

Administrative Charging Committee for Baltimore City

ACC Public Session Minutes

Friday, September 20, 2024

7 E. Redwood Street, Baltimore, MD 21202

Attendees: (Committee Members) Tiera Hawkes (Chair), Kim Rogers, David Cramer, and Raymond Kelly. Absent: Jesmond Riggins Staff: Lisa Kelly (Chief of Investigations) via remote, Tashawn Smith (Case Manager Supervisor), Marissa Crockett, Kashira Al-Sabir, Carissa Mattern, Samuela Ansah, and Robin Drummond.

- A. Call to Order - Rollcall
 - a. The meeting was called to order at 10:02 am by Chair Hawkes.
 - b. Roll call and introductions.
 - i. Committee members
 - ii. Staff
- B. Review and Approval of Agenda
 - a. David Cramer moved to approve the September 20, 2024, Agenda. The Agenda was approved without objections.
- C. Review and Approval of Minutes
 - a. David Cramer moved to approve the September 6, 2024 and September 13, 2024 Public Session Minutes. Minutes were approved without objection.
- D. Director's Report
 - a. Lisa Kelly
 - i. Chief Kelly spoke about four appointments that were approved.
 - 1. ACC members will serve 3 years and may serve an additional term but no more than two terms.
 - 2. Director Watkins will follow-up on the Workday-Term information.
 - 3. Member Raymond Kelly asked about the staggering terms. Chief Kelly responded that terms will most likely end at the same time. Members weighed-in about the staggering terms.
 - ii. Chief Kelly stated that members can expect the October 2024 report at the next meeting.
 - b. Supervisor Tashawn Smith and the members welcomed Carissa Mattern as the new case manager.
 - c. Member Raymond Kelly gave an overview about the police training.
 - i. He highlighted a recommendation from the training to create a SOP (Standard Operating Procedure). He suggested following an SOP from other ACC's.

- ii. He stated that ACC should not adjudicate Officers that are 1) retired, 2) no longer employed, or 3) work at another department, and that the ACC no longer has jurisdiction.
- iii. There is no statute of limitations on a trial board case.
 - o When an officer is not certified in the state of md – ACC no longer considers them a police officer.
 - o Members weighed in the statute of limitations
- iv. He stated that the AG’s opinion is that mediation can be done if they are informed that this is an option during intake.
- v. Special circumstances: according PTSC there are cases in the matrix that should be considered special circumstances in the Department of Collisions, and those case would still need to be charged with a discipline.
- vi. In a meeting of 4 members and there is a split the case or a tie, the charge must be decided that same day and not be tabled for further decision unless the ACC is requesting the discipline.
- vii. Member Kim Rogers noted from the training that for accident cases, there must be police misconduct involved for the case to fall under ACC jurisdiction.
- viii. Member Raymond Kelly stated that when there is no public involved, the ACC should not have jurisdiction.
- ix. Member David Cramer asked about the SOP’s created from the CRB. Chair Hawkes said that she would also like to look at other ACC’s SOP’s as well.
- x. Member David Cramer asked Lisa Kelly to look into media changes.

E. 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. Raymond Kelly moved to close the Open Session and move into the Closed Session. The Open Session was closed without objection at 10:27 am.
- b. The ACC moved back into the Open Session at 12:08 pm.
 - i. Adjudications from Closed Session:
The ACC decided on the following adjudications in open session:

Case PAB2023-0687:

- Officer A:
 - o Allegation 1- Neglect of Duty: Administratively Charged

Case PAB2023-0689:

- Officer A:
 - Allegation 1- Inappropriate Comments and/or Gesture(S): Administratively Charged
 - Allegation 2- Discourtesy: Administratively Charged
 - Allegation 3- Abusive or Discriminatory Language: Administratively Charged
 - Allegation 4- Failure to Report Use of Force: Not Administratively Charged
 - Allegation 5- Neglect of Duty: Administratively Charged
 - Allegation 6- Improper Search: Administratively Charged
 - Allegation 7: Failure to Operate BWC as Required: Administratively Charged
- Officer B:
 - Allegation 1- Failure to Operate BWC as Required: Administratively Charged
 - Allegation 2- Neglect of Duty: Administratively Charged
 - Allegation 3- Improper Search: Administratively Charged
 - Allegation 4- Failure to Report Use of Force: Not Administratively Charged
- Officer C:
 - Allegation 1- Failure to Operate BWC as Required: Administratively Charged
 - Allegation 2- Failure to Report Use of Force: Not Administratively Charged
- Officer D:
 - Allegation 1- Failure to Operate BWC as Required: Administratively Charged
 - Allegation 2- Failure to Report Use of Force: Not Administratively Charged

Case PAB2023-0691

- Officer A:
 - Allegation 1- Failure to Operate BWC as Required: Administratively Charged
 - Allegation 2- Inappropriate Comments and/or Gesture(S): Not 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

