

December 2023

Caroline County Police Accountability Board Annual Report

Prepared for the Caroline County Commissioner's

Prepared By:

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The Police Accountability Board (“PAB”) is a fundamental part of Caroline County’s governance, responsible for accepting and forwarding complaints of police misconduct filed by members of the public. Quarterly meetings are held with heads of Law Enforcement Agencies, ensuring transparency and accountability in local policing. Since Chairperson Bartlett has been appointed, back on September 13, 2022, he has been actively meeting with representatives from the Sheriff’s Office, and Law Enforcement Leaders from the jurisdictions of Caroline County. Mr. Bartlett took time to meet with the Fraternal Order of Police (“FOP”) to discuss his role as Chairperson and establish a lasting work relationship. As Chairperson, he has taken an active role in receiving and working through the complaint process, in addition to also being the Chairperson for the ACC.

Caroline County PAB had a successful year with a representative attending each quarterly meeting from the Sheriff’s Office and respective Municipal Police Departments, apart from Federalsburg PD that only had a representative attend one of the four scheduled meetings. Law Enforcement Agencies addressing community concerns posed by the Board and/or Citizens has been beneficial to public safety and awareness. As questions arose that required legal clarification, the County Commissioners agreed to bear the expense of hiring outside Legal Counsel to represent the PAB. Legal Counsel attends each quarterly meeting and provides interpretation of the Maryland Police Accountability Act of 2021 as needed. The total fee paid to date by the County is \$3,650.00.

The County also established and trained an Administrative Charging Committee (“ACC”). The County received ten applications for membership. The County Paralegal and PAB Administrator helped screen and select five applicants who were interviewed by the Commissioners. Three members were appointed by the Caroline County Commissioners. The remaining two applicants were interviewed and appointed by the Police Accountability Board. The ACC conducted its first monthly meeting on March 22, 2023, and has been meeting monthly, or more frequently as needed, ever since.

The uncompensated 40-hour training was a barrier that Caroline County staff were able to overcome by communication with potential ACC applicants prior to appointment. The Maryland Police Training and Standards Commission mandated training was hosted by Caroline County and took place at the Fretterd Community Center located in Denton, MD April 3rd – 7th, 2023. In attendance were the five members of the Administrative Charging Committee as well as the Police Accountability Board Administrator. Also in attendance were the Administrative Charging Committees of Queen Anne’s County and Talbot County.

Training consisted of ACC members learning police procedures via case studies and situational based scenarios. The Statewide Police Disciplinary Matrix Resource Guide was provided as a resource for the ACC to use when findings are made and discipline is imposed. The final part of the week ended with a virtual reality session allowing the ACC members to understand the multiple environments and risks Officers encounter daily.

Since the completion of training, the ACC has been actively reviewing cases and making recommendations on police complaint investigations that fall under the purview of the legislation. The ACC standardized a list of items to include in each completed investigation from the Police Departments. As an addition to the PAB, the County Commissioners agreed to bear the expense of outside Legal Counsel for the ACC. Legal Counsel currently attends each ACC monthly meeting. The total fee paid to date by the County is \$4,300.00.

Caroline County has received 15 complaints since January 1, 2023, for a grand total of 18 filed complaints since the passing of the Maryland General Assembly House Bill 670, also known as the Maryland Police Accountability Act of 2021, which became effective on July 1, 2022. The complaint topics alleged an Officer's use of harsh language, rude & discourteous behavior, favoritism, illegal search of personal property, and harassment. Through the end of 2023, the Sheriff's Office fielded approximately 26,422 calls for service that generated 6 citizen complaints. There is one complaint from Denton Police Department that was outsourced to Talbot County for investigating. The charts included in this report display the status and outcome of submitted complaints.

Since the ACC's inception, one board member appointed by the PAB resigned due to unforeseen circumstances. After advertising for the vacancy on the Caroline County website and on the Caroline County Government Facebook page, an application for membership was received. On November 2, 2023, the PAB held a special meeting to discuss and appoint a new ACC member to fill this vacancy. Training by the MD Police Training and Standards Commission located in Sykesville, MD took place the following week for the newly appointed board member.

No complaint has reached the stage of needing a Trial Board; however, the County is in the process of developing the board in preparation for future need. We have a retired Circuit Court Judge who has completed the mandated training.

