



**BALTIMORE COUNTY ADMINISTRATIVE CHARGING COMMITTEE**

**MEETING MINUTES**

**MEETING #15 – MAY 3, 2024 @ 12:00 PM, HISTORIC COURTHOUSE AND VIA  
WEBEX**

**Call to Order and Roll Call:**

- Chair Joan Harris called the meeting to order at 12:01 p.m.
- Chair Joan Harris, Co-Chair Christopher Tsui, Sharon Knecht and Elizabeth Dishon-Feuer appeared in-person.
- Henry Callegary and Kelly La Valley were present from the Baltimore County Administrative Office.
- Major Matthew Gorman and Lieutenant Eric Cross were present from the Baltimore County Police Department.<sup>1</sup>

**Approval of April 12, 2024 Meeting Minutes:**

- Co-Chair Christopher Tsui moved to adopt the minutes of the April 12, 2024 Baltimore County Administrative Charging Committee meeting. Elizabeth Dishon-Feuer seconded the motion.
- The motion was approved unanimously.

**New Business:**

- Major Gorman and Lieutenant Cross of the Baltimore County Police Department's Internal Affairs Division were present to answer questions from the committee about clarification of processes and procedures.

▲ The following questions were asked by members of the ACC, and answered by Major Gorman and Lieutenant Cross:

- What happens to the cases where the ACC administratively charges a law enforcement officers, and if the ACC be notified of what happens to those cases e.g.; are they accepted or appealed, and if it goes through the Trial Board process, what happened at the Trial Board? Major Gorman answered that two trial boards are currently pending for cases the ACC has charged officers in. Major Gorman stated that after the Trial Board has met and makes their decision, a report can be forwarded to the ACC as to the outcome.
- Are the Trial Boards recorded? Not for public dissemination.
- Is there any way to access the live stream of the Trial Board? It is not live streamed outside of the Baltimore County Public Safety Building.
- For the traffic cases that the ACC hears, what is the formula that DARC (Departmental Accident Review Team) uses to decide whether they are minor or major accidents, and deemed preventable or not preventable? There is a dollar amount specified that deems whether it is major or minor, e.g., the value of the police vehicle involved, injuries, speed. DARC also considers egregious factors such as: the driving of the officer, the weather.
- Does an officer have to perform a multi-point check on the vehicle before the start of their shift, what does that include, and is it documented? Yes, it includes an equipment check off list and it is documented and goes to the commanding officer.
- If the lights and sirens don't work, do they still take that vehicle out on shift? It depends on the officer's duties for that day.
- For the car accident cases reviewed by the ACC there is usually a driver training class sheet, and it almost always states it is not mandatory, why? It is based on a number of factors, either the egregious factor of the incident and/or the number of actions that an individual has had. The commanding officers may also decide whether they think it is appropriate for the individual to receive training.
- If it is not preventable, but does involve a member of the public the ACC would not hear it? Mr. Callegary explained that because there is no opportunity to offer discipline, and because there is no complaint there, the ACC would not have jurisdiction over the matter.
- Does an officer have to provide their identifying information when requested by the public? If asked the officer will provide the information according to the situation and circumstances. There are situations where it is conducive, when the officer does not have to stop their current activity to give their information. Some standards dictate that an officer's identifiers must be given e.g.; warrants, traffic stops.
- Are officers trained to provide name and ID number when asked? Yes, officers are trained to provide name and ID number.

- When prepared to go forward with discipline on a case, the Committee is not always provided aggravating and mitigating factors. How are those obtained by Internal Affairs? Internal Affairs does not have all the pertinent information at the time that the case is forwarded to the ACC. When the ACC asks for further information, the commander will be reached out to, and asked to go through officers personnel file and provide any aggravating or mitigating factors relating to the specific allegation that the ACC is examining, which is then provided to the ACC. The officer is also asked to submit any mitigating factors that they believe will aid in their defense.
  - On occasion, there are deficiencies in the data and information provided in reports, such as missing dates, and times of 911 calls. Can that information be provided more frequently? BCPD will make every effort to make those indicators clearer.
  - When does an officer have to do a collision report, and when do they not? If a vehicle collision has injuries or the vehicles are not drivable then a report is required. There are incidences where the former factors are not applicable and will require a report e.g.; if a school bus or a government vehicle is involved.
  - Is there any information that the ACC may request on a case that BCPD cannot provide? Outside of Chief McCullough, Major Gorman and Lieutenant Cross, there is no entity or person that would receive all inclusive information. Anything that may be provided is only relevant to the specific case that is being investigated.
  - How far up in rank does the Fraternal Order of Police represent? Lieutenant and below. Captain and above can maintain membership, but not all the same benefits are provided.
  - In reference to the body-worn camera, when is it required to be turned on? Investigational, enforcement or potentially confrontational situations.
  - Are any of the complainants ever charged with perjury? No.
- Major Gorman stated that they are being very vigilant in assuring that cases are given to the ACC in a timely manner and within the given time frame for investigation by the ACC.
  - At 12:54 p.m. Co-Chair Christopher Tsui moved that the Baltimore County Administrative Charging Committee meet in closed session for the purposes of reviewing Baltimore County Police Department investigatory files and making determinations as to whether to administratively charge and recommend discipline against accused law officers per §3-3-2806 of the Baltimore County Code, and COMAR 12.04.09.05(D)(1). Elizabeth Dishon-Feuer seconded the motion.
  - The motion to move into closed session was approved unanimously.

- During the closed session, members reviewed investigatory files and made determinations as to whether to administratively charge, and recommend discipline towards, law enforcement officers, as well as producing written opinions on these matters.
- At 3:14 p.m. Elizabeth Dishon-Feuer moved that the Baltimore County Administrative Charging Committee return to open session. Christopher Tsui seconded the motion.
- The motion to return to open session was approved unanimously.
- At 3:15 p.m. the Board re-entered open session.

**Adjournment and Next Meeting:**

- At 3:17 p.m., Co-Chair Christopher Tsui moved that the Baltimore County Administrative Charging Committee adjourn until June 7, 2024 at 12:00 p.m., when it will meet in Room #118 of the Historic Courthouse and via WebEx. Elizabeth Dishon-Feuer seconded the motion.
- The motion was approved unanimously.

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<sup>i</sup> Major Gorman and Lieutenant Cross did not attend the closed portion of the meeting.