



INDEPENDENT INVESTIGATIONS DIVISION

Report Concerning the Police-Involved Fatal Incident in
Montgomery County on May 20, 2023

September 12, 2023

**Report of the Independent Investigations Division of the Maryland Office of the
Attorney General Concerning the Officer-Involved Death of
Lawrence White, on May 20, 2023**

Pursuant to Md. Code, State Gov't § 6-602, the Office of the Attorney General's Independent Investigations Division (the "IID") provides this report to Howard County State's Attorney Richard H. Gibson, Jr. regarding officer-involved death of Lawrence White on May 20, 2023, in Rockville, Maryland.¹

The IID is charged with "investigat[ing] all police-involved incidents that result in the death of a civilian or injuries that are likely to result in the death of a civilian" and "[w]ithin 15 days after completing an investigation ... transmit[ing] a report containing detailed investigative findings to the State's Attorney of the county that has jurisdiction to prosecute the matter." Md. Code, State Gov't § 6-602(c)(1), (e)(1). The IID completed its investigation on September 11, 2023. This report is being provided to State's Attorney Gibson on September 12, 2023.

I. Introduction

At approximately 5:10 a.m. on May 20, 2023, Montgomery County Police Department ("MCPD") officers responded to a call reporting an unresponsive man inside an Infiniti coupe near Rockledge Blvd. in Bethesda, Maryland. Officers attempted to converse with the car's driver, later identified as Lawrence White. When Mr. White woke up, he attempted to flee from the officers, and in response, they used their patrol cars to block the Infiniti in place and put tire deflation devices under the Infiniti's rear wheels. Mr. White eventually broke free of the blockade, pushing a police cruiser with the Infiniti and driving northbound on I-270. After an approximately two-minute pursuit, Mr. White crashed in the northbound I-270 express lanes just south of Route 28 due to his speed and damage caused by the tire deflation devices. During the crash, Mr. White was ejected from the Infiniti, which struck a bystander vehicle before coming to a stop. Mr. White was pronounced dead on scene, and the occupants of the other vehicle were transported to a local hospital with minor injuries.

This report details the IID's investigative findings and includes an analysis of Maryland criminal offenses that could be relevant in a case of this nature. The IID considered the elements of each possible criminal charge, the relevant departmental policies, and Maryland case law to assess whether any charge could be supported by the facts of this incident. Because the Howard County State's Attorney's Office—not the Attorney General's Office—retains prosecution authority in this case, this report does not make any recommendations as to whether any individuals should or should not be charged.²

¹ This report is provided to the Howard County State's Attorney pursuant to an agreement between the Montgomery County State's Attorney's Office and the Howard County State's Attorney's Office whereby each office reviews officer involved civilian fatalities that occur in the other's jurisdiction.

² Effective October 1, 2023, the IID will have the sole authority, where appropriate, to prosecute police-involved incidents that result in the death of an individual or injuries that are likely to result in the death of an individual. For incidents occurring before that date, the local State's Attorney retains sole prosecution authority.

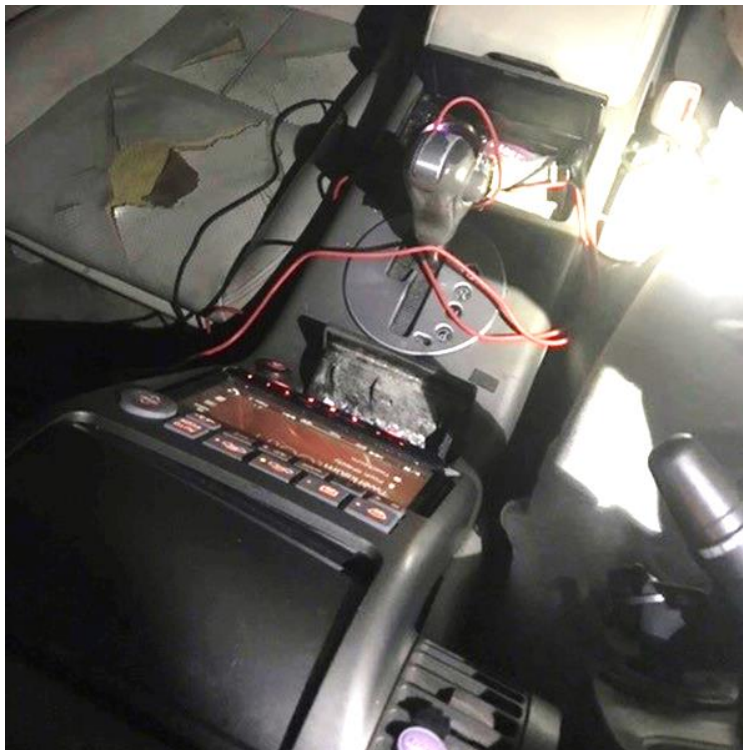
II. Factual Findings

The following findings are based on an examination of the crash scene as well as a review of body-worn camera footage; dash camera video footage; computer-aided dispatch records; police radio transmissions, recordings, and reports; interviews with civilian witnesses; and analysis from the Office of the Chief Medical Examiner and the Maryland State Police (MSP) Crash Team. All materials reviewed in this investigation are being provided to the Howard County State's Attorney's Office with this report and are listed in Appendix A.

