



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

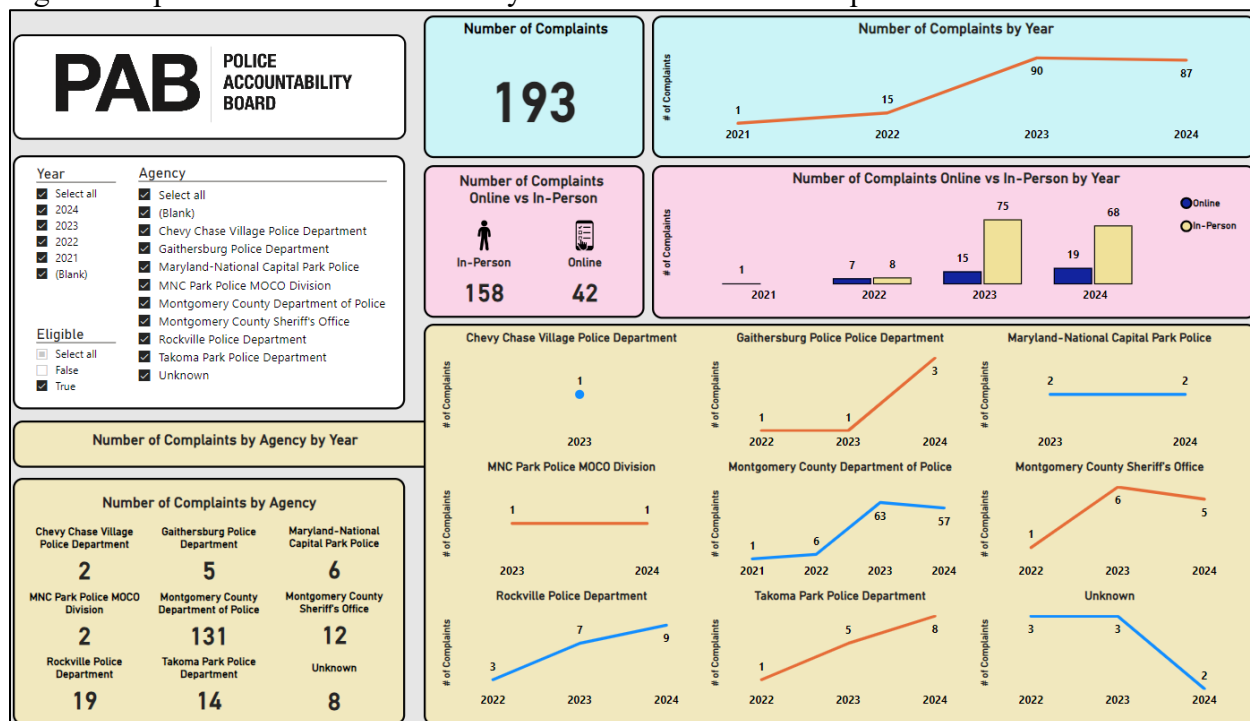


Figure 1 depicts the Complaint tab of the Dashboard using sample data for illustrative purposes only. It shows a series of charts that display the total complaints received by the Board. Each row displays the information in a text chart. The first row is indicated by blue boxes that show the overall 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