The PAB Administrator attended two different software demonstrations earlier in the year. The first was an online demonstration for the MyGov Software. The County Paralegal was also in attendance for this demonstration. The second online system demonstration was for IAPro Software, which took place at the Caroline County Sheriff's Office. After careful consideration, IAPro was chosen.

The PAB Administrator worked diligently with CI-Technologies to coordinate the implementation and purchase of the IAPro Software for the Sheriff's Office, Federalsburg PD, Greensboro PD, and Ridgely PD. Denton PD used alternate grant funding for their IAPro Software purchase. Through this process IAPro, IAPro BlueTeam, and the Public Portal for each Police Department in Caroline County was designed to fit their individual department needs. This purchase was 100% grant funded by the PACT grant. iPads were also purchased to allow easy private access to the Public Portal for citizens who come directly to the Police Departments to file a complaint.

The County will serve as a conduit for the funding portion; however, the towns and Sheriff's Office entered into the agreements with the software company. This upgrade in software will allow all Police Agencies in the County to operate on the same system, therefore effectively standardizing police accountability and reporting throughout the County. It will also satisfy the requirement in the law that mandates that every agency implement an early warning system. The County Paralegal and PAB Administrator will have access to portions of the program for all agencies to help facilitate the exchange of information for Police Accountability Board complaints and/or reporting.

Disciplinary Process Trends

The Police Accountability Board is responsible for submitting this report to the Caroline County Commissioners in part to identify trends in the disciplinary process of police officers in the County. The Board also considered any recommendations on changes to Police policy that could improve police accountability in Caroline County. The Board does not recommend any changes at this time.

A common identified trend, however, has been the lack of activation of body cameras when officers interact with the public. The ACC discovered this trend when reviewing completed complaint investigations which had no body camera footage for the ACC to review. The Board advised the municipal Police Departments and the Sheriff's Office to remind Officers to adhere to department policy and activate their cameras when encountering the public. The policy protects both the Officer and the Citizen if a complaint were to arise from the interaction.

Police Accountability, Community, and Transparency Grant program (“PACT”)

Per the PACT-2024 agreement, the PAB Administrator requests data from the heads of local Law Enforcement agencies regarding performance measure questions set by the PACT agreement and reports this information to the Caroline County Grant Coordinator quarterly. These reports provide pertinent information that is included in this year-end report.

Of the \$105,272.00 in grant funds received, we have currently spent \$49,545.37. This includes the purchase of the IPro Software, annual computer licensing for all our Board members, as well as payroll for the Police Accountability Board Administrator.

Our request is for the State to continue to offer this grant program as well as additional police-oriented grant programs to ensure the local Police Departments can purchase the required technology, resources, and tools to comply with the law. The Caroline County Sheriff's Office is in the process of migrating all policies and procedures over to LEXIPOL. When the transition is complete, all local Law Enforcement agencies in the County will be on the same system. Their next step will be changing vendors for body cameras so every Law Enforcement Agency in Caroline County has the same body camera system.

Recommendations to Improve Police Accountability in Caroline County

The Police Accountability Board has expressed interest in online or in-person training classes to better understand effective policing. Currently, the Maryland Police Training and Standards Commission does not offer training for PAB members. It is our recommendation that the Maryland Police Training and Standards Commission incorporate classes for all Board members.

In addition, we recommend changing ACC training from all in-person training to online meeting based or pre-recorded online training. With one member of our ACC board resigning this past July, we have first-hand knowledge of the burden imposed on the newly appointed volunteer Board member. As terms end or resignations occur, the pool of applicants will continue to shrink when advised that members must undergo uncompensated training prior to serving.

The ACC has encountered multiple withdrawn complaints over this past year. Advice was requested from three different lawyers and from the Maryland Police Training and Standards Commission regarding whether a complaint alleging police misconduct involving a member of the public filed pursuant to Md. Code Ann., Public Safety §§ 3-102 or 3-103, may be withdrawn once filed with a Law Enforcement Agency. Unfortunately, the opinions varied, which led to more confusion among ACC Board members. Therefore, at the advice of the ACC's Legal Counsel, Chairperson Bartlett requested an opinion from the Attorney General's office. A memorandum was accompanied by this request containing the ACC's Legal Counsel's opinion that such complaints, once filed with a Law Enforcement agency, must be investigated, and turned over to the appropriate Administrative Charging Committee once completed.

