

Baltimore City Police Accountability Board **2022 Annual Report**

December 2022



Prepared for the

MAYOR OF BALTIMORE &
BALTIMORE CITY COUNCIL

Prepared by

BALTIMORE CITY OFFICE OF
EQUITY AND CIVIL RIGHTS

Introduction

With the passage of the Maryland Police Accountability Act of 2021, each jurisdiction in the State of Maryland, including Baltimore City, was required to pass local legislation by July 1, 2022, creating new civilian entities to oversee the intake and adjudication of complaints against law enforcement officers. All complaints of misconduct involving a member of the public filed after July 1, 2022, whether internally or externally generated, must go through this new process.

On June 30, 2022, Mayor Brandon Scott signed City Council Bill (CCB) 22-0234 into law. This created the framework for the formation of the City's Police Accountability Board (PAB) as well as for the interrelated Administrative Charging Committee (ACC). The PAB will be comprised of 17 civilian members, serving to receive complaints of misconduct, review trends in data and policy, and advise City officials and heads of the law enforcement agencies on policing matters. The ACC will be comprised of five civilian members, serving to review and adjudicate the complaints of misconduct once an internal affairs investigation of the complaint is complete.

This report is produced in compliance of CCB22-0234 §11-8 requiring that the PAB “publicly publish and submit an annual report to the Mayor and City Council by each December 31 that: (1) identifies any trends in the disciplinary process of police officers in the city; (2) recommends changes to policy that would improve police accountability in the city; and (3) describes the activities of the board and the number of complaints received.”

As the PAB is still pending formation, the Baltimore City Office of Equity and Civil Rights (OECR), serving as the Board's designee, created this report in compliance with relevant state and local law. This report will provide relevant context, a status update on the formation of the PAB, and preliminary data trends regarding complaints of misconduct involving members of the public received since July 1, 2022. As the PAB has not yet convened, there are no activities of the board or policy recommendations to report.

Overview

Police Accountability Board Duties

The Baltimore City Police Accountability Board (PAB) serves as a civilian entity overseeing the conduct of law enforcement agencies across the City. The PAB is tasked with:

- Receiving complaints of police misconduct filed by the public;
- Referring complaints to the relevant internal affairs department (IAD) within three days of receipt;
- Receiving complaints of police misconduct filed directly with IAD and forwarded over to the PAB;
- Holding quarterly meetings with the heads of law enforcement agencies;
- Appointing civilian members to the Administrative Charging Committee;
- Appointing civilian members to the Trial Boards;
- Reviewing outcomes of disciplinary matters by the ACC on a quarterly basis; and
- Advising the Mayor and City Council on policing matters.

The PAB has jurisdiction over the following law enforcement agencies in the City:

1. The Baltimore City Police Department
2. The Baltimore City School Police
3. The Baltimore City Sheriff's Department
4. The Baltimore City Environmental Police
5. The Police Force of the Baltimore City Community College
6. The Police Force of the Morgan State University
7. The Police Department of Johns Hopkins University¹

PAB Membership

As the State legislation did not prescribe the makeup of the PAB, CCB 22-0234 provides the controlling language for membership in Baltimore City's PAB.

The Baltimore City PAB will be comprised of 17 members. Two members have been nominated by the Mayor and each City Council member has recommended one candidate to the Mayor for nomination to fulfill the remaining 15 spots. Each nominee is subject to the standard Baltimore City confirmation process for Boards and Commissions members. This process involves a background check and City Council confirmation hearings.

Every jurisdiction across the state created unique requirements and restrictions for their PAB membership. For Baltimore, in order to be eligible for appointment, members must be residents of the City and may not be currently employed by a law enforcement agency. No more than two

¹ The Johns Hopkins University Police Department is not currently operational, but will fall under the jurisdiction of the PAB once formed.

Board members at a time may be former law enforcement employees, although there is no requirement to have any former law enforcement staff on the PAB. Candidates and elected officials are prohibited from serving on the Board in general. There are no restrictions on membership beyond these stipulations, including no conditions around past criminal history or immigration status. As to age requirements, one of the members appointed by the Mayor must be between the ages of 18 and 25. There are no age restrictions or requirements beyond this.

Each member will serve a term of four years, and may serve no more than two consecutive terms. To date, the inaugural PAB for Baltimore City has five confirmed members, with twelve vacancies still unconfirmed by the City Council.

Office of Equity and Civil Rights (OECR)

The PAB will be supported and staffed by the Baltimore City Office of Equity and Civil Rights (OECR), the agency currently responsible for supporting the longstanding Civilian Review Board (CRB). The CRB remains unchanged by the new laws and continues to have concurrent investigatory jurisdiction on certain complaints.

