

MEMORANDUM

January 29, 2025

TO: Public Safety Committee

FROM: Susan J. Farag, Senior Budget and Policy Analyst

**SUBJECT: Item #1 Briefing: Police Accountability Board
Item #2 Update - Police Accountability Board - Complaint Data Tracking**

PURPOSE: To receive a briefing and update. No vote required.

Today, the Committee will receive a briefing on the Police Accountability Board (PAB), as well as an update on its complaint data tracking. Those expected today include:

Bishop Paul Walker, Chair, Police Accountability Board
Forrest Gilman-Reilly, Administrative Director, PAB

Background

Several years ago, the Maryland General Assembly passed *the Maryland Police Accountability Act of 2021*,¹ which repealed and replaced the Law Enforcement Officers Bill of Rights (LEOBR). The MPAA required each county and Baltimore City to establish a Police Accountability Board (PAB) and an Administrative Charging Committee (ACC). In 2022, the County created its PAB and ACC.² These are two distinct entities that provide separate but complementary accountability and oversight for policing in Montgomery County.

Administrative Charging Committee: This Committee, comprised of five members, provides civilian oversight for police officer discipline when a complaint involves a community member. Once the ACC has reviewed the complaint, it recommends whether to administratively charge the officer. The ACC also recommends the level of disciplinary action based on the State-approved disciplinary matrix.³ In Montgomery County, the ACC reviews civilian complaints against officers from the following agencies:

- Montgomery County Police;

¹ [Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures](#)

² [Bill 49-21E - Police Accountability Board - Administrative Charging Committee – Established](#)

³ [Uniform State Disciplinary Matrix](#), Code of Maryland Regulations 12.04.10.01

- Montgomery County Sheriff;
- Chevy Chase Village Police;
- Gaithersburg City Police;
- Rockville City Police;
- Takoma Park Police; and
- sworn police officers in the Montgomery County Fire and Rescue Service's Fire and Explosives Investigation Unit.⁴

Police Accountability Board: The PAB provides broad oversight, policy improvement, and ensures public input in accountability processes. Among its duties, the PAB appoints civilian members to the ACC and trial boards, receives complaints of police misconduct filed by a member of the public, reviews the outcomes of disciplinary matters on a quarterly basis, and advises the County Executive and Council on policing matters.

Trial Board: If an officer does not accept the disciplinary decision, that officer may appeal to a trial board. The trial board is comprised of an Administrative Law judge or retired District or Circuit Court judge appointed by the County Executive, one officer of equal rank, and one community trial board member appointed by the PAB. The PAB has appointed four civilians who are available for trial boards, and the board may appoint up to 10. They are assigned to trials as needed.

Staffing and Resources

The PAB and ACC are funded through a Non-Departmental Account (NDA).⁵ The approved FY25 Operating Budget is \$788,743. The budget supports salaries for both the PAB and ACC members, two full-time staff, funding for independent counsel, trial board member compensation, and training. PAB and ACC members earn salaries, initially set in statute at:

- \$10,000 for each PAB member (other than one serving concurrently on the ACC);
- \$16,000 for each ACC member; and
- \$22,000 for the ACC Chair.

Stipends are increased annually based on the Consumer Price Index. The Council recently passed Bill 12-24,⁶ which altered compensation for the PAB Chair. The new compensation structure provides:

- \$16,000 for the PAB Chair;
- \$10,000 for each PAB member (other than one serving concurrently on the ACC);
- \$16,000 for each ACC member; and

⁴ The PAB may also receive complaints against Maryland National Capital Park Police Officers; however, this agency is designated as a bi-county law enforcement agency, and complaints are reviewed by the [State Administrative Charging Committee](#).

⁵ [FY25 Recommended Operating Budget Staff Report](#), May 6, 2024

⁶ [Bill 12-24 - Police - Police Accountability Board and Administrative Charging Committee - Compensation](#)

- \$22,000 for an individual who serves on both the PAB and the ACC.

This change permits the designated PAB member who serves on the ACC to receive appropriate compensation without serving as Chair of both. With CPI adjustments, the approved salaries under Bill 12-24 were:

Approved Compensation (Bill 12-24)	
PAB Chair/Member who also sits on ACC	\$24,281
If the PAB Chair does not sit on ACC	\$17,659
PAB member	\$11,037
ACC member	\$17,659

Current salaries may be higher since CPI adjustments are made in December. Additionally, the bill compensates individuals at a rate of \$500 per day for serving on a trial board or receiving training.

2024 Annual Report

On December 30, 2024, the PAB issued its 2024 Annual Report to the County Executive and Council.⁷ State law requires that the annual report:

- identifies any trends in the disciplinary process of police officers in the county; and
- makes recommendations on changes to policy that would improve police accountability in the county.⁸

County law outlines the same mandates but also requires that the PAB “describes the activities of the Board and the numbers of complaints received.”⁹

Complaint Data Summary (2024): According to the annual report, the PAB received 120 complaints between December 1, 2023 and November 30, 2024. Most of these complaints (70%) were against the largest agency, Montgomery County Police Department (MCPD). The board received one complaint for which the law enforcement agency was unknown.

⁷ [PAB 2024 Annual Report](#)

⁸ [Maryland Public Safety Code §3-102](#), Police Accountability and Discipline

⁹ [Section 35-24, Police Accountability Board](#)

Complaints (Dec 2023 - Nov 2024)		
	Number	% of Total Complaints
MCPD	84	70.0%
Rockville	12	10.0%
Takoma Park	8	6.7%
Sheriff	8	6.7%
Gaithersburg	5	4.2%
Park Police	2	1.7%
Unknown	1	0.8%
MCFRS	0	0.0%
Chevy Chase	0	0.0%
Total	120	100.0%

The annual report also provides a demographic breakdown of complainants. Complainants can self-report their demographic data when they file a complaint. It is important to note that approximately 18% preferred not to indicate their gender, and 52% preferred not to indicate their race.

Administrative Charging Committee Decisions: According to the annual report, the ACC issued 43 written opinions in the first three quarters of 2024. The written opinions addressed a total of 130 allegations made against 67 Police Officers. Out of the 43 written opinions, the ACC issued 24 administrative charges in 12 of the complaints. This means that of the adjudicated complaints, the ACC issued at least one charge in 27.9% of the complaints, and against 22.3% of the officers.

ACC Determinations from the First Three Quarters of 2024

Total Written Opinions	Sustained Cases	% Sustained
43	12	28%

Total # of Allegations	# Resulting in Sustained Charges	% Sustained
130	24	18%

Total # of Police Officers Receiving Complaints	# of Police Officers Receiving Sustained Charges	% Sustained
67	15	22%

In terms of disciplinary outcomes, the ACC has recommended the following:¹⁰

¹⁰ [Police Accountability Board 2024 Annual Report](#), Page 20

Summary of Complaints Resulting in at Least One Administrative Charge

Agency	No. Officers in Complaint	No. Officers Charged	No. Allegations in Complaint	No. Charges	Recommended Punishment
MCPD	1	1	1	1	Formal Written Counseling
GPD	6	1	18	1	Formal Written Counseling
MCSO	1	1	4	1	Letter of Reprimand
MCPD	1	1	2	1	Letter of Reprimand
MCPD	1	1	2	2	Letter of Reprimand
MCPD	1	1	3	2	Letter of Reprimand
MCPD	2	2	6	2	Letter of Reprimand
MCPD	3	3	6	3	Letter of Reprimand
GPD	1	1	2	2	Loss of Pay, 2 Days
MCPD	1	1	3	2	Loss of Pay, 2 Days
MCPD	1	1	3	3	Loss of Pay, 3 Days
RCPD	1	1	4	4	Termination

PAB Recommendations: The Board’s report issued two recommendations to the Executive and Council:

- (1) A standardized complaint form across all local law enforcement agencies to improve data accuracy and accessibility. And
- (2) Ensure uniformity of officer conduct during consent searches, with a focus on translation tools and clear communication of rights.

The 2024 Annual Report also extensively outlines its ongoing progress and challenge to create an internal complaint dashboard that provides robust capability to analyze complaint data. The Board desires to develop a “comprehensive view of trends over time, making it possible to identify recurring patterns and assess the long-term impact of policies and reforms.”¹¹ The PAB and its staff continue to research the best available case management system and/or relational database that best supports PAB operations and analysis.

Identified Resource Needs

Staff Support: Currently, there is one Administrative Director and one Senior Executive Administrative Aide who support both the PAB and the ACC. In addition to its assistance with data case management development, TEBS also provides integral operational support for broadcasting public meetings. The Council also added \$200,000 to the FY25 Operating Budget for two independent counsel positions, one to support the PAB and one to support the ACC.

¹¹ [Police Accountability Board 2024 Annual Report](#), page 11

Council staff also requested information on how many hours ACC and PAB members worked each week, to help assess whether either or both entities needed to be able to devote more time to case work, or whether either entity needs more support staff to assist with operations. The PAB advises that the members do not systematically track or report their hours at this time, but they are open to “surveying its members or tracking this information on a trial basis.”

For comparative purposes, the Montgomery County ACC received 120 complaints and issued 47 written opinions in the reporting period. Baltimore County’s ACC reviewed 456 allegations in the first three quarters of 2024.¹² The Prince George’s County ACC reviewed 246 allegations through November 2024.¹³ Anne Arundel County’s ACC received 72 complaints in 2024.¹⁴ Frederick County, a much smaller jurisdiction, had 17 complaints in 2024.¹⁵ While complaint numbers vary, they don’t reflect the potential for case complexity, and it is unknown how many ACCs and PABs have support staff.