The Office of the Attorney General ("OAG") promptly responded to Chairperson Bartlett's request. Unfortunately, the AG's policy on opinion requests from local governments requires: "the request to come from either the Chief Executive Officer of the locality or the presiding officer of the local legislative body. It does not permit opinion requests from local Boards and Commissions." The County Paralegal and PAB Administrator are preparing this request to be signed by the President of the County Commissioners.

Future 2024 Activities

On June 21, 2022, the County Commissioners of Caroline County passed Resolution #2022-010 establishing the Caroline County Police Accountability Board (PAB) and the Caroline County Administrative Charging Committee (ACC); Amended #2022-015. During the coming year, the County Paralegal and Police Accountability Administrator will work with the County Commissioners to amend the PAB Resolution and Rules of Procedure. In addition to introducing Rules of Procedure for the Administrative Charging Committee (“ACC”).

With the continued financial commitment to keep these bodies running efficiently, Caroline County will propose in the PACT grant application 2024 that funds may be used to pay for legal opinions by the hired Attorneys who represent the Administrative Charging Committee, the Police Accountability Board, and Trial Boards. In addition, the PACT grant application will further request that funds will be used to pay the cost for overtime for the Sheriff’s Office Deputies who are working to provide security at the Caroline County Courthouse during the PAB meetings.

Several Police Chiefs and the Sheriff voiced concern over the PAB receiving many complaints that are not true “matters of public concern”, as the law requires. If a Police Officer is rude or discourteous to a Citizen and the latter files a complaint, it is investigated and forwarded to the ACC. The consensus is that these types of complaints should be handled at the department/agency level, and that only serious complaints of police misconduct, such as, abuse of power, false arrest, police brutality, or criminal activity, should be considered “matters of public concern” and reviewable by the ACC. Currently, the law requires our smaller agencies to spend a lot of time and resources investigating complaints from the public, write an internal investigative report, then submit this report to the ACC, with the result that the complaint is found unsustainable or resulted in the Officer being exonerated. Amending the legislation to allow for summary punishment when it is clear that there were only minor violations of policy, would alleviate the burden of the time-consuming and lengthy internal investigation process for such complaints.

The Caroline County website will continuously be updated to include pertinent information about the Police Accountability Board and Administrative Charging Committee for public reference. Meeting agendas will be added and encouraged participation in attending the PAB’s quarterly meetings will be made. This is all positive progress for our County as we continue to implement this legislation.

Police Accountability Board Quarterly Meeting Topics

February 22, 2023

- Confidentiality Agreements
- 2022 PAB Annual Report
- Resource information
- Tracking software
- Q&A with Sheriff's Office and local municipalities

May 9, 2023

- ACC training
- Q&A with Sheriff's Office and local municipalities
- Police Department policies
- Body cameras
- Trial Boards
- IA Pro Software
- FOP President and Vice President were in attendance

September 5, 2023

- Withdrawn complaints.
- ACC closed complaint case findings.
- Q&A with Sheriff's Office and local municipalities
- Trial Board Administrative Judge Volunteer
- PAB Attorney Michael Rust
- Summer MACo Conference

November 2, 2023 "Special Meeting"

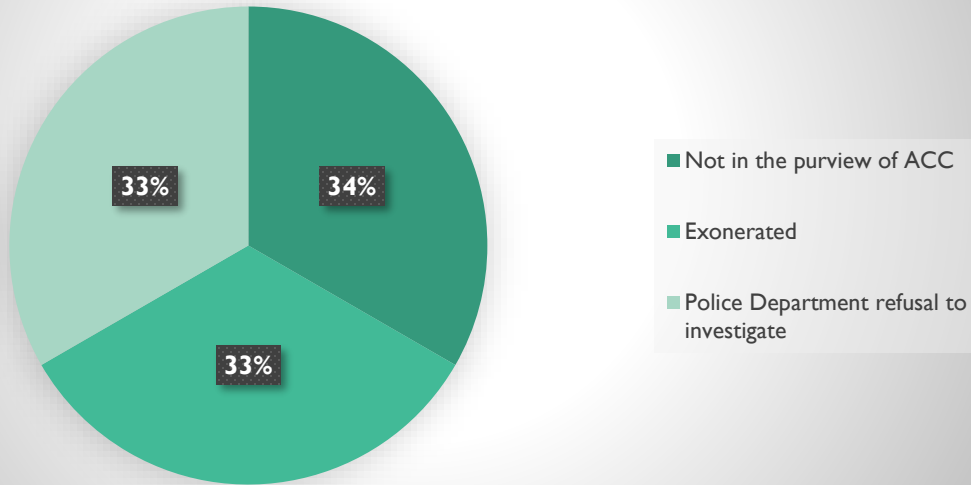
- Discuss appointment of an Administrative Charging Committee ("ACC") member
- Vote taken; new ACC appointed.