As the State legislation requires the PAB to serve as an intake site for misconduct complaints, the local law enabled OECR as the designee of the PAB for this duty while the Board awaits full appointment. Accordingly, on July 1, 2022, OECR began intake and complaint management processes, forwarding complaints to the relevant IAD within three days of receipt as required by state law and receiving complaints forwarded from the law enforcement agencies as required by local law. Through OECR, the PAB has remained in full statutory compliance with all relevant laws regarding the intake and exchange of complaints of police misconduct.

PAB Formation

As noted above, as of December 31, 2022, the nomination and confirmation process for the PAB members is well underway. Five members have been confirmed through City Council, seven nominees have been introduced to Council, and five nominees are set to be introduced to City Council in early 2023. Once introduced, all nominees must attend a confirmation hearing with the Rules and Legislative Oversight Committee, before final confirmation by the Council.

The five confirmed members are:

- Mansur Abdul-Malik
- Marc Broady
- Janetta Gilmore
- Lisa Nguyen
- Avi Wolasky

The seven nominees introduced to City Council on December 8, 2022 are:

- Peter Bodde
- Megan Kenny
- Stephanie V. Lee
- Antoine Burton
- Doris Minor Terrell
- Jamal Turner
- Jesmond O. Riggins

After all nominees have completed the full confirmation process through the City Council, Mayor Brandon Scott will officially swear each individual in as a member of the PAB. Then the PAB members will hold their inaugural meeting of the Board, beginning their service to the City to uphold the crucial values of civilian oversight, police accountability, and government transparency.

Complaint Data

This data includes complaints of misconduct received by the PAB, filed directly with the PAB or forwarded from the law enforcement agency, between July 1, 2022 and December 15, 2022.

When a community member files a complaint of police misconduct, they often do not have complete access to all relevant and necessary information. Complaints are accepted by the PAB and the law enforcement agencies no matter the extent of detail provided. Any gaps in information are filled in during the course of the internal investigation into the complaint. As we are in the early stages of this new process, the vast majority of these complaints have not been fully investigated yet, and the finalized data is not available. **Accordingly, the information detailed below represents preliminary data based solely on the complaints AS FILED.** It is very important to note that Complainant demographics are not documented during complaint intake, so there is no available data on these measures at this time.

General Complaint Data

Since July 1, 2022, the PAB has received **308** complaints of misconduct involving a member of the public, across the seven law enforcement agencies under the PAB's jurisdiction.²

304 complaints involved a member of the **Baltimore City Police Department**

2 complaints involved a member of the **Baltimore City School Police**

1 complaint involved a member of the **Baltimore City Sheriff's Department**

1 complaint involved a member of the **Morgan State University Police**

0 complaints involved a member of the **Baltimore City Environmental Police**

0 complaints involved a member of the **Baltimore City Community College Police**

0 complaints involved a member of the **Johns Hopkins University Police**³

16 of the complaints were filed directly with the PAB and the remaining **292** complaints were filed directly with the law enforcement agency and forwarded to the PAB.

18 of the complaints were internally generated⁴, while **290** complaints were filed by a member of the public