Complaint Data Tracking: Last year during operating budget deliberations, Council staff initially asked for complaint tracking data to better understand both the ACC’s and the PAB’s workload, and whether these entities had sufficient staffing and resources to meet their mandates. Council staff identified disparities in data between the PAB and at least three law enforcement agencies, including Gaithersburg City Police, the Sheriff, and MCPD. These disparities alone do not indicate there are data errors, but the Council requested that the PAB report back to the Public Safety Committee before the next recommended budget was reviewed, to better understand discrepancies and gain a clearer understanding of the data tracking process and ensure that there are, in fact, no errors.¹⁶

As noted, the PAB has been working on its internal data tracking systems to develop robust data collection, tracking, and reporting capabilities. This work is more complex than initially thought, because complaints can include multiple allegations, multiple officers, and multiple agencies. Further, since there are seven law enforcement agencies subject to ACC review, that means there are also different departmental policies that guide the ACC’s review and determinations. The varying scope, phrasing, and titling of departmental policies adds a further layer of complexity to the PAB’s subsequent review of disciplinary matters considered by the ACC. For example, MCPD’s policy on “Courtesy” (Function Code 300, Section III, Rule 16, effective date 2024-05-07) proscribes a different range of conduct than Rockville’s policy on “Courtesy and Human Relations” (General Order 8-3, Section IV, Rule O, effective date 2007-09-15).

Another complicating factor is that while the PAB is required to transmit any complaints it receives to the relevant law enforcement agency within three days, there is no reciprocal requirement that law enforcement agencies do the same. LEAs in the County have been transmitting complaint numbers on a regular basis, but it occurs monthly rather than within the

¹² [Baltimore County Police Accountability Board 2024 Annual Report](#)

¹³ [Prince George’s County Administrative Charging Committee 2024 Annual Report](#)

¹⁴ [Anne Arundel County Police Accountability Board 2024 Annual Report](#)

¹⁵ [Frederick County Police Accountability Board 2024 Annual Report](#)

¹⁶ [FY25 Recommended Operating Budget – Police Accountability Board NDA](#), May 6, 2024

same timeframe required of the PAB. Since the PAB does not yet have a data management system with full functionality, data often must be manually counted, and this leaves room for delays in reconciling complaint numbers.

The PAB has also indicated its intent, once an internal data case management system is finalized, is to provide a public-facing version hosted on the Board’s website.

“The immediate next step is to ensure that the internal version of the Dashboard is fully optimized, meeting the necessary standards of clarity, usability, data aggregation, and information security...This will enhance transparency and foster further dialogue around policing trends, empowering the community to be an active participant in those discussions. By making this resource publicly available, the Board upholds its commitment to transparency and accountability while strengthening its collaboration with the community.”¹⁷

There are two possible approaches to developing the data and case management systems that would best serve the Board, including an internal product developed by the County’s Technology and Business Enterprise Systems (TEBS), or purchasing an off-the-shelf case management system that would meet the Board’s data and analysis needs. In the meantime, the PAB’s recommendation for a standardized police complaint form would provide the foundation for standardizing data input to the greatest extent practicable.

The Governor’s Office of Crime Control and Prevention recently contracted with the Police Executive Research Forum to conduct an implementation analysis of the Maryland Police Accountability Act.¹⁸ The report highlights Caroline County’s software implementation as a “promising practice.” The five law enforcement agencies purchased the same complaint case management system (through a series of grants), which allows complainants to file their complaints online through a single portal. The county’s Office of Law also purchased iPad for each law enforcement agency so that community members have private access to the online system if they go in person to a police department to file a complaint. The Montgomery County PAB continues to look at this option as well.

Next Steps/FY26 Operating Budget

Council staff notes that additional staff and operational resources may be necessary to support PAB and ACC operations. A fully functional case management system is a high priority, given that robust data reporting and analysis helps fulfill the PAB’s accountability and transparency mandate. Council staff notes that some other jurisdictions have reported the types of complaints, such as use of force, courtesy, discrimination, etc. Better understanding these categories of complaints, including whether these are sustained, unfounded, or the officer was exonerated, paints a more robust picture of community concerns with police contact. The

¹⁷ [Police Accountability Board 2024 Annual Report](#), Page 11

¹⁸ [Implementation of the Maryland Police Accountability Act of 2021](#), Police Executive Research Forum, June 2024

Standardized Complaint Form, if adopted by all law enforcement agencies, would be helpful in standardizing complaint data.

Additional data considerations: Council staff notes that gathering complainants' self-reported demographic data seems to be quite challenging, with 18% of complainants failing to report gender and 52% failing to report race. This data gap makes any type of racial equity analysis difficult, if not impossible. Council staff cautions that when such significant amounts of data are unknown, analysis becomes problematic, since certain groups or patterns might be overrepresented or underrepresented, leading to skewed insights. Failure to report demographic data is common, as many people believe it could create bias and bar them from receiving fair consideration of their complaint. It would be helpful to better understand complainants' concerns, and whether there are ways to structure the complaint system to assure complainants that ACC members do not receive any data or information that may create bias in decision making.

Staff Support: Council staff advises that sufficient staff support may be an FY26 Operating Budget issue. The ACC reports that it takes approximately 17 days, on average, to review complaints in cases where the ACC does not need to ask for additional information. But for those cases where it asks for additional information from the law enforcement agency, case review takes approximately 79 days. It would be helpful to understand current case backlogs, and whether there are operational or staffing enhancements that may help expedite cases.

It would also be helpful to understand how the State "year and a day" rule has or may impact ACC operations. State law requires "the process of review by the investigating unit through disposition by the ACC to be completed within one year and one day" after a community member files a complaint. It is unknown whether this requirement may create an affirmative defense at a trial board or circuit court appeal. Certain external delays caused by issues such as a concurrent criminal investigation, or by short-staffed law enforcement agencies, may be impossible to change. Council staff recommends consideration be given to ensure appropriate PAB/ACC resources so that delays do not occur internally.

While the PAB and ACC structure within County government is intended to make it as independent as possible, there may be additional efficiencies and operational improvements available using current County resources, such as data analysis assistance from CountyStat or another division. These different aspects of PAB and ACC operations will be discussed in more depth during upcoming budget deliberations.

Potential Discussion Questions

1. What is the PAB's vision for the next year of its work?
2. Has the PAB noted any trends in types of complaints, by agency or type, such as excessive use of force, racial profiling, etc.?
3. The Board notes that it has sought officer demographic information. What steps are necessary to obtain that information?
4. State law requires annual reports to be submitted by December 31, which makes it difficult to have clean year-to-year data comparisons. County law adopted the same

deadline. Would the Council consider delaying the report's due date by several months so that the PAB can shift data reporting and analysis to a calendar year? Would corrective legislation be required at the State level?

5. The PERF report recommends that LEA heads should provide a written recommendation to the ACC with each complaint case referred for review. State regulation permits agency heads to give input about whether an officer should be disciplined, and if so, what that discipline should be. Are all LEAs doing this now? If so, does the ACC find it helpful or feel it may be biased?

This staff report contains:

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POLICE ACCOUNTABILITY BOARD

Bishop Paul Walker, Sr.
Chair

Kenneth E. Kellner
Vice Chair

Committee Members
Alicia Hudson
George Lluberes
Katharine Manning
Alvin Gregory McCray
Chuck Williams
Christopher Zatratz

Forrest Gilman-Reilly
Administrative Director

Laura Byers
Sr. Executive Admin. Aide

MEMORANDUM

December 30, 2024

TO: *The Honorable Marc Elrich, Montgomery County Executive*
The Honorable Kate Stewart, President, Montgomery County Council

FROM: Montgomery County's Police Accountability Board

SUBJECT: Montgomery County's Police Accountability Board Annual Report for 2024

Section 35-24(i) of the Montgomery County Code requires the Police Accountability Board (the Board) to submit a report to the Executive and Council on an annual basis that identifies any trends in the disciplinary process of police officers in the County, recommends changes to policy that would improve police accountability in the County, and describes the activities of the Board and the number of complaints received.

In service of that responsibility, the Board submits the enclosed report.

PAB:fgf

Enclosures: Montgomery County's Police Accountability Board Annual Report for 2024

cc: The Honorable Sidney Katz, Chair, Council Public Safety Committee
Richard Madaleno, Chief Administrative Officer, Office of the County Executive
Dr. Earl Stoddard, Assistant Chief Administrative Officer, Office of the County Executive
Howard Craig, Executive Director, Montgomery County Council
Susan Farag, Legislative Analyst, Montgomery County Council
Tricia Swanson, Director of Strategic Partnerships, Office of the County Executive
Melanie Wengar, Director, Office of Inter-Governmental Relations



**Montgomery County's Police Accountability Board
Annual Report for Calendar Year 2024**

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I. Forward from the Police Accountability Board Chair

I am proud of the work this Police Accountability Board has accomplished since its inception in 2022 and its continued functionality in 2024; we laid a foundation for future members of the Board.

The County Executive charged me with leading the Board and creating a collaborative atmosphere that would foster and maintain a healthy, consistent team effort. I embraced this charge by framing our responsibilities and the complex field in which we must execute them as “painting a moving train.” As members of the Board, we grew together, learned from one another, and became a functioning body with a unified vision. We continually renew our commitment to our mandate, and to our individual responsibilities to this community—which consists of residents and police officers alike—for we are one community.