Case PAB2023-0692

- Officer A:
 - Allegation 1-Neglect of Duty: Administratively Charged
- Officer B:

- Allegation 1- Neglect of Duty: Administratively Charged

Case PAB2023-0695

- Officer A:
 - Allegation 1- Unsafe Operation of Departmental Vehicle: Not Administratively Charged
 - Allegation 2- Failure to Operate BWC as Required: Administratively Charged

Case PAB2023-0700

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

Case PAB2023-0702

- Officer A:
 - Allegation 1- Abusive or Discriminatory Language: Not Administratively Charged
 - Allegation 2- Harassment: Not Administratively Charged
 - Allegation 3- Discourtesy: Not Administratively Charged
 - Allegation 4- False Statement/Untruthfulness: Not Administratively Charged
 - Allegation 5- Improper Search: Not Administratively Charged
 - Allegation 6- Improper Stop: Not Administratively Charged
 - Allegation 7- Failure to Operate BWC as Required: Not Administratively Charged
 - Allegation 8- Failure to Write Report: Administratively Charged

Case PAB2023-0735

- Officer A:
 - Allegation 1- Neglect of Duty: Administratively Charged
 - Allegation 2- Failure to Operate BWC as Required: Administratively Charged
- Officer B:
 - Allegation 1- Failure to Operate BWC as Required: Administratively Charged
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Case PAB2023-0736

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

- Charge carried with 3 out of 4 votes.

Case PAB2023-747

- Officer A:
 - Allegation 1- Unsafe Operation of Departmental Vehicle: Not Administratively Charged

Case PAB2023-0749

- Officer A:
 - Allegation 1- Neglect of Duty: Not Administratively Charged
 - Allegation 2- Insubordination: Not Administratively Charged
 - Allegation 3- Failure to Operate BWC as Required: Administratively Charged

Case PAB2023-0826

- Officer A:
 - Allegation 1- Force Out of Policy: Not Administratively Charged
 - Allegation 2 - Failure to Operate BWC as Required: Administratively Charged
- Officer B:
 - Allegation 1- Harassment: Not Administratively Charged
 - Allegation 2 - Failure to Operate BWC as Required: Administratively Charged

Case PAB2023-0863

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

Case PAB2024-0307

- Officer A: Previously adjudicated
- Officer B: Previously adjudicated
- Officer C: Previously adjudicated
- Officer D:
 - Allegation 1- BWC Violation/Failure to Operate BWC as Required: Not Administratively Charged

Case PAB2024-0311

- Officer A:
 - Allegation 1- Preventable Departmental Accident/Fail to Control Speed to Avoid a Crash
 - Allegation 2- Preventable Departmental Accident/Following too Close: Administratively Charged

Case PAB2024-0312

- Officer A:
 - Allegation 1- Preventable Departmental Accident/Fail to Control Speed to Avoid a Crash,
 - Allegation 2- Preventable Departmental Accident/Following too Close: Administratively Charged

Case PAB2024-0313

- Officer A:
 - Allegation 1- Preventable Departmental Accident/Improper Backing: Administratively Charged

Case PAB2024-0314

- Officer A:
 - Allegation 1- Preventable Departmental Accident/Emergency Vehicle Operation: Driver not Relieved from Duty and Care: Administratively Charged

Case PAB2024-0315

- Officer A:
 - Allegation 1- Preventable Departmental Accident/Emergency Vehicle Operation: Driver not Relieved from Duty and Care: Administratively Charged

Case PAB2024-0316

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

Case PAB2024-0319

- Officer A:
 - Allegation 1- Neglect of Duty: Not Administratively Charged
- Officer B:
 - Allegation 1- Inappropriate Comments and/or Gesture(S): Not Administratively Charged

Case PAB2024-0320

- Officer A:
 - Allegation 1- Criminal Misconduct/Misdemeanor: Not Administratively Charged
 - Allegation 2- Harassment: Not Administratively Charged

Case PAB2024-0321

- Officer A:
 - Allegation 1- Neglect of Duty: Administratively Charged
- Officer B:
 - Allegation 1- Neglect of Duty: Administratively Charged

Case PAB2024-0322

- Officer A:
 - Allegation 1- Neglect of Duty: Administratively Charged
 - Allegation 2- Failure to Operate BWC as Required: Administratively Charged

Case PAB2024-0334

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

- Allegation 3- Sleeping on Duty: Not Administratively Charged
- Allegation 4- Failure to Operate BWC as Required: Administratively Charged

Case PAB2024-0335

- Officer A:
 - Allegation 1- Conduct Unbecoming a Police Officer/Employee: Administratively Charged
 - Allegation 2- Criminal Misconduct/Driving Under the Influence: Administratively Charged

c. Chair Hawkes adjourned the meeting at 12:08 pm.

F. Meeting was adjourned at 12:08 pm

Next ACC Meeting: September 27, 2024, 10:00 am.