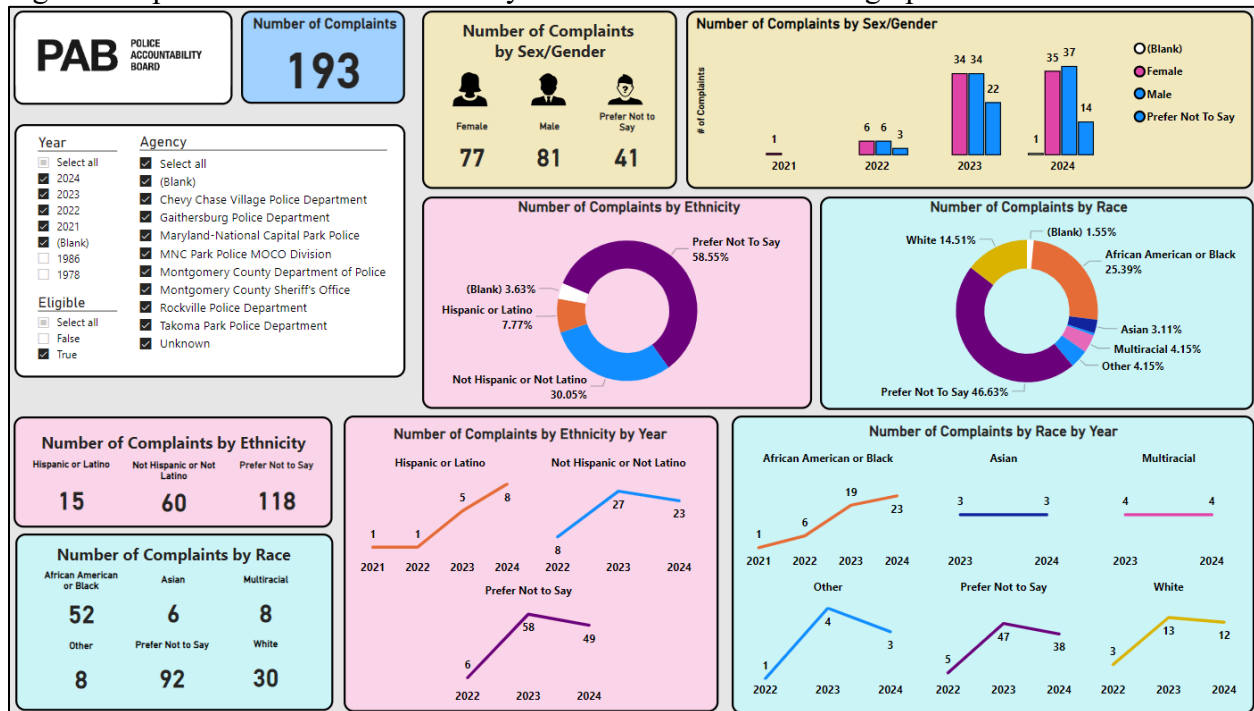


Figure 2 depicts the Demographics tab of the Dashboard using sample data for illustrative purposes only. It shows a breakdown of the total complaints received by the Board in a blue box with a chart legend in a white box. The complaints by Sex/Gender are shown in tan boxes, complaints by Ethnicity are 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

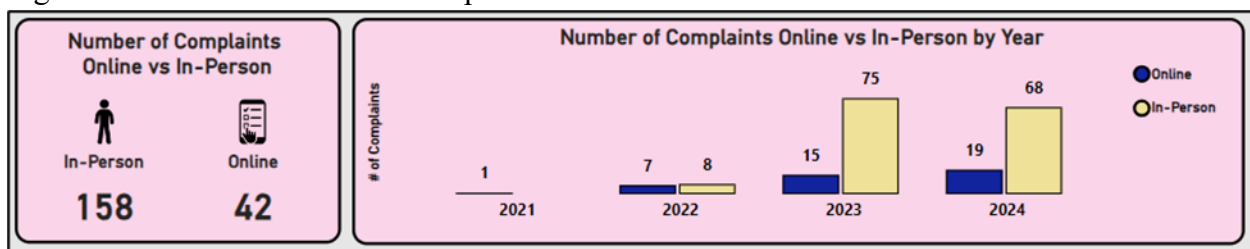


Figure 4 depicts the “Online vs. In-Person Complaint” component of the Dashboard using sample data for illustrative purposes only. The component consists of two pink boxes, side-by-side, containing charts. The box on the left side spans the first third of the horizontal space in the image and displays 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)

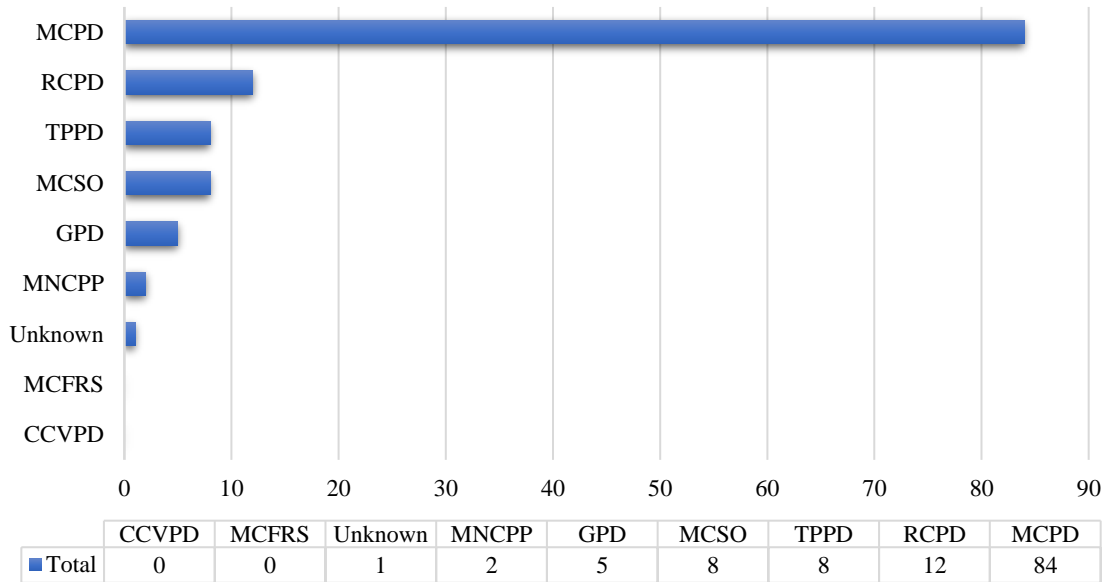
The law enforcement agency forwards the results of their investigation to the Committee to determine whether the police officer who is the subject of the complaint should be administratively charged. If the complaint relates to a police officer employed by the Maryland-National Capital Park Police, the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