In 2024, the Board convened on the first and third Thursdays of each month from 7:00pm to 9:00pm. We provided the community with live, virtual access to all meetings, including those held in-person. The Board met quarterly with one or more directors of local law enforcement agencies, and we used that time both to ask them questions and to answer their questions in turn. Each meeting provided time for public comments either in person or online.

In 2023, I moved, and the Board approved, to form ad hoc groups to address major topics concerning policing, as well as give access and a voice both to our residents and to our law enforcement agencies here in Montgomery County. This report presents the findings of the Police Accountability Board's Complaint ad hoc group and the Hiring and Training ad hoc group based on their diligent work in 2024.

The Board gave particular attention this year to consent searches. We hosted productive discussions with the Montgomery County Department of Police as well as representatives of other local law enforcement agencies. We engaged with proposed legislation related to consent searches, and with the advice and input of stakeholders community-wide, we submitted to the Council a letter outlining our recommendations regarding the Freedom to Leave Act.

As Chair, I advanced the mission of the Board and its outreach efforts by meeting with African and Caribbean stakeholders, senior and field leadership of multiple local law enforcement agencies, the Fraternal Order of Police, the Black Ministers Conference, the National Association for the Advancement of Colored People, the Montgomery County Office of Human Rights, the Silver Spring Justice Coalition, and various non-profits. I invited critiques of our processes and fielded questions directly from patrol officers during “roll calls” at multiple district stations within the Montgomery County Department of Police.

The Board's duty is to review the outcomes of community complaints of police misconduct—such as racially biased policing and excessive use of force—and to recommend sound policies to improve police accountability. We embrace this mandate as a total process; we consider policies that might prevent future misconduct through improvements to the ways in which officers are hired and trained, to the policies that govern their conduct in the field, and to the disciplinary process itself.

Police Accountability Boards are a form of police oversight that centers civilian viewpoints in its policy recommendations, particularly in relation to the complaint and disciplinary process.

The Board pursues its mandate autonomously, and while the County Executive's Office provides essential material support and staffing, we remain an independent body that is responsive directly to community needs.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'P' and 'W' followed by a horizontal line.

Bishop Paul L. Walker, Sr.
Chair, Police Accountability Board

II. Board Membership and General Activities

The Police Accountability Board (the Board) consists of nine voting members, including the Chair, who are appointed by the County Executive and Confirmed by the County Council under Section 35-24 of the Montgomery County Code. Pursuant to that process, Ronald Wright joined the Board on May 8, 2024; that seat had been vacant after the departure of Rudy Logan from the Board on December 25, 2023. The Board currently operates with a full complement under the Montgomery County Code, and its members are:

- Bishop Paul L. Walker, Sr. (Chair)
- Kenneth E. Kellner, J.D. (Vice-Chair)
- Alicia D. Hudson, Esq.
- George Lluberes, Ph.D.
- Katharine L. Manning, J.D.
- Alvin Gregory McCray
- Thomas “Chuck” Williams, Jr.
- Ronald Wright
- Christopher Zatrutz, J.D.

The Board is required to meet at least once each month, including quarterly meetings with the directors of one or more local law enforcement agencies. The Board held 21 public meetings in 2024. All meetings, including those occurring in-person, were accessible via the Zoom platform. The dates of this year’s meetings are listed below:

<i>Date</i>	<i>Format</i>	<i>Purpose</i>
<i>January 4, 2024</i>	Hybrid In-Person/Virtual	Board Meeting
<i>January 18, 2024</i>	Virtual	Board Meeting
<i>February 1, 2024</i>	Hybrid In-Person/Virtual	Board Meeting
<i>February 15, 2024</i>	Hybrid In-Person/Virtual	Board Meeting
<i>March 7, 2024</i>	Hybrid In-Person/Virtual	Board Meeting
<i>March 20, 2024</i>	Hybrid In-Person/Virtual	Q1 Chief’s Meeting
<i>March 21, 2024</i>	Virtual	Board Meeting
<i>April 4, 2024</i>	Virtual	Board Meeting
<i>April 18, 2024</i>	Virtual	Board Meeting
<i>May 16, 2024</i>	Virtual	Board Meeting
<i>June 25, 2024</i>	Hybrid In-Person/Virtual	Q2 Chief’s Meeting
<i>July 2, 2024</i>	Virtual	Board Meeting
<i>July 18, 2024</i>	Virtual	Board Meeting
<i>August 15, 2024</i>	Virtual	Board Meeting
<i>September 5, 2024</i>	Virtual	Board Meeting

<i>Date</i>	<i>Format</i>	<i>Purpose</i>
<i>September 19, 2024</i>	Hybrid In-Person/Virtual	Q3 Chief’s Meeting
<i>October 3, 2024</i>	Virtual	Board Meeting
<i>October 17, 2024</i>	Virtual	Board Meeting
<i>November 7, 2024</i>	Virtual	Board Meeting
<i>November 21, 2024</i>	Virtual	Board Meeting
<i>December 5, 2024</i>	Virtual	Q4 Chief’s Meeting

The Board publishes its agendas and minutes on its website (montgomerycountymd.gov/pab), where visitors can also find links to access the Zoom broadcast for upcoming meetings.

III. Police Accountability Board Complaint Dashboard Updates

The Police Accountability Board Complaint Dashboard (the Dashboard) initiative, spearheaded by Board Member George Lluberes with the assistance of the County’s Technology and Enterprise Business Solutions (TEBS) team, and staff, serves as a critical tool for tracking and analyzing complaints across various demographic groups, channels, and agencies. Over the course of 2023 and 2024, significant updates were implemented to enhance its accuracy, utility, and accessibility. These updates aimed to address previous gaps in data collection and presentation, as well as respond to feedback for improved functionality. This report outlines the key updates made to the Dashboard, the rationale behind these changes, and their impact on data analysis in 2024.

Goals for the 2024 Complaint Dashboard Update

The primary objectives for enhancing the Dashboard in 2024 were:

- *Improved Data Accuracy:* Reviewing data to reduce discrepancies.
- *Enhanced Visualizations:* Adding clarity and granularity to data presentation.
- *Actionable Insights:* Offering more segmentation for trends, comparisons, and analysis.

Key Dashboard Enhancements

A. Longitudinal Data

A significant enhancement to the Dashboard in 2024 is the introduction of longitudinal data tracking. This feature allows complaint trends to be observed and analyzed over time, enabling a more dynamic and in-depth understanding of patterns. Key areas now supported by longitudinal data include:

- *Total Complaints by Incident Year:* The inclusion of year-by-year complaint data enables a clearer understanding of long-term trends and shifts in complaint volumes. This is crucial both for identifying patterns and evaluating the effectiveness of reforms or interventions.
- *Complaints by Complainant Gender, Ethnicity, and Race:* Trends in complaints can now be tracked across multiple years for these demographic categories, revealing potential disparities or changes over time.
- *Complaints by Law Enforcement Agency:* The dashboard now provides insights into how complaint numbers evolve across different agencies, fostering accountability and transparency.

Figure 1. Updated Police Accountability Board Dashboard – Complaints

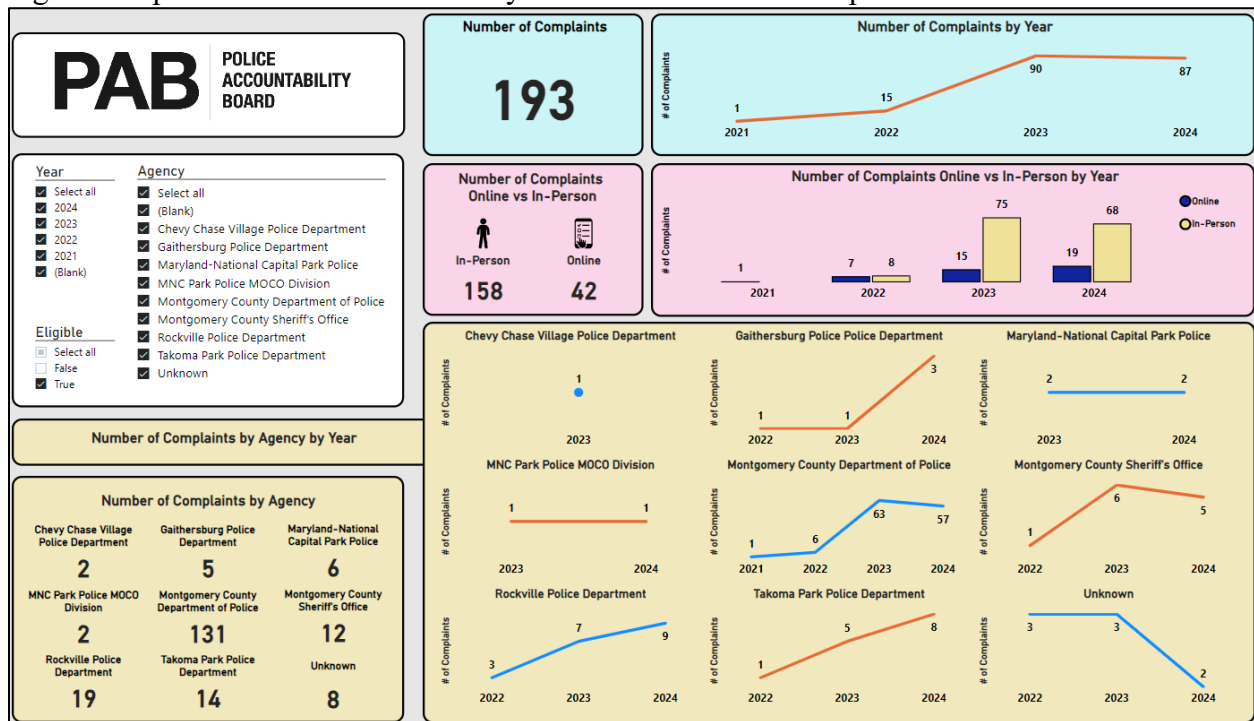


Figure 1 depicts the Complaint tab of the Dashboard using sample data for illustrative purposes only. It shows a series of charts that display the total complaints received by the Board. Each row displays the information in a text chart. The first row is indicated by blue boxes that show the overall total and a line chart for the totals by year. The second row, indicated by pink boxes, breaks down the method received from “In-person” and “Online” by year with a bar chart. The third row is indicated by tan boxes that detail the number of complaints by agency and a line chart for each agency by year.