December 11, 2023

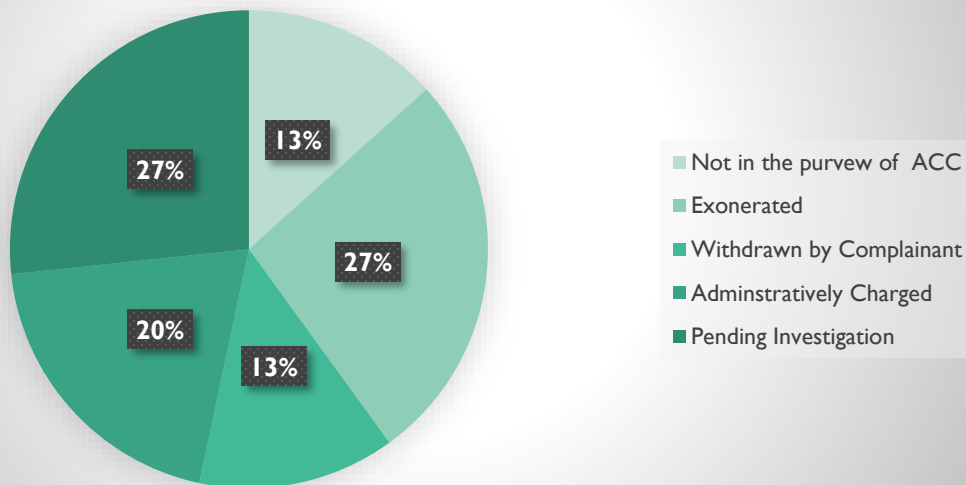
- ACC closed complaint case findings.
- Yearly total Citizen Complaints and status
- Q&A with Sheriff's Office and local municipalities
- Annual report topics

Caroline County Public Complaint Statuses

3 Citizen Complaints July 1, 2022 - December 31, 2022



15 Citizen Complaints January 1, 2023 - December 31, 2023



Caroline County Police Accountability Board

Name	Member	Term	Term End
Daniel Towers	Member	First	6/30/2024
Darron Johns	Member	First	6/30/2024
Ed Smith	Member	First	6/30/2025
Todd Lord	Member	First	6/30/2025
Dave Whaley	Member	First	6/30/2026
John Bartlett	Member	First	6/30/2026
Brandy James	Member	First	6/30/2026
<i>Marty Hudson</i>	<i>Alternate</i>	<i>First</i>	<i>6/30/2026</i>
<i>Phil Clark</i>	<i>Alternate</i>	<i>First</i>	<i>6/30/2026</i>

Caroline County Administrative Charging Committee Members

Name	Term	Term End
John Bartlett	First	06/30/2026
Greg Turnell	First	02/20/2027
Vadim Stakeeff	First	02/20/2027
Jeffrey Martin	First	02/21/2027
Nancy Nagel	First	11/2/2027

Police Accountability Resource Links

Caroline County Police Accountability Board Website

- [Police Accountability Board | Caroline County, MD - Official Website \(carolinemd.org\)](https://www.carolinemd.org)
- <https://www.carolinemd.org/651/Administrative-Charging-Committee>

Statewide Police Disciplinary Matrix Resource Guide

- [Commission Approved Uniform Disciplinary Matrix.pdf \(mdle.net\)](#)

Police Misconduct Complaint Process Flow Chart

- [Police Misconduct Complaint Process Flow Chart.pdf \(mdle.net\)](#)

ACC Member Training Guidance Memo

- [ACC Member Training Guidance Memo.pdf \(mdle.net\)](#)

ACC Training Syllabus

- [ACC Training Syllabus.pdf \(mdle.net\)](#)

Administrative Charging Committees Training Status

- [ACCMap.pdf \(mdle.net\)](#)

Caroline County Government Request for Board Appointment Consideration

- [Caroline County Government Request for Board Appointment Consideration \(Page 1 of 4\) \(office.com\)](#)