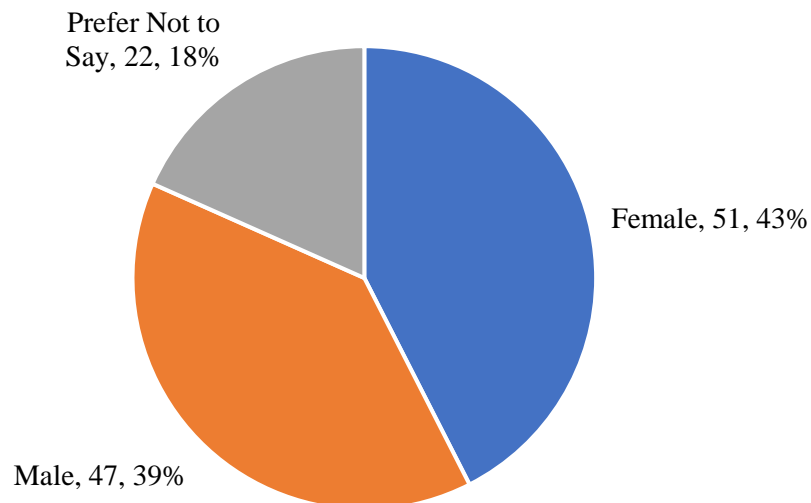
Explosive Investigations Unit. The Board received one complaint for which the law enforcement agency was unknown.

Complaints Received by Law Enforcement Agency.



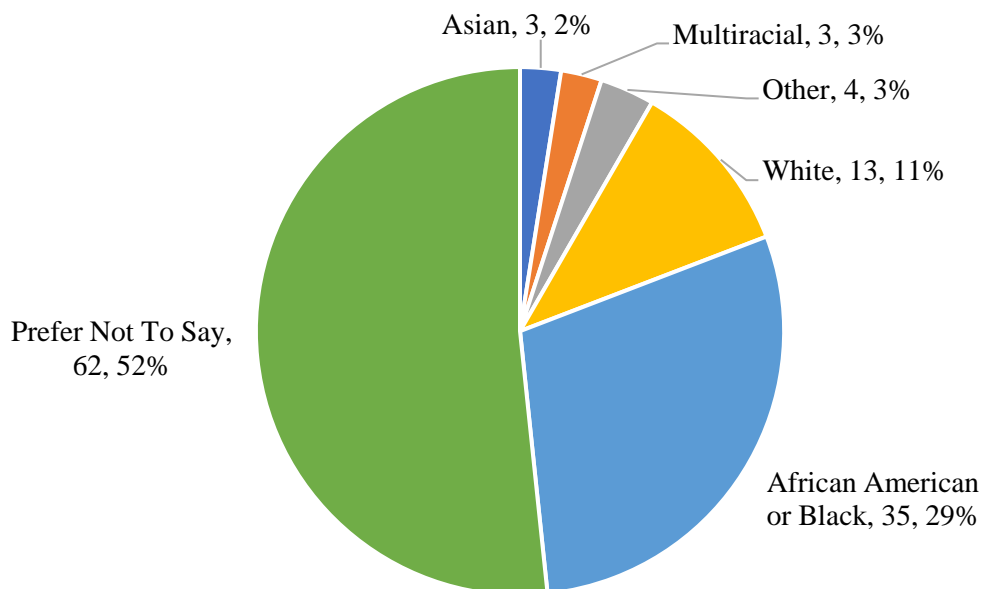
A slight plurality of complaints received by the Board in 2024 were submitted by female complainants. Nearly one in five complainants preferred not to provide their gender as part of the initial complaint process.

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

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

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.