Figure 2. Updated Police Accountability Board Dashboard – Demographics

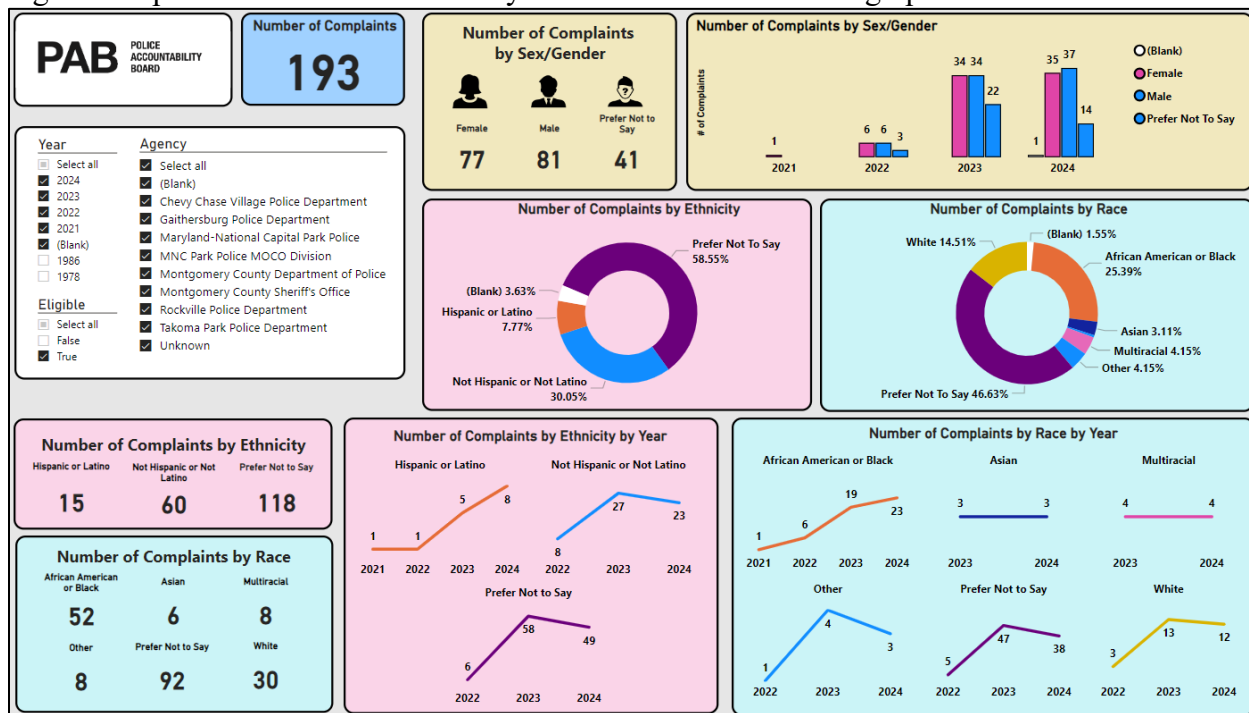


Figure 2 depicts the Demographics tab of the Dashboard using sample data for illustrative purposes only. It shows a breakdown of the total complaints received by the Board in a blue box with a chart legend in a white box. The complaints by Sex/Gender are shown in tan boxes, complaints by Ethnicity are shown in pink boxes, and complaints by Race are shown in light blue boxes. The top row is indicated by tan boxes that show the overall total and the totals by year (bar chart). The middle section/row provided a sunburst chart for complaints by ethnicity and complaints by race by percentages. The bottom row includes a text box with totals and line charts for complaints by ethnicity and race.

B. Eligible vs. Ineligible Complaints

The Dashboard now also includes a new filter to distinguish between eligible and ineligible complaints.

Figure 3. Eligibility Filter

Eligible

Select all

False

True

Figure 3 depicts an interactive component of the Dashboard that allows users to filter complaint data by complaint eligibility by selecting one or more checkboxes in a vertical list. From top to bottom, the checkboxes are labeled “Select all,” “False,” and “True.”

By selecting “True” for eligible complaints or “False” for ineligible complaints, the filter ensures all complaints remain intact within the dataset, while enabling users to focus analysis on either subset as needed.

An eligible complaint must have the following characteristics:

- The incident must have occurred after July 1, 2022;
- The incident must involve “an allegation of police misconduct¹ involving a member of the public and a police officer,² regardless of whether the allegation originated from within the law enforcement agency or from an external source³”; and
- The incident must have involved a police officer who was not under a collective bargaining agreement. Those under collective bargaining agreements fell under the Law Enforcement Officers’ Bill of Rights until July 1, 2023.

C. Administrative Charging Committee Decisions

We added a new section to the Dashboard in 2024 that categorizes and visualizes decisions of the Administrative Charging Committee (the Committee). This feature includes a bar graph that tracks the outcomes of Committee decisions across both 2023 and 2024, which provides the Board with a clear visual representation of the Committee’s findings. The graph displays the number of complaints in which the Committee (a) Administratively Charged one or more officers with at least one allegation of police misconduct, (b) determined that the investigation Exonerated⁴ the officer or officers against whom the complaint was made, and (c) determined that the complaint was Unfounded.⁵ The data includes key details such as the opinion date, the Committee’s overall finding as to a complaint,⁶ partial text of the decision made, and a narrative description from law enforcement of at least one of the alleged violations.

¹ “‘Police misconduct’ means a pattern, a practice, or conduct by a police officers or law enforcement agency that includes[] (1) depriving persons of rights protected by the Constitution or law of the State or the United States; (2) a violation of a criminal statute; and (3) a violation of law enforcement agency standards and policies.” LMC 35-23, *see also* Pub. Safety § 3-101(g).

² For the purposes of the Police Accountability Board and the Administrative Charging Committee, a “police officer” is an individual who “(1) is authorized to enforce the general criminal laws of the State” and “(2) is a member of . . . (a) the County police department; (b) a municipal police department; (c) the office of the County Sheriff; or (d) a County fire and explosive investigator.” LMC 35-23.

³ LMC 35-23 (defining “complaint”).

⁴ “‘Exonerated’ means that a police officer acted in accordance with the law and agency policy.” Pub. Safety § 3-101(d).

⁵ “‘Unfounded’ means that the allegations against a police officer are not supported by fact.” Pub. Safety § 3-101(k). This includes “situations where existing departmental policy fails to properly address the situation for which the officer was charged[.]” LMC 35-25(i)(5)(A).

⁶ A citizen complaint may contain one or more allegations of misconduct levied against one or more police officers. If a complaint results in the ACC bringing at least one administrative charge against one or more officers, the

This addition enhances the Dashboard’s ability to provide insights into the outcomes of the Committee’s cases, helping Board members better understand trends in accountability decisions. However, it is important to note that while the Dashboard now includes these visualized insights, the Board’s review of the outcomes of disciplinary matters considered by the Committee primarily relies on documentation received from the Committee on a quarterly basis.

The Board will continue to seek additional information that could further enhance the Dashboard’s depth and accuracy, ensuring that it evolves in response to community needs.

D. Improved Visualization and Analytics

To enable more effective interpretation of trends, the dashboard now features new visualizations. Complaint data is displayed in dynamic, interactive charts, allowing users to filter information by year, channel (i.e., whether the complaint was submitted online or in-person), agency, and demographics.

Figure 4. Online vs. In-Person Complaint Submissions

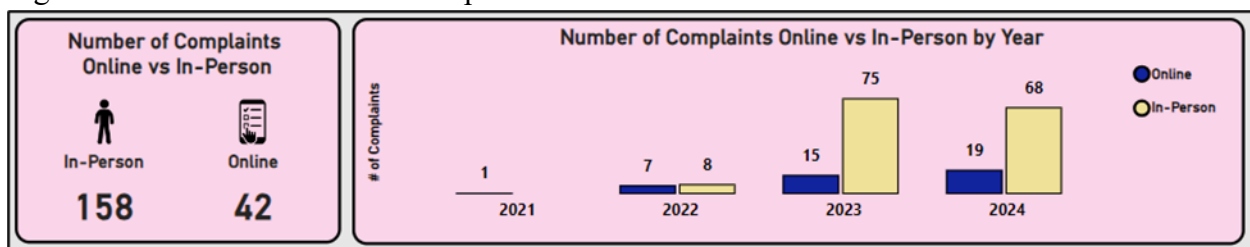


Figure 4 depicts the “Online vs. In-Person Complaint” component of the Dashboard using sample data for illustrative purposes only. The component consists of two pink boxes, side-by-side, containing charts. The box on the left side spans the first third of the horizontal space in the image and displays a total number of complaints submitted in-person below a beside a total number of complaints submitted online. An icon of a person is displayed above the in-person total, and an icon of a smartphone is displayed over the online total. The box on right side spans the second two thirds of the image and contains several bar charts comparing the total number of complaints received in-person and online; each bar chart represents a separate calendar year, with online complaints shaded blue and in-person complaints shaded yellow.