A. Initial Events

The events described below occurred at night with clear weather, and traffic throughout the incident was low to moderate. Unless otherwise noted, all information provided in this section was obtained from a review of MCPD body-worn camera and in-car camera footage.

According to dispatch records, at 5:01 a.m. on May 20, 2023, a tractor-trailer driver called the MCPD non-emergency phone number to report that a man was “knocked out or unconscious in some way” behind the steering wheel of a car stopped at the intersection of Rockledge Blvd. near Interstate 270. The caller also stated that he blew the air-horn of his truck to try to wake the driver, but got no response. EMS personnel and police officers were dispatched after the call, and Ofcs. Linda Pallominy and Kyle Baxter, who were sharing a patrol car, were the first officers on scene at approximately 5:10 a.m.



When they arrived, the pair got out of their patrol car and approached the car, a black Infiniti coupe, then began taking photographs of the driver—later identified as Mr. White—and the Infiniti's license plate and interior. Mr. White was reclined in the front seat, with his mouth open, one hand behind his head, and the other resting in his lap. The Infiniti's keys were in the ignition, its headlights, brake lights, and center console screen were on, and its shifter was in the drive position. Ofc. Baxter and Ofc. Pallominy both remarked that the car was “still in drive,” while they took pictures. Ofc. Baxter also stated that he was trying to get photos of the shifter. An EMS technician joined the officers near the car a little less than two minutes later.

Image 1: Photograph of the Infiniti's interior taken by Ofc. Baxter through the windshield when he and Ofc. Pallominy arrived on scene. The gearshift is in drive, the center console screen is on, and the key is in the ignition.

At 05:12 a.m., as the EMS technician was about to knock on the Infiniti's driver's side window, Ofc. Pallominy called out, "Uh, I see a gun. Gun. Gun on his lap... I see a butt of a gun on his lap." Seconds later, Ofc. Quinton Bowles joined them at the car, and Ofc. Baxter directed the EMS technician to back away from the Infiniti and told dispatch "Subject's got a gun on his lap." While the EMS technician headed back toward the ambulance, Ofc. Pallominy moved backward toward her patrol car, and Ofcs. Baxter and Bowles positioned themselves on opposite sides of the Infiniti. They tried to open the driver and passenger doors to the Infiniti, but both were locked, and they verbally agreed to wait for more officers before attempting to get into the car. Ofc. Michael Nelson, who was armed with a rifle, joined them two minutes later. When Ofc. Nelson arrived, Ofc. Baxter told him "Doors are locked. Not really sure how we wanna get in. I don't wanna scare him, see the point? It's right there in his lap, hand's laying on it. Not really sure how we wanna... I have a window punch. That's probably Sarge coming up, hopefully. There's no exigency right now... No rush right now."



Image 2: Photographs of Mr. White and the Infiniti's interior taken at different angles by Ofcs. Pallominy (L) and Baxter (R) when they arrived on scene. Ofc. Pallominy's photo was taken while standing at the driver's window, and Ofc. Baxter's was taken through the front windshield, with the steering wheel visible in the bottom right quadrant of the photo. What appears to be the butt of a handgun with an inserted magazine near Mr. White's right hip is circled in green in both pictures.

At approximately 5:16 a.m., Sgt. Brett Trahan arrived and parked his patrol car in front of the Infiniti. Ofcs. Jonathan Johnson, Shawn Regulski, and Kevin Correa reached the scene shortly afterward. When Sgt. Trahan got out of his car, Ofc. Baxter told him "Careful Sarge, he's moving. He's got the gun in his hand and he's..." Sgt. Trahan asked, "And we haven't been able to wake him?" Ofc. Baxter responded, "We haven't tried. The doors are locked. We were just kinda waiting till... Cause it's literally... Don't wanna startle him." Next, Sgt. Trahan moved his car closer to the Infiniti in an apparent attempt to block its path, and Ofc. Baxter asked Ofc. Regulski to block traffic on the road behind the Infiniti with his patrol car.