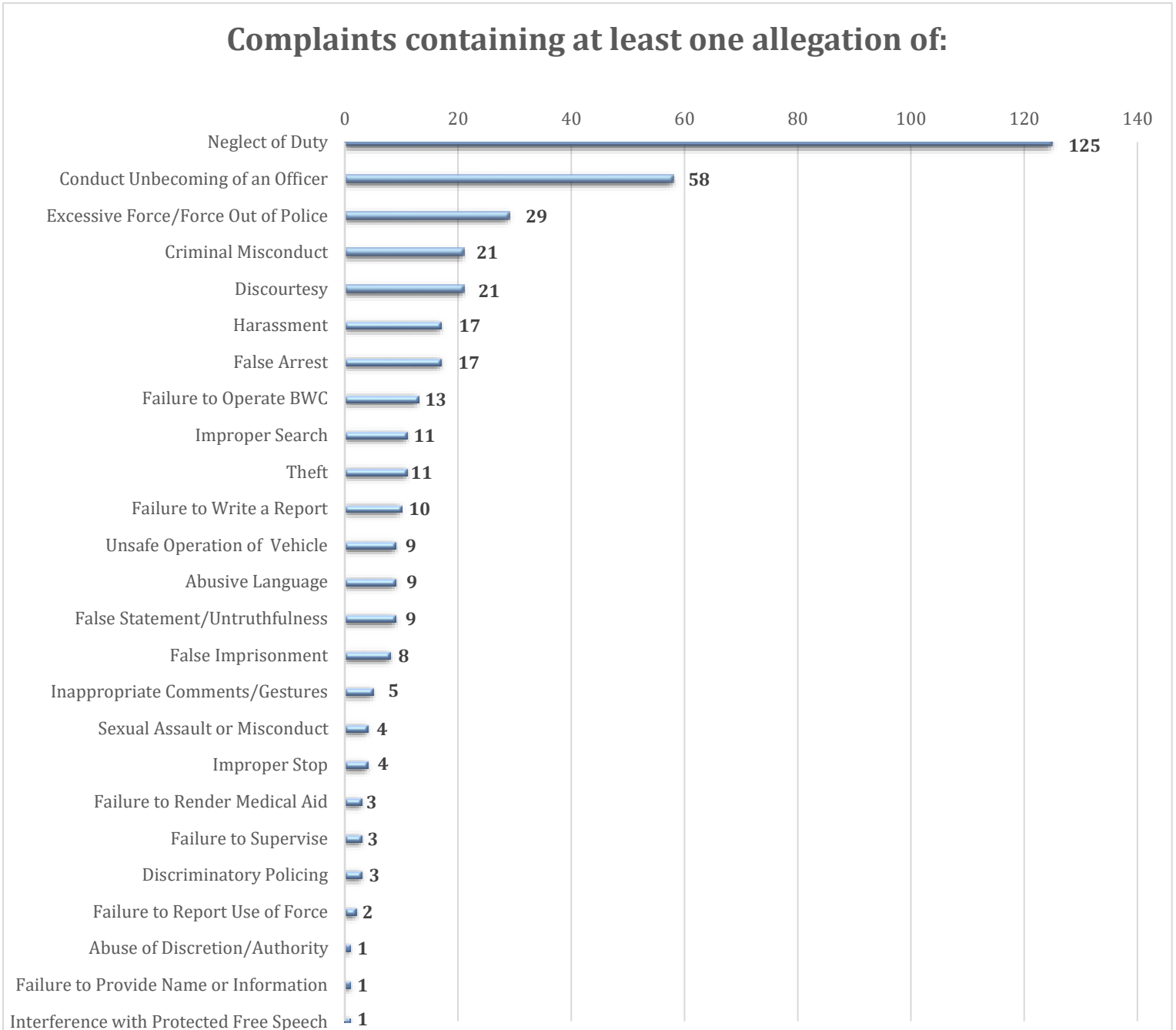
² All relevant law enforcement agencies verified in writing that they had either forwarded all eligible complaints to the PAB or received no complaints involving a member of the public since July 1, 2022.

³ The Johns Hopkins University Police is not currently operational.

⁴ An internally generated complaint is filed with IAD by a member of the law enforcement agency, not a member of the public, regarding the actions of another officer of that agency

Misconduct Allegations

A single complaint may involve multiple allegations of misconduct. For example, if a complaint alleged that during a traffic stop the officer was rude while detaining the complainant without probable cause, the complaint could contain two allegations against that officer, discourtesy and false imprisonment. The data below demonstrates the number of complaints that contain at least one of the named allegation types. The total number of allegations listed will be higher than the total number of complaints received.



Officer Information

A single complaint may involve more than one officer. For example, if a complaint alleged that two officers kicked someone while the person was handcuffed on the ground, both officers would be listed in that one complaint with allegations of excessive force. In other cases, a complaint may be filed against all officers in a police district or even the entire department. Additionally, the number of officers involved or the identities of the officers are not always available at the filing stage. Due to these factors, the number of identified officers may be higher or lower than the actual number of complaints filed.

212 identified officers had **one complaint** involving a member of the public filed against them

42 identified officers had **two complaints** involving a member of the public filed against them

4 identified officers had **three complaints** involving a member of the public filed against them

57 complaints involved at least **one unknown/unidentified officer**⁵

28 complaints involved an officer identified as a **trainee**

35 complaints involved an officer identified as a **supervising officer**

Data Trends

This preliminary data, based solely on the information collected upon intake within the first six months of the new system, represents the basic frequencies of misconduct complaints against law enforcement officers in Baltimore City. Finalized data, collected at the end of internal investigation, with updated information on factors such as allegation types and identified officers, is necessary to demonstrate trends in police misconduct with the greatest accuracy. With this, and as more complaints are filed with the passage of time, robust data analysis will be undertaken to establish trends and inform the policy advisement work of the PAB.

⁵ In some instances, one or more of the officers accused of misconduct in a complaint is unidentified or unknown at the time of filing.

Moving Forward

The start of 2023 holds major advancements for accountability and transparency of law enforcement agencies across the City. With its nominees set to be confirmed by City Council early in the new year, the PAB will hold their inaugural meeting to begin the important oversight work. Selecting their Chair and appointing their three civilian members to the ACC will serve as first priorities. These actions will establish the framework for the full adjudication of complaints of misconduct by civilian members of the community.

Opportunities abound for the PAB and its impact on civilian oversight, police/community relations, public safety, and restoring trust and transparency in the government. We look forward to facilitating this important work with an emphasis on equity, evidence-based practices, and robust community engagement.

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