Impact of Dashboard Updates

The enhancements to the dashboard will advance the Board’s ability to analyze complaint data, providing community and law enforcement stakeholders with deeper insights into systemic issues. By enabling comparisons across multiple years, the Dashboard allows for a more

Dashboard will report the overall outcome as “Administratively Charged,” even if other allegations in the complaint were deemed unfounded or resulted in exoneration.

comprehensive view of trends over time, making it possible to identify recurring patterns and assess the long-term impact of policies and reforms.

Additionally, the inclusion of a detailed breakdown of online versus in-person complaints will help shed light on reporting preferences and barriers. These insights will inform future efforts to improve online reporting systems, ensuring greater accessibility and encouraging broader participation from the community in filing complaints. Most important, the enhanced data visualizations allow the Board and local law enforcement agencies to collaborate more closely, using data-driven decisions to proactively address identified issues. This partnership fosters greater accountability and supports the shared goal of improving community-police relations.

Conclusion and Next Steps

The updates to the Dashboard from 2023 to 2024 reflect a continued commitment to improving transparency, accountability, and responsiveness to stakeholder needs. These enhancements have strengthened the Dashboard's role as a critical tool for monitoring complaints and identifying actionable insights.

Moving forward, the Board will continue to refine the Dashboard, incorporating regular feedback to ensure it meets evolving needs. A future initiative will be the development of a standardized complaint form, a collaborative effort between the Board and local law enforcement agencies across the county. This standardized form aims to improve data consistency and facilitate more seamless analysis across all agency jurisdictions.

The Board continues to strongly advocate for community access to the Dashboard, aligning with the recommendation made in 2023 for a public-facing version hosted on the Board's website (montgomerycountymd.gov/pab). The immediate next step is to ensure that the internal version of the Dashboard is fully optimized, meeting the necessary standards of clarity, usability, data aggregation, and information security. Once the internal version of the Dashboard is refined and fully operational, a community-facing version will be created based on that model, thus allowing residents to engage directly with the data. This will enhance transparency and foster further dialogue around policing trends, empowering the community to be an active participant in those discussions. By making this resource publicly available, the Board upholds its commitment to transparency and accountability while strengthening its collaboration with the community.

The Board would like to extend its gratitude to the County's Technology and Enterprise Business Solutions (TEBS) team for their technical expertise and support in implementing these updates.

These updates represent a significant step forward in fostering collaboration, enhancing decision-making, and advancing the shared mission of community, transparency, and accountability in policing.

IV. Standardized Police Complaint Form Initiative

The Board formed a Complaint Form ad-hoc group consisting of Board Members George Lluberes, Greg McCray, and Thomas “Chuck” Williams. In collaboration with local law enforcement agencies, the group is leading an initiative to standardize police complaint forms across Montgomery County. This project involves eight participating agencies:

- Chevy Chase Village Police Department
- Gaithersburg Police Department
- Maryland-National Capital Park Police, Montgomery County Division
- Montgomery County Fire and Explosive Investigations Unit
- Montgomery County Department of Police
- Montgomery County Sheriff's Office
- Rockville City Police Departments
- Takoma Park Police Department

The primary goal of this effort is to streamline the process for persons making complaints, improve the accuracy in data collection, and provide better insights to inform policymaking. Currently, most complaint forms include similar information, but their formats vary. Some use radial buttons which allow users to select from a finite list of options for specific information like gender or race, while others rely on open-ended prompts. As a result, complaints submitted using open-ended response forms contain misspelled or abbreviated references to demographic information. This lack of uniformity poses challenges in processing and analyzing data, particularly demographic information.

For example, if a user providing demographic information associated with a complaint enters “F” instead of “Female,” the Dashboard will interpret these as two entirely separate demographic categories. In such instances, the Board's administrative staff must manually correct the information line-by-line for the Dashboard to accurately interpret the aggregate data.

By standardizing complaint forms, the Board aims to address these challenges, enhance the overall efficiency of complaint handling, and strengthen public trust in law enforcement processes.

Objectives and Benefits of Standardization

This initiative is designed to achieve several important objectives, benefiting both community stakeholders and local law enforcement agencies:

- *Simplify the complaint process*, making it more accessible and user-friendly for residents.
- *Ensure data accuracy* and consistency across all participating agencies.
- *Enhance the Complaint Dashboard* by enabling clearer trend analysis and data visualization.
- *Provide actionable insights* for targeted training and policy improvements based on complaint data.
- *Streamline administrative processes* within local law enforcement agencies, particularly for complaints involving multiple agencies.
- *Foster greater transparency* and collaboration between local law enforcement agencies and the community, building trust and credibility.

Through these combined efforts, the standardized form aims to improve the overall complaint process while supporting the community and law enforcement in addressing issues effectively.

Key Features of the Proposed Form

The proposed standardized complaint form incorporates the following features:

- *Retention of Legally Required Fields*: All existing fields, such as complainant information and incident details, remain unchanged.
- *Unique Identifier*: Each complaint would be assigned a unique identifier, allowing residents to track the status of their complaint online.
- *Standardized Demographic Questions*: Radial buttons for demographic questions (e.g., gender, race, ethnicity) are standardized to Montgomery County guidelines, ensuring data consistency and reducing errors.
- *Officer Demographics*: Fields to capture officer details such as rank, tenure, age, gender, and race/ethnicity, allowing for broad trend analysis without compromising individual privacy.
- *Improved Data Collection*: Uniform formatting minimizes discrepancies and enhances the reliability of data used for policymaking and trend analysis.

Feedback from Law Enforcement Agencies

Participating agencies have shown support for a standard complaint form, recognizing its potential to improve both the complaint process and the insights gained from collected data. However, some concerns were raised about including officer demographic information, which is currently not required by law and would increase the administrative burden on local law enforcement agencies.

To address these concerns, the Board clarified that officer demographic fields are intended to provide aggregate insights. This allows for a balanced approach, ensuring transparency without targeting individual officers. Additionally, including officer demographics can help law enforcement agencies better tailor training programs to address specific patterns or disparities revealed by the data. For example, if complaints indicate that younger officers or those with fewer years of experience are disproportionately involved in certain types of incidents, departments can implement targeted training for this demographic group. By working collaboratively, the Board and local law enforcement agencies are committed to implementing a form that meets both community and law enforcement needs.

Conclusion and Next Steps

Standardizing police complaint forms is a significant step toward improving accountability, transparency, and trust within Montgomery County. By simplifying the process for complainants and enhancing data collection for local law enforcement agencies, the initiative aims to strengthen the relationship between the community and law enforcement.

The Board will continue to engage with local law enforcement agencies through additional meetings to refine the standardized form and address any remaining concerns. This ongoing collaboration ensures that the final form reflects the needs of all stakeholders.

V. Hiring and Training

The Board initially formed the Hiring and Training ad hoc group in the fall of 2023. The ad hoc group currently consists of Board Members Alicia Hudson, Greg McCray, and Ronald Wright. This ad hoc group meets with law enforcement and community members to deepen the Board's understanding of policing concerns and how the training and hiring of officers affects those concerns.

The Hiring and Training ad hoc group researched data regarding efforts of the Montgomery County Department of Police to improve policing in compliance with the Maryland Police Accountability Act of 2021 (MPAA) and national best practices of law enforcement in hiring and training of officers. In 2024, the Hiring and Training ad hoc group focused its efforts on reviewing how officers are trained to perform consent searches.

Consent Searches During Traffic Stops

Councilmember Will Jawando introduced Bill 2-24, the Freedom to Leave Act, to which stakeholders countywide devoted significant attention. The Board reviewed the written and oral testimony of community members, including testimony prepared by a group of distinguished law school professors who reside in Montgomery County. That testimony, authored by Professors

Angela Davis, Kristin Nicole Henning, Rene Hutchins Laurent, and Michael Pinard, presented a cogent analysis regarding racial profiling in traffic stops and consent searches. Their analysis supported concerns voiced by residents regarding the racial disparity in traffics stops as well as the power imbalance between law enforcement and BIPOC⁷ persons. The public may view the written and video testimony regarding the bill on the County Council’s website.

The Board hosted a public discussion of the bill with stakeholders to field questions and receive input on the merits of the legislation. At that meeting, the Board heard from Councilmember Will Jawando, the bill’s sponsor. The Board also listened to concerns raised in opposition to the bill from Lee Holland, President of the Fraternal Order of Police Lodge 35. In addition, the Board received from the County Executive’s Office data summarizing the usage of consent searches by the Montgomery County Department of Police in calendar year 2023. The following is a synopsis of that data:

A. Traffic Stops Performed by the Montgomery County Department of Police (MCPD)

- MCPD conducted 37,103 traffic stops in calendar year 2023.
- MCPD Internal Affairs Division (IAD) reports having received fifteen complaints related to traffic stops in calendar year 2023 (0.04 percent of total traffic stops).
- None of the complaints regarding traffic stops were the result of a consent search.
- MCPD reported having received no complaints regarding consent searches.

B. Consent Searches Performed by the Montgomery County Department of Police (MCPD) According to Consent Forms for Calendar Year 2023⁸

<i>Consent Searches by Subject Demographic</i>	<i>Count</i>
<i>White/Caucasian</i>	46
<i>Hispanic or Latino</i>	69
<i>Black/African American</i>	113
<i>American Indian/Alaskan Native</i>	0
<i>Pacific Islander</i>	0
<i>Asian</i>	6
<i>Other</i>	2
<i>Unknown</i>	5
<i>TOTAL</i>	241

⁷ “Black, Indigenous, and People of Color.”