About a minute later, while Ofc. Regulski was moving his car, Sgt. Trahan returned to the Infiniti and said "Alright, let's wake him up." In response, the officers around the Infiniti—

Baxter, Bowles, Johnson, Nelson, and Trahan—began knocking on its windows and talking loudly to Mr. White. They identified themselves as county police officers and repeatedly commanded Mr. White to show his hands. After about thirty seconds, Mr. White rolled the passenger window down slightly, and Sgt. Trahan moved toward the window and said “Hey man, put the gun down. Put the gun down. What?” It is unclear what Mr. White said to the officers, as the officers’ body-worn cameras did not pick up any sound coming from inside the Infiniti, but later on his body-worn camera Sgt. Trahan told other responders that he observed that Mr. White was “definitely drunk” while the window was down. After that, Mr. White rolled the window up, briefly reversed the Infiniti, then began driving forward. The officers around the Infiniti shouted “No! No!” and Ofc. Johnson opined “He’s gonna run.” In response, Sgt. Trahan told Ofc. Pallominy to drive the bumper of her patrol car against the Infiniti, while he did the same with his own patrol car. Mr. White attempted to drive forward but was unsuccessful. By 05:18 a.m., the Infiniti was pinned between two patrol cars; Sgt. Trahan’s car was wedged against the driver’s side front fender and Ofc. Pallominy’s car was wedged against the rear passenger’s fender.

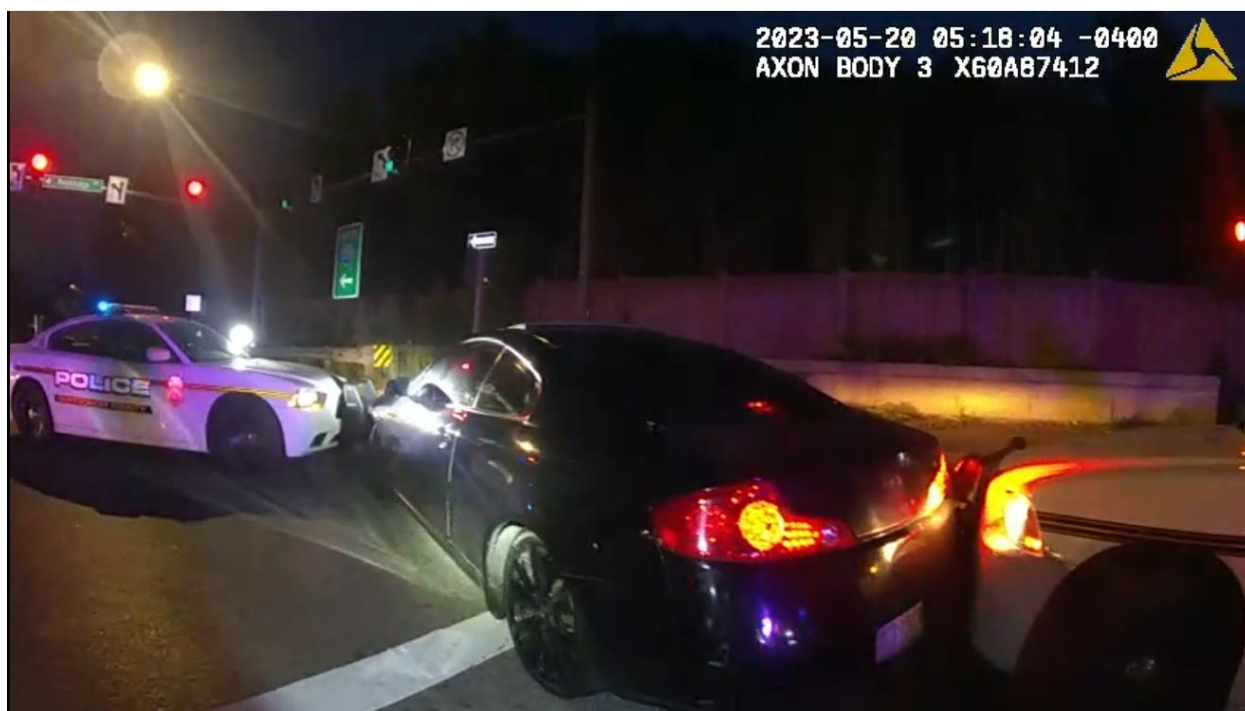


Image 3: Still footage from a body-worn camera showing the Infiniti pinned between Sgt. Trahan's car (L) and Ofc. Pallominy's car (R).

Once the Infiniti was pinned, the other officers, now joined by Ofc. Correa, commanded Mr. White to open the Infiniti’s doors and show his hands, but he did not comply. Instead, the Infiniti’s doors remained locked, its engine revved loudly, its tires spun, smoked, and squealed, and it visibly pressed against Sgt. Trahan’s patrol car. At one point, Mr. White rolled down his window and looked toward Ofcs. Bowles and Correa as they gave commands, then raised it again without speaking.



Image 4: Still photo from body-worn camera showing Mr. White rolling down the Infiniti's driver's side window and looking at officers as they command him to open the Infiniti's door.

About thirty seconds after pinning the car, Sgt. Trahan and Ofc. Baxter both retrieved tire deflation devices—Stop Sticks, which are devices that contain several spiked steel quills designed to puncture a tire and deflate it over the course of twenty to thirty seconds without causing a blowout³—from the trunks of their patrol cars and began placing them in front of the Infiniti's rear tires. Sgt. Trahan placed his Stop Sticks on the driver's side of the Infiniti and Ofc. Baxter placed his on the passenger's side. Sgt. Trahan had to reposition his Stop Sticks several times, as the Infiniti's spinning rear tire kept moving them out of position. After roughly a minute of driving the Infiniti forward against Sgt. Trahan's patrol car, Mr. White successfully broke free of the pin and drove onto I-270 northbound, running over the Stop Sticks in the process.



