

Administrative Charging Committee for Baltimore City

ACC Public Session Minutes

Friday, November 22, 2024

7 E Redwood St, Baltimore, MD 21202

Attendees: (Committee Members) Raymond Kelly (Vice Chair), Kim Rogers, Jesmond Riggins, David Cramer. Absent: Tiera Hawkes (Chair). Staff: [Caron Watkins \(Director\)](#), Lisa Kelly (Chief of Investigations), Tashawn Smith, Kashira Al-Sabir, Carissa Mattern, Dana Abdul-Saboor, Terrie Lewis, Samuela Ansah, Marissa Crockett, and Robin Drummond.

- A. Call to Order - Rollcall
 - a. The meeting was called to order at 10:10 am by Vice Chair Raymond Kelly.
 - b. Roll call and introductions.
 - i. Committee members
 - ii. Staff
- B. Review and Approval of Agenda
 - a. Member David Cramer moved to approve the November 22, 2024, Agenda. The agenda was approved without objections.
- C. Review and Approval of Minutes
 - a. Member David Cramer moved to approve the November 15, 2024, minutes. Minutes were approved without objection.
 - b. Approval of the November 8, 2024, minutes was tabled until the next meeting.
- D. Director's Report – Tashawn Smith (Case Manager Supervisor)
- E. Brandon Wafford will be attending in follow-up to discuss the data that was requested by the ACC.
- F. Vice Chair Raymond Kelly felt that the ACC should not receive a case on Thursday before the meeting. He stated that in the last 3 weeks they have received 8 cases after Wednesday. He suggested that maybe noon on Wednesday the ACC should not accept cases. He said that the State ACC does not accept cases after a certain day. He suggested adopting a standard.
- G. Member Riggins asked if the ACC is willing to allow for cases to expire and accept or reject cases. He stated that it is fair as long as the ACC is willing to allow for cases to expire. He stated that they should have a full Board present especially since the Chair is not present at this time. Member Kim Rogers agreed and stated that the Chair may want to have some input.
- H. Member David Cramer made a motion stated that he is willing to reconsider the motion if the Chair opposes. The motion is to impose a deadline with exceptions (some cases may lapse and may miss a deadline and may want to consider or to email vote).

- I. Member Riggins weighed in that they should think about it first. He stated that this is a new rule, but there could be issues down the line. He agrees with the new rule, but the ACC should have everyone on board.
- J. Vice Chair Raymond Kelly would like to vote on it today. There is no consideration for the ACC's time and staff. He stated that he is not going to keep looking at cases after Wednesday, noon. Supervisor Smith clarified that any cases that come in after that deadline will not be reviewed.
- K. She stated that those cases are generally CERT case. Vice Chair Kelly stated that he will not be able to vote on any case after Wednesday noon.
 - a. Figure 1 - ACC Metrics for November 2024

Metrics for 11/22 Report	
Number of cases heard this calendar year (excluding this meeting)	967 cases
Number of these cases delivered within 90 days of expiration	57 cases
Number within 60 days	94 cases
Number within 30 days	94 cases
Number within 15 days	442 cases
Number of completed investigations delivered to OECR past expiration	5 cases
Number of cases currently scheduled for the next meeting	0 cases (11/29)
Number currently scheduled for the meeting after next	16 cases (12/06)
Number of cases within 15 days of expiration on the date of their scheduled hearing	4 cases
Of these cases, the total involving 1 accused officer	2 cases
involving 2-3 accused officers	0 cases
involving 4-5 accused officers	2 cases
involving 6 or more officers	0 cases

L. Case Review

The Committee, in accordance with the Maryland Open Meetings Act, Md. Code Ann., General Provisions, 3-305(b)(1) may vote to go into closed session to “discuss the appointment, employment, assignment, promotion, discipline, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction or any other personnel matter that affects one or more specific individuals,” and to “comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.”

- a. Member David Cramer moved to close the Open Session and move into the Closed Session. The Open Session was closed without objection at 10:27am.
- b. The ACC moved back into the Open Session at 12:00 pm.