⁸ Data collection via the MCPD Consent Search form began on February 1, 2023.

<i>Consent Searches by Subject Gender</i>		<i>Count</i>
<i>Male</i>		160
<i>Female</i>		62
<i>Blank/Unknown</i>		19
<i>Total</i>		241

<i>Consent Searches by Location of Search⁹</i>		<i>Count</i>
<i>Premise</i>		25
<i>Vehicle</i>		83
<i>Person</i>		116
<i>Property</i>		50
<i>TOTAL</i>		274

In response to community concerns, the Board reviewed the Montgomery County Department of Police policy on Consent to Search Requests (FC 0710) and formulated questions. Board members met with Captain Nicholas Picerno and presented questions and concerns regarding the directive and officer training pertaining to consent searches.

Members referenced the widespread support of the proposed Freedom to Leave Act in response to community concerns regarding consent searches. Board members referred to the data contained in the Office of Legislative Oversight’s Racial Equity and Social Justice (RESJ) Impact report that shows continued racial disparity in traffic stops. The Board acknowledges the need to obtain and review data from other local law enforcement agencies; in particular, the Board is currently seeking analyses and datasets for those agencies that would be comparable to that of the RESJ Impact report. The Board, through its staff, will contact leadership of the other law enforcement agencies in order to obtain any such data.

The Board met with the Chief of the Montgomery County Department of Police, Marc Yamada, on December 5, 2024, and learned of encouraging developments; in particular, that the policy regarding consent searches is undergoing evaluation and that changes are being implemented.

Recommendations

The Board recommends that the Montgomery County Department of Police work to ensure uniformity of officer conduct when stopping persons of all races and remain vigilant in ensuring

⁹ A consent search may result in the search of more than one location, which explains the higher number of total searches listed in this table compared to the preceding two tables.

absence of bias in officer conduct when stopping individuals and requesting a consent search; that the Montgomery County Department of Police continue to utilize translation tools in order to ensure persons' full comprehension of an officer-requested search and understanding that giving their consent to search is a waiver of their Fourth Amendment right; that police officers maintain awareness that police stops are seen by community members as coercive by nature as officers are armed and authorized to use deadly force, and, that, given the foregoing, care should be given to ensure persons know they are free to revoke their consent at any time during execution of a consent search.

VI. Complaint Data Summary

Pursuant to Section 35-24 of the Montgomery County Code, the Board must receive complaints of police misconduct filed by a member of the public and refer those complaints to the appropriate law enforcement agency within three days after receipt for investigation. Specifically, it is responsible for receiving complaints related to the following local law enforcement agencies:

- Chevy Chase Village Police Department (CCVPD)
- Gaithersburg Police Department (GPD)
- Maryland-National Capital Park Police, Montgomery County Division (MNCPP)
- Montgomery County Fire and Explosive Investigations Unit (MCFRS)
- Montgomery County Department of Police (MCPD)
- Montgomery County Sheriff's Office (MCSO)
- Rockville City Police Departments (RCPD)
- Takoma Park Police Department (TPPD)

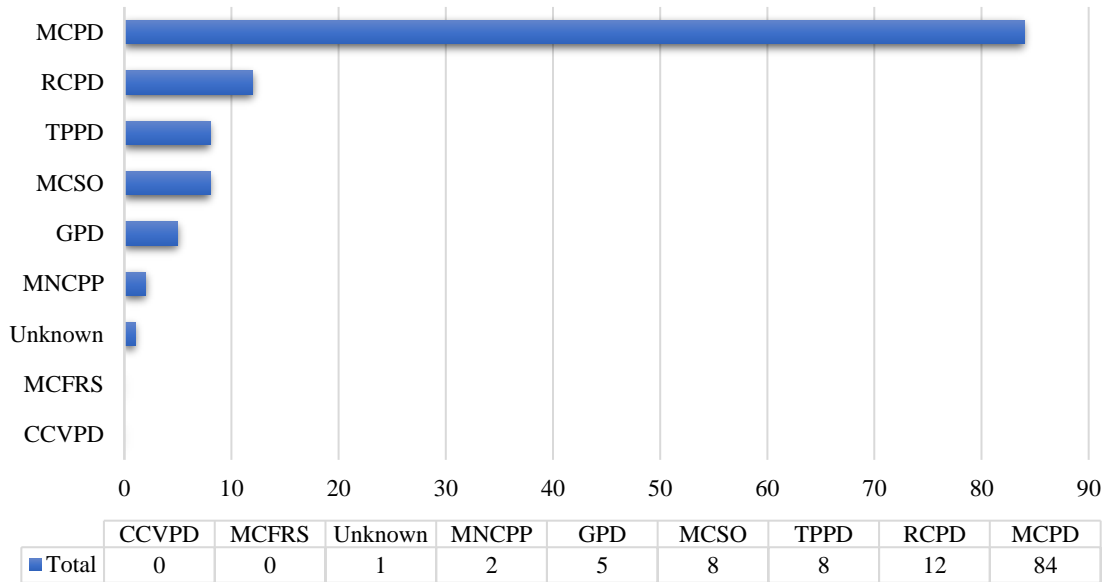
The law enforcement agency forwards the results of their investigation to the Committee to determine whether the police officer who is the subject of the complaint should be administratively charged. If the complaint relates to a police officer employed by the Maryland-National Capital Park Police, the investigation will instead be forwarded to the State Administrative Charging Committee for review.

The Board received 120 complaints between December 1, 2023, and November 30, 2024.¹⁰ The majority of these complaints related to the Montgomery County Department of Police, which is by far the largest law enforcement agency in the County. The Board received no complaints this year regarding the Chevy Chase Village Police Department or the Montgomery County Fire and

¹⁰ Complaints submitted in December 2024 will be reflected in the Monthly Complaint Report released in January 2025.

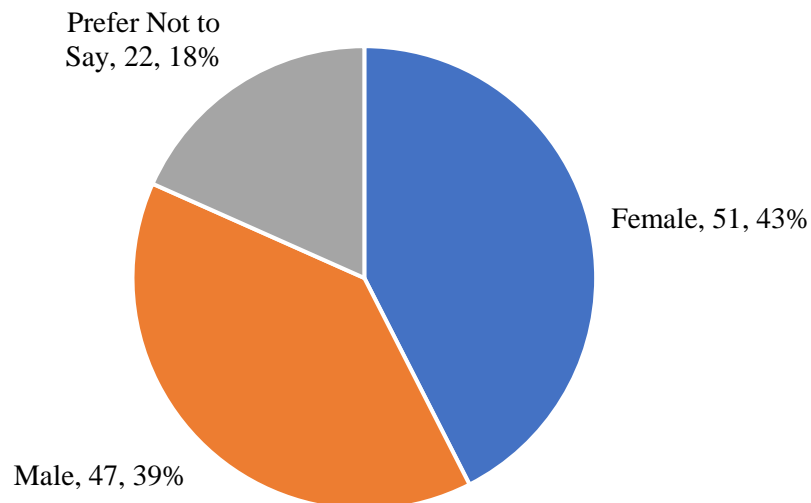
Explosive Investigations Unit. The Board received one complaint for which the law enforcement agency was unknown.

Complaints Received by Law Enforcement Agency.



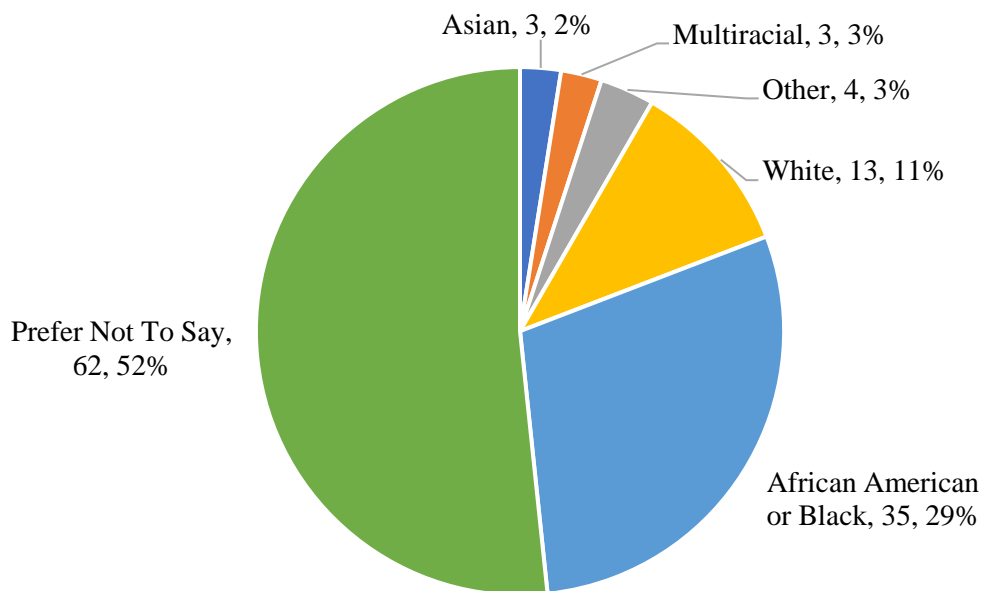
A slight plurality of complaints received by the Board in 2024 were submitted by female complainants. Nearly one in five complainants preferred not to provide their gender as part of the initial complaint process.