Image 5: Body-worn camera footage of Sgt. Trahan placing his Stop Sticks beneath the driver's side of the Infiniti (red) and Ofc. Baxter placing his stop sticks beneath the passenger's side of the Infiniti (blue). MSP crash investigators determined that the Infiniti struck the Stop Sticks as it fled.

³ MCPD policy regarding the use of Stop Sticks is discussed in Section IV below.

B. The Crash

According to body-worn and dashboard camera footage, Ofc. Johnson began pursuing the Infiniti at 05:19 a.m., approximately ten seconds after it escaped the pin. Ofc. Bowles and Sgt. Trahan followed behind him seconds later, and Sgt. Trahan radioed dispatch that Mr. White was “armed with a handgun,” had “rammed cruisers,” and was “DUI as well.” The other officers on scene—Baxter, Correa, Nelson, Pallominy, and Regulski—did not join the pursuit because they were putting away equipment; they did not catch up to the first three officers until after Mr. White crashed.

According to GPS speed monitoring software in his patrol car, Ofc. Johnson drove at speeds up to 139 m.p.h. to catch up with Mr. White. Even at those speeds, Ofc. Johnson’s dashboard camera shows that he maintained control of his vehicle; throughout the pursuit, he used his emergency lights and sirens, largely maintained his lane, and adjusted his speed and path of travel to account for other vehicles on the road. When Ofc. Johnson caught up to Mr. White, he continued to drive his patrol car between 117 and 122 m.p.h. while remaining several car lengths from the Infiniti. Ofc. Bowles and Sgt. Trahan drove similarly to Ofc. Johnson; up until the crash, both used their lights and sirens and adjusted their speeds and path of travel to account for traffic. The pursuit lasted approximately two minutes and covered approximately 4.1 miles, from Rockledge Blvd. to I-270 Exit 6 (Montgomery Ave.), a four-lane stretch of highway north of MD-189.

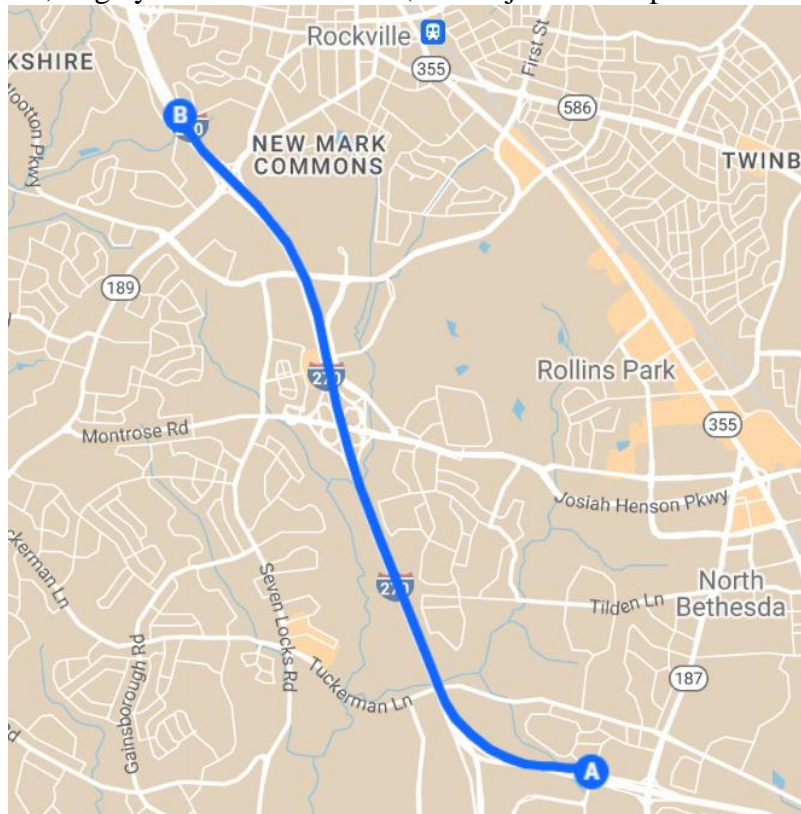


Image 6: A map of the pursuit from the initial contact point in Bethesda (A) to the crash in Rockville (B).



Image 7: Still photo from Ofc. Johnson's dashboard camera showing the patrol car's speed in the top left corner as he pursued the Infiniti (circled in green). The "L" indicates that the patrol car's emergency lights and sirens were active.

