little time for a thorough and thoughtful review. Of the roughly 1,000 cases the committee has reviewed, nearly half of them were received within 15 days of their expiration, according to city data.

The cases are often complex. One that was reviewed last week involved eight officers, two different events, a variety of allegations, and body-worn camera footage that was not yet available for viewing, civil rights attorney and committee member Jesmond Riggins said. The night before the committee was set to meet and discuss the case, Riggins said the Police Department changed the investigative report, altering a “disposition” for one of the allegations against an officer who was previously listed as exonerated. That officer was now found to have committed an improper search, Riggins said.

As the committee attempted to parse out the different officers and allegations at its weekly meeting the next day, “none of us were able to go through all of the evidence ourselves to develop a solid opinion,” Riggins said. “It was just too much at one time.”

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The Police Department’s slow-moving internal misconduct investigations are a well known issue — a perennial [sticking point](#) in the agency’s quest to [exit its oversight agreement](#) with the U.S. Department of Justice. But even if the untimeliness from the department is unintentional, Riggins views the lack of corrective action by the city as a major warning sign.

Years ago, Riggins worked as a city staffer supporting the now-sidelined Civilian Review Board, once the city’s flagship citizen-led police accountability body. But Riggins watched as the board was essentially taken over by the city solicitor’s office in 2018, under then-Mayor Catherine Pugh, and considerably weakened, relying on the city for access to records and testimony from officers.

“We have to think about whether there’s a strategy being deployed to make this job we’re doing unbearable,” Riggins said. “In my experience, these tactics are used to drive down the morale of the board and the staff, to increase turnover ... Then what happens, the board loses legitimacy in the eyes of the community, starts to lose support, and then people will want to toss it to the side.”

To prevent that fate, Riggins and other police reform advocates have argued that the city should make good on a recommendation that dates back to the Department of Justice investigation of the Police Department and its aftermath: an Office of Police Accountability, independent from and unwavering to the mayor's office or city attorneys.

The city's Police Accountability Board, which houses the charging committee that reviews misconduct cases, has been publicly calling for the mayor to make that change since May, making it their first recommendation in this year's annual report. But the path toward making it a reality has recently widened. On Election Day, Baltimore voters overwhelmingly approved Question E, giving the City Council the ability to meaningfully pass laws governing the Police Department for the first time since the Civil War.

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Community organizer and West Baltimore native Ray Kelly, who served on the Civilian Oversight Task Force that first proposed the independent office and now sits on the charging committee, said that until Question E passed, there was no real need for the office. But now, he says it should be the Council's first priority in using their newfound power.

"Right now, we are not independent. We are under the auspice of the mayor's Office of Equity and Civil Rights," Kelly said. "Essentially, we're not being able to operate fully in the best interest of the people first."

In response to criticisms from the board, the Police Department said it has made "significant improvements in its misconduct investigations and remains committed to achieving full compliance with the requirements of the federally mandated consent decree."

"While the Department will need to conduct an analysis of the cases referred to the administrative charging committee, we recognize that more work is required due to the high volume of cases and the thoroughness needed for comprehensive investigations," said Lindsey Eldridge, Police Department spokesperson.

Eldridge said the department is working on hiring more civilian investigators and assigning additional sworn members to its Public Integrity Bureau, which conducts the investigations.

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Mayor Brandon Scott, who has long advocated for the City Council to have more legislative authority over the Police Department, declined to comment on whether his administration supports the creation of an independent Office of Police Accountability. But a spokesperson for his office said the mayor “shares a commitment to transparency, civilian oversight, and necessary accountability measures with everyone doing the hard work of police oversight in Baltimore.”

Despite the tensions between the Police Accountability Board and the mayor’s Office of Equity and Civil Rights, Riggins acknowledged some progress being made in the number of city staffers supporting the committee’s work, though he said they could still benefit from additional people.

In ushering forward true civilian oversight, city’s consent decree may have fallen short

In June 2017, as part of Baltimore’s agreement with the federal DOJ, then-mayor Pugh appointed nine community members to serve on the Civilian Oversight Task Force. The group of citizens would conduct research on various models of police oversight, develop relationships with experts, engage the public, then make a series of recommendations to the city.

When the group issued its report the following year, its second bullet point on its list of recommendations was to “institute an independent civilian office of police accountability” that would have its own staff, as well as “full investigatory and subpoena powers.”

The task force’s recommendation was never heeded, but earlier this month, more than six years after the civilian task force report was published, the monitoring

team gauging the Police Department's compliance with the federal consent decree declared the the agency was in "full and effective compliance" with the section of the agreement requiring such a task force to be assembled.

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Kenneth Thompson, the lead monitor measuring the Police Department's compliance, told The Baltimore Banner that his team's role is "limited to providing technical assistance and assessing whether the city and BPD have complied with the specific requirements of the consent decree."

For the task force, Thompson said, that meant assessing whether the task force was created with qualified members and whether it analyzed the city's civilian oversight structure, then made recommendations to improve it.

"We were not charged with assessing the response to those recommendations by the City or BPD," Thompson said.

Heather Warnken, executive director of the Center for Criminal Justice Reform at the University of Baltimore School of Law, said she agrees with advocates who stress the need for a truly independent police oversight office.

"Independence," she said, "is foundational to the restoration of trust."

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That restoration of trust between Baltimore's historically over-policed communities and its Police Department is one of the primary aims of the consent decree, and perhaps its most obvious failure. Residents [continue to take a negative view](#) of the police, and the [cozy relationships in courtroom hearings](#) undercut any notion of real community engagement.

As for the monitoring team's report on the civilian oversight task force, Warnken said: "Assessing compliance with what is on the paper of the consent decree versus measuring change are two very different things."

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Ben Conarck is a criminal justice reporter for The Baltimore Banner. Previously, he covered healthcare and investigations for the Miami Herald and criminal justice for the Florida Times-Union.



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