Complaints by Complainant Self-Identified Gender



While a majority (52 percent) of complainants elected not to indicate their race when submitting a complaint, a plurality (29 percent) of persons who submitted complaints self-identified as African American or Black. However, only 18 percent of Montgomery County residents identified as African American or Black as of 2022.¹¹ This suggests an overrepresentation of African American or Black persons in submitted complaints of police misconduct. The Board suggests that this is consistent with the findings of the Office of Legislative Oversight, which observed that African American or “Black drivers accounted for a higher percentage of traffic stops (30 [percent]) than the percentage of the adult population that is [African American or] Black.”¹²

Complaints by Complainant Self-Identified Race



VII. Administrative Charging Committee Decisions

The Committee issued 43 written opinions in the first three quarters of 2024 pursuant to its responsibilities under Section 35-25(i) of the Montgomery County Code. The Board received and reviewed the outcomes of those disciplinary matters on a quarterly basis as required by Section 35-24(g)(4) of the Montgomery County Code. The Board will receive the Committee’s written opinions for the Fourth Quarter of 2024 in January 2025.

¹¹ Montgomery County Office of Legislative Oversight, *Analysis of dataMontgomery Traffic Violations Dataset 9*, (2022), available at montgomerycountymd.gov/OLO/Resources/Files/2022_reports/OLOReport2022-12.pdf

¹² *Id.*

While each complaint ultimately forwarded to the Committee may contemplate one or more allegations of misconduct leveled at one or more officers, only one written opinion is issued at the conclusion of the Committee’s deliberations. Across its 43 written opinions this year, the Committee reviewed a total of 130 allegations made against a total of 67 officers.

Twelve of the 43 complaints (27.9 percent) reviewed by the Committee resulted in the issuance of at least one Administrative Charge. In total, the Committee issued 24 Administrative Charges (18.4 percent of allegations reviewed). Those charges were brought against 15 police officers (22.3 percent of officers against whom an allegation was made). When the Committee determines that an officer should be Administratively Charged, it must also recommend discipline pursuant to the Statewide Disciplinary Matrix.¹³ The discipline most often recommended by the Committee was a Letter of Reprimand, and it recommended Termination of one officer.

Summary of Complaints Resulting in at Least One Administrative Charge

<i>Agency</i>	<i>No. Officers in Complaint</i>	<i>No. Officers Charged</i>	<i>No. Allegations in Complaint</i>	<i>No. Charges</i>	<i>Recommended Punishment</i>
<i>MCPD</i>	1	1	1	1	Formal Written Counseling
<i>GPD</i>	6	1	18	1	Formal Written Counseling
<i>MCSO</i>	1	1	4	1	Letter of Reprimand
<i>MCPD</i>	1	1	2	1	Letter of Reprimand
<i>MCPD</i>	1	1	2	2	Letter of Reprimand
<i>MCPD</i>	1	1	3	2	Letter of Reprimand
<i>MCPD</i>	2	2	6	2	Letter of Reprimand
<i>MCPD</i>	3	3	6	3	Letter of Reprimand
<i>GPD</i>	1	1	2	2	Loss of Pay, 2 Days
<i>MCPD</i>	1	1	3	2	Loss of Pay, 2 Days
<i>MCPD</i>	1	1	3	3	Loss of Pay, 3 Days
<i>RCPD</i>	1	1	4	4	Termination

VIII. Conclusion and Recommendations

The Board has made significant progress in identifying challenges and opportunities for improvement within Montgomery County’s law enforcement agencies. Based on findings from 2024, the following recommendations aim to enhance policing practices, promote equity, and build trust with the community:

¹³ The Statewide Disciplinary Matrix can be viewed at https://mdle.net/pdf/Commission_Approved_Uniform_Disciplinary_Matrix.pdf

1. Standardize complaint forms across all local law enforcement agencies to improve data accuracy and accessibility.

By adopting standardized forms, the Board and local law enforcement agencies can enhance their ability to identify patterns in complaints, refine policies, and improve interactions with the community.

2. Ensure uniformity of officer conduct during consent searches, with a focus on translation tools and clear communication of rights. The Board recommends that local law enforcement agencies:

- Continue to utilize translation tools to ensure community members fully understand their rights during officer interactions, particularly in consent searches.
- Train officers to emphasize the voluntary nature of consent, ensuring individuals know they are free to deny or revoke consent at any time.
- Implement standardized protocols for consent searches to ensure equitable treatment across all demographics.

The Board finds based on complaint data that minorities are overrepresented in complaints submitted compared to their proportion in the County population. These measures will support more equitable interactions, fostering trust and reducing disparities in policing practices.

Looking Ahead: Continued Commitment in 2025

As the Board looks to 2025, we renew our commitment to advancing accountability, transparency, and equity in law enforcement. Through ongoing collaboration with law enforcement agencies, the Board will continue to refine its initiatives, respond to community concerns, and promote data-driven solutions that benefit all residents of Montgomery County. Together, we will build on the progress achieved in 2024 and strive for a more just and inclusive community.

Questions for Public Safety Committee Briefings on Feb. 3, 2025 at 9:30am.

To the extent your annual report answers any of these, please just note “annual report” in the answer.

Please return answers to me by January 21.

Agenda Item #1 - Update: PAB/ACC

1. Please provide a copy of your 2024 annual report.

Staffing and Workload: These questions are intended to better understand the amount of work PAB and ACC members are doing, whether they have sufficient support staff, IT resources, and other supports necessary to conduct their business in an accurate and timely manner.

2. Do you track the following? If so, please provide numbers:
 - a. the number of hours worked by the ACC members (per week/per month/etc.), both independently and at committee meetings.

Response: Members do not systematically track or report their hours. The Committee is open to surveying its members or tracking this information on a trial basis.
 - b. the time spent on PAB mandates outside of typical meetings (e.g., independent research, subcommittees, ride-alongs, training).

Response: Members do not systematically track or report their hours. The Board is open to surveying its members or tracking this information on a trial basis.
3. How many civilian members do you have available for trial boards? What challenges, if any, have you experienced trying to appoint individuals?

Response: There are four civilians available for trial boards. The PAB may appoint up to ten. The Board believes it can propel its efforts to fill the open slots this year due to the recent statutory change providing for compensation of trial board members.
4. Have all members (PAB/ACC/trial board members) received and completed the mandatory training?

Response: Yes.

5. What additional training, if any, have PAB/ACC/trial board members received?

Response: Neither body has adopted a practice of requiring additional training. However, many members have embraced “ride-alongs” with our local LEAs as a learning opportunity. Some members have taken it upon themselves to complete the Citizen’s Academy offered by the Montgomery County Department of Police.

6. Does additional training include any type of racial equity training?

Response: Neither body has adopted this practice. We could inquire about whether the Board/Committee members could the racial equity trainings already approved for Montgomery County Employees.

7. Do PAB and ACC members have government-issued equipment such as laptops? Do they use the county’s secure networks and Microsoft 365? If not, what other steps have been taken to ensure secure data and document transmission and storage?

Response: PAB and ACC members do not have government-issued equipment. They are reminded on a regular basis that all business related to these public bodies must be completed solely using the County’s secure networks and software.

8. What is the status of the development of an internal complaint tracking system as mentioned in your 2023 annual report?

Response: This project is on hold. TEBS developed a prototype drawing on the same information storage infrastructure used by the PAB Complaint Dashboard; it applied only to complaints submitted through the PAB’s online form. We observed practical issues and use-case limitations in deployment. LMC 35-25(k) requires that ACC members “must maintain confidentiality relating to a matter being considered by the Committee until final disposition of the matter.” As a consequence, a tracker could only report whether the complaint was received by the ACC or if an opinion had been issued. However, complainants receive the written opinion at the time of issuance; by the time the tracker status would change, they would already know the outcome. The MPAA appears to require that each LEA create a database that allows a complainant to follow the statute of their case, by case number, through each phase of the investigation and adjudication process.

9. Will this system provide public-facing data to inform the community? If not, do you have plans to publicly provide easily accessible data?

Response: The complaint tracker was intended for use by complainants; they receive a unique identifier (like a package tracking number) when submitting a complaint through the PAB portal. The PAB Complaint Dashboard provides aggregate information about complaints received by the PAB and decisions rendered by the ACC; it is intended to have version accessible to the public. In order to deploy a public-facing dashboard, we will need a case management system to replace our current information storage infrastructure. See *also* the response to Question 11.

10. Are you experiencing any challenges providing or receiving information from police departments?

Response: Local LEAs have been highly responsive both to information requests by the PAB and to requests for supplemental investigative information by the ACC. The ACC and local LEAs are meeting to resolve a dispute regarding the content of disciplinary records and the timing on which they are transmitted to the ACC. All stakeholders indicate an earnest desire to reach a mutually-agreeable process.

11. Are you experiencing any other challenges that slow or otherwise impair your work? Or have you identified other areas where you could gain efficiencies?

Response: We have identified multiple challenges and opportunities to increase efficiencies, including

- The information storage infrastructure used for receiving complaints and managing cases is inadequate to the needs of the program. In its current form, it requires substantial, manual correction of information by staff at multiple times during the life cycle of a complaint. A case management system or similar relational database is required in order to accurately and systematically perform useful analysis of complaint data and disciplinary outcomes.
- The ACC is refining its process for preparing written opinions to allow for swifter and more accurate drafting. Using feedback from stakeholders, it is also adjusting the format of its opinions to make outcomes clearer both to civilian complainants and to the trial board process.

12. The PAB has an executive director and administrative aide. Do these staff provide any support to the ACC as well?

Response: The Administrative Director and Senior Executive Administrative Aide are assigned to both programs.