According to the MSP Crash Team report, at approximately 5:21 a.m., Mr. White swerved to the right while driving over 100 m.p.h. Nearly simultaneously, the Infiniti's rear driver's side tire began "disintegrating due to damage from the 'Stop Sticks'." As the tire came apart, the Infiniti rotated clockwise toward a crash attenuator⁴ on the right shoulder of the interstate, which it struck seconds later. Momentum from the impact sent the Infiniti back in the opposite direction towards the traffic lanes as its clockwise spin continued. During the spin, Mr. White was ejected from the Infiniti and landed on the pavement between the two rightmost lanes. Investigators did not conclude where in the Infiniti Mr. White had been ejected from (i.e., a window), but did find that he was not wearing a seatbelt at the time of the crash. The driverless Infiniti then struck the passenger's side of a bystander Nissan Pathfinder and came to a stop in between the two middle lanes.

⁴ A crash attenuator is a road safety device, similar to a guard rail, that is used to absorb some of the energy of a vehicle that strikes it, thereby reducing the likelihood of serious injury or death for crash victims.



Image 8: Photographs of the crash attenuator (L) and the Infiniti (R) after the crash. According to body-worn camera footage, the Infiniti’s driver’s side window was intact after the initial crash. Officers broke that window to open the Infiniti and search for the handgun while Mr. White was receiving medical aid.

When the crash occurred, Ofc. Bowles—who had taken over communications from Ofc. Johnson—relayed it to dispatchers via the radio, saying “Bailout, bailout... Crash, crash, crash.” Ofc. Johnson swerved and avoided striking any vehicle or person and then stopped his patrol car several feet past the crashed Infiniti. Ofc. Bowles struck Mr. White’s body and the Infiniti with his patrol car before he was able to stop. MSP Crash Team investigators concluded that Ofc. Bowles “likely did not have time to react to the crash events due to the pursuit speeds.” Sgt. Trahan did not strike any of the vehicles before he stopped his patrol car several feet past the Infiniti in the far-left lane.

About ten seconds after the crash, Ofc. Bowles was the first to get out of his patrol car and ran toward the Infiniti yelling for Mr. White to show his hands. When Ofc. Bowles arrived at the Infiniti’s driver’s side door, he paused, then turned and looked around using his flashlight. Ofc. Bowles then ran toward Mr. White’s body while yelling “Oh, he ejected! Eject! Eject!” to Ofc. Johnson, who had also exited his patrol car and was moving toward Mr. White’s body while putting on gloves. Seconds later, Ofc. Bowles radioed dispatch to inform them that officers would need to partially block the highway. He then reached down and touched Mr. White and asked, “Hey bud, you alright?” Around the same time, Sgt. Trahan joined both officers and asked, “Where’s the gun?” Ofc. Bowles jogged back toward the Infiniti while Sgt. Trahan and Ofc. Johnson worked together to turn over Mr. White’s body. Once they had rolled Mr. White on his back—slightly more than a minute after the crash—Ofc. Johnson began administering chest compressions on him.

Between thirty and ninety seconds after the crash, the other officers—Baxter, Pallominy, Correa, Nelson, and Regulski—arrived at the scene and began directing traffic, helping Ofc. Johnson administer medical aid, or helping Ofc. Bowles search for the gun that they had seen in the Infiniti. EMS arrived on scene at approximately 5:31 a.m. and took over the provision of medical aid; they pronounced Mr. White dead at the scene approximately four minutes later. At 5:33 a.m., officers found several pieces of a handgun and ammunition at the crash scene, across a jersey barrier in the southbound lanes of I-270.



Image 9: Photographs of the grip of the handgun (L) and ammunition (R) that police recovered near the crash scene.

C. Civilian Witness Statements

The IID interviewed the truck driver who initially contacted MCPD and the occupants of the Nissan Pathfinder. Each of the witnesses gave statements consistent with the evidence and with the factual section of this report. Their statements were incorporated where appropriate into the factual section above.

The IID also interviewed the registered owner of the Infiniti. He told investigators that he and Mr. White had been out drinking together at a Washington, D.C. club the previous evening. He recalled leaving the club intoxicated at approximately 2:00 a.m., and that he had been driven home to Maryland by Mr. White afterward. The owner stated that the last contact he had with Mr. White was after being driven home; at that point, Mr. White asked to borrow the Infiniti to visit “a female,” and he granted permission, but did not know who or where Mr. White was visiting.

D. Law Enforcement Witness Statements

All subjects of criminal investigations—including police officers—have a right under the Fifth Amendment not to make any statement. That right also applies to written statements. Thus, if a statement is directly ordered, the result of threat, or otherwise compelled (*i.e.*, not voluntary), it cannot be used against an officer in a criminal investigation and should not be considered by criminal investigators. *Garrity v. State of N.J.*, 385 U.S. 493 (1967) (holding that officers’ statements made under threat of termination were involuntary); *Department of Public Safety and Correctional Services v. Shockley*, 142 Md. App. 312, 325 (2002) (“the dispositive issue is whether [the supervisor] **demand**ed that the appellee answer the questions”) (emphasis in original).