- i. Adjudications from Closed Session:

The ACC decided on the following adjudications in open session:

Case PAB2023-0941

- Officer A
 - Allegation 1- Improper Search: Administratively Charged
- Officer B
 - Allegation 1- Improper Search: Administratively Charged

Case PAB2024-0388

- Officer A:
 - Allegation 1- Abuse of Discretion/Authority: Not Administratively Charged
 - Allegation 2- Conduct Unbecoming a Police Officer/Employee: Not Administratively Charged
 - Allegation 3- Harassment: Not Administratively Charged
- Officer B
 - Allegation 1- Conduct Unbecoming a Police Officer/Employee: Not Administratively Charged
 - Allegation 3- Abuse of Discretion/Authority: Not Administratively Charged
- Officer C:
 - Allegation 1- Abuse of Discretion/Authority: Not Administratively Charged
 - Allegation 2- Conduct Unbecoming a Police Officer/Employee: Not Administratively Charged
 - Allegation 3- Failure to Operate BWC as Required: Administratively Charged
- Officer D:
 - Allegation 1- Neglect of Duty: Not Administratively Charged

Case PAB2024-0930

Officer A:

- Allegation 1- Preventable Departmental Accident: Administratively Charged

Case PAB2024-0931

- Officer A:
 - Allegation 1- Preventable Departmental Accident/ Fail to Yield Right of Way: Administratively Charged
 - Allegation 2: Preventable Departmental Accident/Emergency Vehicle Operation: Driver not Relieved form Duty and Care: Administratively Charged

Case PAB2024-0932

- Officer A:
 - Allegation 1- Preventable Departmental Accident/Fail to Give Full Attention: Administratively Charged

Case PAB2024-0933

- Officer A:
 - Allegation 1- Preventable Departmental Accident/Fail to Control Speed to Avoid a Crash: Administratively Charged

Case PAB2024-0934

- Officer A:
 - Allegation 1- Preventable Departmental Accident/Fail to Control Give Full Attention: Administratively Charged

Case PAB2024-0935

- Officer A:
 - Allegation 1- Preventable Departmental Accident: Administratively Charged

Case PAB2024-0936

- Officer A:
 - Allegation 1- Preventable Departmental Accident/Fail to Give Full Attention: Administratively Charged

Case PAB2024-0937

- Officer A:
 - Allegation 1- Failure to Operate BWC as Required: Administratively Charged
- Officer B:
 - Allegation 1: Failure to Operate BWC as Required: Administratively Charged

Case PAB2024-0941

- Officer A:
 - Allegation 1- Failure to Supervise: Administratively Charged
- Officer B:
 - Allegation 1- Conduct Unbecoming a Police Officer/Employee: Not Administratively Charged
 - Allegation 2- Failure to Operate BWC as Required: Administratively Charged

Case PAB2024-0947

- Officer A:
 - Allegation 1- Securing/Treatment of People Being Detained or Transported: Administratively Charged

Case PAB2024-0948

- Officer A:
 - Allegation 1- Failure to Write Report: Administratively Charged
 - Allegation 2- Failure to Operate BWC as Required: Administratively Charged

Case PAB2024-0949

- Officer A:
 - Allegation 1- Force Out of Policy: Not Administratively Charged

- Allegation 2- Failure to Operate BWC as Required: Not Administratively Charged
- Officer B:
 - Allegation 1- Discriminatory Policing: Not Administratively Charged
 - Allegation 2- False Arrest: Not Administratively Charged

Case PAB2024-0952

- Officer A:
 - Allegation 1- Neglect of Duty: Administratively charged
 - Allegation 2- Securing/Treatment of People Being Detained or Transported: Administratively Charged

Case PAB2024-0953

- Officer A:
 - Allegation 1- Conduct Unbecoming a Police Officer/Employee: Not Administratively Charged
 - Allegation 2- Harassment: Not Administratively Charged
- Officer B:
 - Allegation 1- Conduct Unbecoming a Police Officer/Employee: Not Administratively Charged
 - Allegation 2- Harassment: Not Administratively Charged

Case PAB2024-0954

- Officer A:
 - Allegation 1- Harassment: Not Administratively Charged
- Officer B:
 - Allegation 1- Harassment: Not Administratively Charged

