

GARRETT COUNTY

ADMINISTRATIVE CHARGING COMMITTEE

Commission Members

Don Morin, Chair
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Kevin G. Null

County Attorney
Gorman E. Getty III

December 19, 2023

Sheriff Bryson Myers
Garrett County Sheriff's Department
311 E. Alder St
Oakland, MD 21550

RE: Administrative Charging Committee Recommendations

Sheriff Myers:

The Garrett County Administrative Charging Committee (the "Committee") met on December 18, 2023, to review the following case:

ACC2023-004 Violation of Departmental Policy-Vehicle Pursuit
Across State Lines (G2023-07767 GI2023-00219)

The Administrative Charging Committee determined, by unanimous vote, that Deputy **REDACTED**, (**REDACTED**) the police officer who is subject to investigation, shall be administratively charged. The Committee determined that **REDACTED** violated Department Policy, specifically:

Policy 307-VEHICLE PURSUITS -WHEN TO TERMINIATE A PURSUIT 307.3.2 (g): *Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the deputy or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect' escape...(g) When the identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risk associated with continuing the pursuit.*

The Administrative Charging Committee reviewed, in detail, the investigative report prepared by **REDACTED** (the "Report"). **REDACTED** Report is attached to this correspondence and represents the findings of fact which are adopted by the Committee. Based on those findings the Committee has determined that:

1. Prior to the attempt to stop the suspect vehicle, **REDACTED** had observed, and recognized the driver thus the identity of the driver was known to the Garrett County Sheriff's Department.
2. That the initial reason for the traffic stop was for failure of the driver to use turn signals as required by the Motor Vehicle Code
3. That even after the suspect driver attempted to flee or elude **REDACTED**, pursuit was not authorized by the Pursuit Policy and does not meet any of the Pursuit Circumstances
4. That the Pursuit Policy of the Garrett County Sheriff's Department appears as Policy 307.3.1 and provides:

Policy 307.3.1 WHEN TO INITIATE A PURSUIT

Deputies are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle (Md. Code TR § 21-904).

1. Pursuit Circumstances

Pursuit of a suspect/violator vehicle is authorized only when the offense for which the suspect/violator is being pursued is one of the following:

- a. Felony or the deputy sheriff has reason to believe a felony has occurred or is occurring;*
- b. Hit an run accident involving personal injury or fatality;*
- c. Driving while under the influence of alcohol or narcotics;*
- d. Assault on a law enforcement officer;*

In accord with the provisions of Section 3-104 (e) (3) of the Public Safety Article of the Annotated Code of Maryland, (the “Act”) based on the findings set forth above, and having determined that **REDACTED** is to be administratively charged, the Committee recommends discipline as established by the the Statewide Police Disciplinary Matrix, which is the disciplinary matrix established by in accordance with the provisions of Section 3-105 of the Act. The Committee finds that the violation by **REDACTED** is required to be addressed as a “Violation Category -C Unauthorized vehicle pursuit-no injury”.

Pursuant to the Disciplinary Matrix, as a Level 1 violation, the Committee recommends to the Sheriff for Garrett County, Maryland that **REDACTED** should receive two (2) days loss of leave or loss of pay.

Please contact me if you have any questions.

On Behalf of the
Administrative Charging Committee



Don Morin
Chair