None of the subject officers in this incident made voluntary statements to the IID, and MCPD did not compel any officers to make statements. However, some of the subject officers made voluntary statements about the incident on their body-worn cameras. Those statements were consistent with the evidence, and some of the statements—discussed below—provided context into the impressions, perceptions, and/or thought processes of the subject officers throughout the incident.

1. Ofc. Baxter

Ofc. Baxter placed Stop Sticks on the Infiniti's rear passenger tire, but did not drive during or keep pace with the pursuit. According to his body-worn camera footage, at one point, an unidentified officer asked Ofc. Baxter where he was in relation to the other officers in the pursuit, and Ofc. Baxter responded "We don't know, because I couldn't get my trunk shut. I think you were in front of us. We were probably four or five. I mean, my trunk was wide open because I had my stop sticks and her bag wouldn't shut so we were well behind."

2. Ofc. Bowles

Ofc. Bowles was second in line in the pursuit, and struck Mr. White—who had been ejected into the roadway from the Infiniti—shortly after the crash. On his body-worn camera, Ofc. Bowles recounted his memory of the crash to another officer, stating "[Ofc. Johnson] swerved left, I tried to swerve right, but at that point, I was already doing a good speed... [Mr. White] launched and went 10-7... I couldn't swerve in time, I clipped the side of his car." A few seconds later, he went into further detail, saying "We were going so fast, I clipped his car, slammed on the brakes right here, got to the car and looked, realized he wasn't in the car. I was like 'Oh shit,' so I looked right behind me and he was on the ground, and I was like...". A few moments later, while speaking to other officers, Ofc. Bowles explained "It was [Ofcs. Baxter and Pallominy]'s call, they saw the guy, and he was passed out behind the wheel, but when they saw him, [he had] a gun right in his lap. We tried to get him to stop. He tried to get him to stop because of the gun in the car and everybody backed up. And then he backed up, they tried to get him to pin in, and he stopped, then he went around and gunned it." The other officers asked, "Chasing for the DUI then?" Ofc. Bowles responded "Yes. And then the gun." This statement was consistent with his body-worn camera and the other evidence in this case.

3. Ofc. Johnson

Ofc. Johnson was first in line during the pursuit, and his statements largely revolved around searching for the missing handgun. At one point, he told fellow officers "I'm glad everybody's safe man, that could have been... that dude could have started shooting at all of us, man."

4. Sgt. Trahan

Sgt. Trahan placed Stop Sticks on the Infiniti's rear driver tire, was third in line during the pursuit, and authorized both the pursuit and the deployment of Stop Sticks. While coordinating the road closure and the search for the handgun, Sgt. Trahan explained the incident several times either in person to fellow officers or over the phone; those conversations were captured on his body-worn camera. His statements were consistent each time, describing that Mr. White had been passed out behind the Infiniti's wheel with a gun in his lap, that officers woke him up and that he rammed cruisers before he "took off." Sgt. Trahan then described that Mr. White crashed, and that he was concerned because a handgun was among the debris from the

wreck. During two of these conversations, Sgt. Trahan said that he could tell that that Mr. White was “definitely drunk” or “obviously drunk,” when he slightly rolled down the window.

E. Medical Examination

Mr. White’s autopsy was conducted on May 21, 2023, by Dr. Melissa Brassell of the Office of the Chief Medical Examiner. The examination revealed multiple injuries to Mr. White’s body, including abrasions, contusions, and lacerations to his face, torso, and extremities (i.e., hands, legs, fingers, knees); a marked deformity of the head with extensive fractures in his facial skeleton and cranial vault; extrusion of brain matter from his nostrils and ear canals; extensive lacerations of the brain with multiple hemorrhages; fractures of the C7 cervical vertebrae and T1-2 and T9-10 thoracic vertebrae; multiple rib fractures; lacerations to his right lung, right bronchus and pulmonary vessels, liver, and right kidney; hemothorax (blood in the chest cavity) and hemopericardium (blood in the pericardial sac of the heart); and fractures of his left humerus and right radius and ulna.

The autopsy concluded that the cause of death was Multiple Injuries sustained as the ejected driver of a car involved in a collision during a police pursuit and the manner of death was Accident.⁵ The autopsy findings, consistent with investigative findings, also indicated that Mr. White was run over by a police vehicle after being ejected onto the road. The autopsy did not conclude which of Mr. White’s injuries came from where—either the crash, the ejection, or being run over—nor did it conclude which particular injuries killed him.

A postmortem toxicology examination revealed the presence of alcohol in Mr. White’s body, and that his blood alcohol concentration was between 0.07 and 0.11 %.

F. Forensic Examination

The MSP Forensic Sciences Division examined trace evidence collected at the scene at the request of the IID. That examination confirmed that blood and tissue collected from underneath Ofc. Bowles’s patrol car came from Mr. White. DNA tests from the pieces of the handgun recovered near the scene were inconclusive because the testing revealed a “partial DNA profile from at least three contributors, including at least one male contributor.”