Case PAB2024-0956

- Officer A:
 - Allegation 1- Neglect of Duty: Not Administratively Charged

Case PAB2024-0957

- Officer A:
 - Allegation 1- Failure to Supervise: Administratively Charged
- Officer B:
 - Allegation 1- Failure to Operate BWC as Required: Administratively Charged
 - Allegation 2- Neglect of Duty: Not Administratively Charged

Case PAB2024-0958

- Officer A:
 - Allegation 1- Force Out of Policy: Not Administratively Charged
- Officer B:
 - Allegation 1- Force Out of Policy: Not Administratively Charged

Case PAB2024-0959

- Officer A:
 - Allegation 1- Neglect of Duty: Not Administratively Charged
 - Allegation 2- Failure to Operate BWC as Required: Administratively Charged
- Officer B:
 - Allegation 1- Neglect of Duty: Administratively Charged

Case PAB2024-0961

- Officer A:
 - Allegation 1- Failure to Report Use of Force: Not Administratively Charged
 - Allegation 2- Force Out of Policy: Not Administratively Charged
 - Allegation 3- Failure to Operate BWC as Required: Administratively Charged
- Officer B:
 - Allegation 1- Failure to Operate BWC as Required: Administratively Charged
- Officer C:
 - Allegation 1- Failure to Operate BWC as Required: Administratively Charged
 - Allegation 2- Inappropriate Comments and/or Gesture(S): Administratively Charged

Case PAB2024-0962

- Officer A:
 - Allegation 1- Neglect of Duty: Not Administratively Charged
- Officer B:
 - Allegation 1- Improper Search: Administratively Charged
 - Allegation 2- Failure to Supervise: Administratively Charged
- Officer C:
 - Allegation 1- Improper Search: Administratively Charged
 - Allegation 2- Conduct Unbecoming a Police Officer/Employee: Administratively Charged
- Officer D:
 - Allegation 1- Improper Search: Not Administratively Charged
- Officer E:
 - Allegation 1- Improper Search: Not Administratively Charged
- Officer F:
 - Allegation 1- Improper Search: Not Administratively Charged
- Officer G:

- Allegation 1- Improper Search: Not Administratively Charged
- Officer H:
 - Allegation 1- Improper Search: Administratively Charged
- Case PAB2024-0964**
- Officer A:
 - Allegation 1- Neglect of Duty: Not Administratively Charged
- Case PAB2024-0966**
- Officer A:
 - Allegation 1- Discourtesy: Not Administratively Charged
 - Allegation 2- Inappropriate Comments and/or Gesture(S): Not Administratively Charged
- Officer B:
 - Allegation 1- Neglect of Duty: Not Administratively Charged
- Case PAB2024-0967**
- Officer A:
 - Allegation 1- Neglect of Duty: Not Administratively Charged
 - Allegation 2- Failure to Operate BWC as Required: Administratively Charged
 - Allegation 3- BWC Violation Other: Administratively Charged
- Case PAB2024-0970**
- Officer A:
 - Allegation 1- Conduct Unbecoming a Police Officer/Employee: Administratively Charged

M. Discussion

- a. Member Jesmond Riggins mentioned that he wanted to reconsider the rule that the ACC has no jurisdiction in hearing a case once the officer no longer meets the definition of a police officer.
- b. He also noted that BPD is still required to investigate, discipline, after they resign or retired, and under the Consent Decree Member Riggins BPD still has a disposition. He said they are still required to charge but ACC does not fall under the consent decree. He stated that it is illogical for ACC to not charge after the officer has retired and resigned.
- c. Member Jesmond Riggins would like to see the State's requirement. He stated that the Consent Decree requires BPD to continue their charge after retirement.
- d. Member David Cramer asked if they could discuss further when the Chair is present.