13. What staff, IT, and other resource needs have you identified to support PAB and ACC work?

Response: The staff has identified a need for a case management system (See also the response to Question 11). The staff's assessment of whether additional personnel are necessary is pending review by the Office of Management and Budget and the County Executive.

PAB Chair and ACC Chair Response: The Board and the Committee believe that the staff requires additional personnel to support the data analysis and drafting responsibilities of the program.

PAB/ACC Mandates:

14. One of the PAB responsibilities is to review the outcomes of disciplinary matters considered by the ACC on a quarterly basis. Please explain how this process is done.

Response: At the beginning of each quarter, the outcomes of disciplinary matters considered by the ACC during the preceding quarter are provided electronically to the PAB through the County's secure network. For each matter, the PAB receives the original complaint and the ACC's written opinion.

a. Is this done in public or a closed session? By a subcommittee? Other?

Response: The PAB has an ad hoc group of four members which is assigned to perform the initial assessment of ACC outcomes. If the Board as a whole needed to discuss the specifics of individual outcomes, it would intend to do so in a closed session.

b. If there are any trends noted, or single cases of significant concern, has the PAB informed or discussed these concerns with the police department(s) in an effort to aid the departments in improving policies and procedures?

Response: The Board does not discuss individual cases with LEAs due to confidentiality requirements. The Board is open to reviewing trends with LEA chiefs in correspondence or during quarterly meetings with LEA leadership.

- c. Are quarterly results formally shared with police departments or others? If so, how often and in what format?

Response: The quarterly documentation described in the Response to Question 14 is not re-provided to departmental representatives. LEAs receive a copy of each written opinion relating to one of their officers; that copy is provided at the same time the written opinion sent to the complainant and the officer(s) against whom the complaint was made.

- d. Will the outcome analyses/recommendations be provided in the annual reports?

Response: The Annual Report includes a discussion of ACC outcomes.

15. State COMAR regulations require a local ACC jurisdiction to [*Develop written procedures for processing police officer misconduct complaints involving members of the public.*](#) (Has this been done?)

Response: The ACC, with assistance of special counsel, prepared and adopted written procedures as of January 24, 2024.

16. Are the PAB and ACC subject to [County rules](#) on Boards, Commissions, and Committees, including attendance, Open Meetings Act training, Ethics, Parliamentary Procedure, etc.? If so, are the PAB/ACC in compliance?

Response: The ACC and PAB are subject to all rules generally applicable to County Boards, Committees, and Commissions. Members have completed the requisite trainings. We are in the process of becoming compliant with the attendance rules.

These questions attempt to better understand the types of complaints the ACC has received. (I assume much of this will be in your annual report). I do not perform your work, so I may use incorrect terminology. Please ask me to clarify or just correct my terminology if I'm wrong. I have attached last year's spreadsheet, which I had asked the PAB to complete for the FY25 operating budget discussion. It may help clarify what I'm asking for.

17. How many total complaints has the ACC received to review? (please separate by calendar year (22, 23, 24) If not in your annual report, please provide a breakdown and number of types of complaints (i.e. discourtesy, excessive use of force, racial profiling, etc.).

Response: Our current information storage infrastructure is not able to accurately model and report information about the types of allegations contained in complaints.

18. The [State ACC report](#) (page 5) describes complaints by the number of officers and total number of allegations, since one officer may receive more than one complaint. If you break down data that way, could you provide it in the same format here?

Response: The Annual Report for 2024 includes a breakdown of this form.

a. How many complaints has the ACC reviewed and completed? Of those:

Response: The ACC has reviewed and issued opinions in response to 77 complaints. The review of those complaints involved a total of 205 allegations and 118 police officers.

i. How many complaints were administratively charged? Of those, what were the disciplinary outcomes? *i.e. x# resulted in loss of pay, x# resulted in termination, etc.*

Response: The ACC issued at least one administrative charge in response to 20 complaints. From those 20 complaints, the ACC issued 47 administrative charges. A total of 24 police officers were charged.

Recommended Disciplinary Action	Number of Times Recommended
Formal Written Counseling	4
Letter of Reprimand	11
Loss of Pay, 2 days	1
Loss of Pay, 3 days	1
Loss of Pay, 10 days	1
Loss of Pay, 15 days	2
Demotion	1
Termination	3

ii. How many were unfounded?

Response: The ACC found at least one allegation Unfounded in 29 complaints. From those 29 complaints, the ACC found 63 charges Unfounded. Of those 29 complaints, 7 still resulted in at least one administrative charge.

iii. How many were exonerated?

Response: The ACC found that at least one police officer exonerated with respect to at least one allegation in 36 complaints. From those 36 complaints, 95 allegations resulted in a finding of exoneration.

iv. How many administratively charged complaints were appealed to a trial board?

Response: The PAB is notified that an appeal to a trial board has occurred for the purpose of appointing a trial board member. There is no compulsory notice to the ACC that an administratively charged complaint was appealed.

v. If any complaints have been heard by a trial board, did the trial boards sustain or overturn the ACC decisions?

Response: There is not currently a mechanism to require that this information be shared with the PAB or ACC.

vi. Have investigations into any of the administratively charged complaints noted supervisory issues?

Response: The Committee has not addressed any supervisory issues in the text of a written opinion.

19. What is the average # of days for the ACC to review complaints once received:

i. For those cases where you do not ask for additional information?

Response: Approximately 17 days, on average.

ii. For those cases where do you request additional information?

Response: Approximately 79 days, on average.

20. One of the potential advantages of the uniform disciplinary matrix is the ability to help impose similar discipline for similar infractions, which may aid with racial equity objectives. For example, there are [multiple studies](#) that find Black officers are disciplined more frequently and more harshly for similar misconduct committed by white officers.

i. Does the ACC or PAB track complaint and discipline data by officer race, gender, and ethnicity?

Response: We do not currently track this. The Annual Report notes that the Board has sought this information.

ii. Does the PAB see any trends in officer discipline that might indicate disparate treatment by race/ethnicity/gender?

Response: Please see prior response.

Agenda Item #2 – PAB Complaint Data Tracking

During budget preparation last spring, it became apparent that the PAB had different complaint data than at least three agencies – Gaithersburg Police, the Sheriff, and Montgomery County Police Department. The Council asked the PAB to address and clarify these data disparities and report back on them in the fall.

21. Please describe your complaint tracking process and what IT systems or software you use.

Response: The information storage infrastructure used for this purpose and the PAB Dashboard consists of a SharePoint list. Structurally, a SharePoint list resembles a Microsoft Excel table. Information from complaints filed through the Board’s online complaint form are initially imported to the information storage infrastructure through an automated process. Information regarding complaints initially filed with LEAs is transmitted on a monthly basis in the form of an Excel spreadsheet manually populated with information by LEA personnel. Staff copy those spreadsheets to a designated “dropoff” folder, after which a pair of automated process will consolidate the contents of the spreadsheets and import them to our information storage infrastructure. Due to limitations in the information storage infrastructure, substantial human intervention by staff is required at multiple times in the life cycle of a complaint to supplement the automated processes.

22. How do you classify complaints when initially received? (for example, early in the process, you received complaints against Joe Biden. How is that type of spurious complaint categorized for data tracking purposes?)

Response: The Board forwards the complaints made through its online complaint form to the appropriate LEA(s) within three days. The Board does not make qualitative assessments of the complaints at the time of filing. In the example provided, that complaint would be deemed ineligible during the investigative process.

23. Is there any periodic reconciliation process to ensure your complaint data matches law enforcement agency (LEA) data? If so, please describe.

Response: Each month, LEAs send a spreadsheet containing a list of complaints involving a member of the public received during the preceding month. The information in those spreadsheets is imported in the information storage infrastructure described in Question 21. The PAB does not receive a list of all complaints filed with LEAs.

24. Is there a need for additional staff or IT to facilitate complaint tracking/reconciliation?

Response: The staff has identified a need for a case management system to replace our current information storage infrastructure. See *also* the Response to Question 11). The staff's assessment of whether additional personnel are necessary is pending review by the Office of Management and Budget and the County Executive.

PAB Chair and ACC Chair Response: The Board and the Committee believe that the staff requires additional personnel to support the data analysis and drafting responsibilities of the program.

25. Please provide an updated excel chart (attached) with the complaint data elements. Please note the end date for 2024 data.

Response: See updated spreadsheet.

a. How many complaints are initially received by PAB rather than by an LEA? Attempting to determine if most community members are still filing with LEAs.

Response: The PAB has received a total of 55 complaints through its online portal.

- b. How many complaints are initially received or generated by LEAs and then given to ACC?

Response: All complaints other than the 55 received through the PAB portal were initially filed with LEAs.

- c. I assume this is the overwhelming majority, but want to understand at what point spurious complaints are weeded out, and how. Or when ineligible complaints, such as those against a Police Chief, are declined.

Response: Ineligible complaints are screened out during the LEA investigation.

- d. This may be duplicative of Column H [of the original spreadsheet], but I want to again capture when some complaints may be deemed invalid or declined before ACC review.

Response: Please see Response to Question 25.c.

- e. How often does the ACC require additional information from an LEA, triggering the "year and a day" review timeframe?

Response: The ACC evaluates each case individually, and asks for additional information in any instance where it would assist the Committee Members in evaluating whether the complaint supports one or more allegations of misconduct. The ACC has requested additional information in relation to approximately 23 complaints.

- f. How many days, on average, does the ACC take to review complaints and issue an opinion?

Response: Please see Response to Question 19.

26. What challenges have you encountered tracking complaints/data? Are there additional resources that could be helpful?

Response: Please see Responses to Questions 11, 13, and 24.