G. MSP Crash Team Report

The MSP Crash Team’s investigation concluded that three vehicles—Mr. White’s Infiniti, Ofc. Bowles’s patrol car, and a Nissan Pathfinder—were involved in the crash. Investigators reconstructed the crash into the following series of events:

⁵ Manner of death is a classification used to define whether a death is from intentional causes, unintentional causes, natural causes, or undetermined causes. The Office of the Chief Medical Examiner of Maryland uses five categories of manner of death: natural, accident, suicide, homicide, and undetermined. “Accident” applies when an injury or poisoning causes death and there is little or no evidence that the injury or poisoning occurred with intent to harm or cause death. These terms are not considered a legal determination; rather, they are largely used to assist with public health statistics. “A Guide for Manner of Death Classification,” First Edition, National Association of Medical Examiners, February 2002.

- MCPD officers placed Stop Sticks under the Infiniti's rear tires while it was blockaded and stationary at the intersection of Rockledge Blvd. and I-270.
- The Infiniti struck an MCPD patrol car and ran over the Stop Sticks as it maneuvered out of the blockade.
- The pursuit began at 05:18:56, and lasted 4.1 miles between Rockledge Blvd. and I-270 Exit 6 (Montgomery Ave.) at speeds over 100 m.p.h.
- At 05:21:08 a.m.,⁶ in the second from the left lane (of four lanes) the Infiniti approached the from behind Nissan at a high rate of speed then swerved to the right to avoid the Nissan. Ofc. Johnson was traveling at 108 m.p.h. and keeping pace with the Infiniti.
- As Mr. White swerved, the Infiniti's driver side rear tire began disintegrating due to damage from the Stop Sticks, and the car began to rotate clockwise toward a crash attenuator on the right shoulder of the road. Ofc. Bowles—second in line after Ofc. Johnson—was driving 120 m.p.h. as the crash began.
- Three seconds after the Infiniti began spinning, it struck the crash attenuator. A second later, the Infiniti rotated clockwise into the travel lanes and ejected Mr. White during its spin. He landed between the two farthest right lanes.
- Two seconds after Mr. White was ejected, the Infinity struck the passenger's side of the Nissan.
- About one second later, Ofc. Bowles—traveling at approximately 65 m.p.h.—struck and ran over Mr. White with his patrol car, then collided with the rear of the stopped Infiniti.
- The Infiniti came to an uncontrolled final rest between the middle two lanes, the Nissan came to a controlled final rest against the barrier wall on the left shoulder of the highway, and Ofc. Bowles's patrol car came to a controlled rest between the far right lane and right shoulder of the highway. Mr. White's body remained between the farthest right lanes.
- Mr. White was “subsequently pronounced deceased,” the Nissan's occupants were transported to the hospital with minor injuries, and Ofc. Bowles was uninjured.

The report concluded that Mr. White was at fault in the crash, which he primarily caused by driving too fast to maintain control of the Infiniti. Crash team investigators found that Mr. White's decision to drive at high speeds under the influence of alcohol while attempting to elude police was also found to have contributed to the crash. The report determined that Ofc. Bowles's speed also played a factor in his part in the crash, but also noted investigators' belief that he “likely did not have time to react to the crash events due to the pursuit speeds.” The report confirms that Ofc. Johnson was the first pursuing officer, followed by Ofc. Bowles, then Sgt. Trahan, with Ofcs. Baxter and Pallominy arriving fourth.

⁶ The report notes that this time is according to Ofc. Johnson's dashboard camera, which was not in sync with other dashboard cameras. Reviewing footage from Ofc. Bowles's dashboard camera shows the same events taking place at 05:21:38 a.m.

Additionally, investigators found that the seatbelts in Ofc. Bowles's patrol car and the Nissan were in use at the time of the crash, but the Infiniti's seatbelts were not. The report also states that police recovered a 9mm pistol—which was reported stolen in South Carolina in 2022— along with seven rounds of live ammunition and two sets of separate shell casings and projectiles from the crash scene. There was no electronic crash data available from the Infiniti due to the car's age, and none was generated from Ofc. Bowles's patrol car because the contact with his car was not sufficiently severe.

III. Involved Parties' Backgrounds

As part of its standard investigative practice, the IID obtained information regarding all involved parties' criminal histories, the department internal affairs records, and relevant training of the involved officer(s). To the extent it exists, any criminal history is being provided to the State's Attorney's Office with this report.