N. Data Discussion

The ACC met in follow-up to a request for data:

Note: Previously Member David Cramer asked about the ACC requesting data patterns, for example:

- Numbers and percentages of cases involving direct citizen complaints versus cases merely involving citizens,
- Numbers and percentages of cases involving direct citizen complaints of Baltimore City residents versus non-city residents
- Breakdown of citizen complaints resulting from traffic disputes, handling of arrest, neighbor/neighbor disputes, domestic disputes
- How often the ACC agrees with PIB recommendations versus disagrees

Data presentation - Brandon Wafford

- a. Brandon Wafford gave the percentages in answer to the ACC requests. He stated as he works together with the PAB Data Chair and the Case Management team to clean up CMTS, the data may change.
- b. Brandon Wafford reported that for the FY24, there were 2289 total cases with the average length of a case being 266 days
 - **Numbers and percentages of cases involving direct citizen complaints versus cases merely involving citizens.**
146 Cases involving civilian witnesses
273 Cases involving officer witnesses
- c. Tashawn Smith asked if this question was meant to find the number of complaints *filed directly* by citizens versus those filed by the law enforcement agency because a citizen was involved. Member David Cramer confirmed that was the information he sought
- d. Brandon Wafford stated he would pull that information for the ACC's next discussion.
 - **Numbers and percentages of cases involving direct citizen complaints of Baltimore City residents versus non-city residents. (If we don't have a zip code for every complainant, how would we produce an accurate response for this?)**
1016 Cases with blanks as zip codes
131 Cases involving non-city residents
789 Cases involving city residents (21201 – 21298)
402 Cases involving multiple zip codes
~2300 total cases
One case can have more than one zip code of complainant associated
 - **Breakdown of citizen complaints resulting from traffic disputes, handling of arrest, neighbor/neighbor disputes, domestic dispute.**

We are not currently capturing this. Brandon Wafford stated that a qualitative analysis could potentially give us insights related to complaint summary. If the ACC would like that analysis, he said it could be done by the end of the calendar year.

- **Percentage of cases where ACC agrees with PIB versus disagrees**

1143 cases with blanks

1082 cases where ACC agrees with PIB

65 Cases where ACC disagrees with PIB

Brandon Wafford is also working on providing other metrics that were requested by the Case Management team.

- **Similarities among cases that were received after expiration and cases received with 15 days of expiration (ex: allegation type, #of officers, & case type)**

So far, he has found that between the two lists, there are no shared cases

- **How many cases received from each jurisdiction this year**

The PAB Data Chair has pulled preliminary information for this data point. It shows that a majority of the cases heard come from BPD with some also coming from the Sheriff's Office, School Police, and Environmental Police.

- **Most common allegations**

There are a blanks that need to be cleaned up in CMTS to produce accurate information for this metric.

- e. Brandon Wafford confirmed that he had met with PIB and they will be a part of the data clean up by process as well. They have agreed to fill provide the information that we are missing on our end in the zip code and allegation fields.
- f. Brandon Wafford reported 554 cases within 15 days of expiration on the date of their scheduled hearing for the fiscal year, which is the data being used for the PAB Annual Report.
- g. Vice Chair Raymond Kelly asked to see the zip codes for the sake of racial disparity:
 - 21201 – 100 cases
 - 21202 – 171 cases
 - 20213 – 136 cases
- h. Member Jesmond Riggins would like to see a map to visualize the zip codes and numbers.
- i. Member Jesmond Riggins asked about the Neglect of Duty cases.

- j. Member Riggins suggested creating a set of numbers that might match up to the sequence numbers to identify “highflyers” or frequent repeat offenders. He asked if Brandon Wafford could track these Officers, whether that would be helpful.
- k. Brandon Wafford presented an Allegation Category chart showing the number of complaints by zip code. He stated that he and Tashawn Smith having been working with BPD on getting the data and missing sequence numbers. Brandon Wafford also stated he was looking into sorting out BWC data trends.
- l. The ACC agreed to meet on December 6, 2024, with Brandon and the report writer, following their adjudication of cases.
- m. Vice Chair Raymond Kelly called for a motion to adjourn. Member Jesmond Riggins moved to adjourn the meeting.
- n. Vice Chair Kelly adjourned the meeting at 12:41 pm.
 - o Meeting was adjourned at 12:41 pm.

Next ACC Meeting: December 6, 2024, 10:00 am