- A. Mr. Lawrence White was a 37-year-old Black man who lived in Fort Washington, Maryland.
- B. Ofc. Kyle Baxter is a White man who was 32 years old at the time of the crash. He has been employed by MCPD since August 12, 2013. Ofc. Baxter has no relevant disciplinary complaints or internal affairs records with the Department.
- C. Ofc. Quinton Bowles is a Black man who was 25 years old at the time of the crash. He has been employed by MCPD since December 5, 2022, and has nearly 3 total years of law enforcement experience. Ofc. Bowles has no relevant disciplinary complaints or internal affairs records with the Department.
- D. Ofc. Jonathan Johnson is a Black man who was 30 years old at the time of the crash. He has been employed by MCPD since July 24, 2017. Ofc. Johnson has no relevant disciplinary complaints or internal affairs records with the Department.
- E. Sgt. Brett Trahan is a White man who was 53 years old at the time of the crash. He has been employed by MCPD since June 13, 1994. Sgt. Trahan has no relevant disciplinary complaints or internal affairs records with the Department.

IV. Applicable Policies

MCPD has the following policies that are relevant to this incident. The complete policies are attached as Appendix B.

The policy governing this incident is FC No. 135 – Vehicular Pursuits. Under FC 135, a “vehicular pursuit” is defined as “[a]n active attempt by an officer in a vehicle to apprehend an occupant of a moving motor vehicle who exhibits a clear intention to avoid apprehension” by maintaining an elevated speed, increasing speed, or using evasive tactics. That does not include “a driver who is maintaining a safe and legal speed and following all rules of the road but fails to

stop at police direction.” Officers should also “be reasonably certain that the fleeing driver knows of their presence.”

The policy authorizes vehicular pursuits only when the officers are pursuing a suspect for: (1) a felony or the officer has reason to believe that a felony has occurred or is occurring; (2) driving under the influence of alcohol or narcotics; or (3) a hit and run, personal injury collision where the officer has reasonable cause to believe serious injury has occurred. With the exception of pursuits for violent felonies, officers must receive immediate approval from a sworn police supervisor to continue a pursuit.

Additionally, the policy prohibits officers from pursuing at speeds “so great as to render their vehicles uncontrollable.” Pursuing officers are required to use their emergency lights and sirens throughout a pursuit, and must maintain communication with dispatchers, providing: their unit identity; location; direction of travel; a license plate number and description of the vehicle being pursued; and any charges against the suspect. Officers are permitted to use department vehicles to create stationary roadblocks with the approval of a supervisor, and if they believe that a violent felony has been committed.

The policy also identifies two approved tire-deflating devices: Stop Sticks and the Piranha. Stop Sticks are kept in marked patrol vehicles and used to stop pursuits. Piranhas are stored in covert police vehicles and used to prevent a pursuit from occurring. Deployment of either tire deflating device requires supervisor approval.

Finally, the policy closes with a caveat: “[i]n certain circumstances which threaten life and when there is no time for an officer to comply with a departmental directive, the officer will assess to the best of the officer’s ability the safety factors involved and then take whatever action the officer believes necessary.”

V. Applicable Law and Analysis

The IID analyzed Maryland statutes that could be relevant in a vehicle pursuit of this nature. This section presents the elements of each possible criminal charge and analyzes these elements in light of the factual findings discussed above.

There are two primary charges applicable to the circumstances of this case: manslaughter by vehicle, Crim. Law § 2-209, which is analyzed in subsection A, and criminally negligent manslaughter by vehicle, Crim. Law § 2-210, which is analyzed in subsection B, below. Though several officers responded to the original traffic stop, the IID only considered officers to be “subject officers”—that is, potentially criminally culpable—for the purposes of its investigation if they could have directly contributed to Mr. White’s death, either through the deployment of tire deflation devices, involvement in the pursuit before the crash, or both. Accordingly, the analysis below only applies to the actions of Sgt. Trahan, and Ofcs. Baxter, Bowles, and

Johnson.⁷

A. Manslaughter by Vehicle⁸

Criminal Law § 2-209(b) states: “A person may not cause the death of another as a result of the person’s driving, operating, or controlling a vehicle or vessel in a grossly negligent manner.”

Accordingly, to prove manslaughter by vehicle State must establish: “(1) that the defendant drove a motor vehicle; (2) that the defendant drove in a grossly negligent manner, and (3) that this grossly negligent driving caused the death of [Mr. White].” MPJI-Cr 4:17.10 Homicide—Manslaughter by Motor Vehicle, MPJI-Cr 4:17.10 (2d ed. 2021). Grossly negligent conduct is that which “amount[s] to a wanton and reckless disregard for human life.” *Duren v. State*, 203 Md. 584, 588 (1954) (citing *State of Maryland v. Chapman, D.C.*, 101 F. Supp. 335, 341 (D. Md. 1951); *Hughes v. State*, 198 Md. 424, 432 (1951)).

Ofc. Baxter did not drive a vehicle, so he had no potential liability under this statute. As for the rest of the subject officers—Bowles, Johnson, and Trahan— a factfinder would need to determine whether their driving was grossly negligent. In Maryland, that determination rests in part on what a “reasonable officer” would do, which must also account for the fact that an officer is permitted to violate some traffic laws under certain circumstances. *See Boyer v. State*, 323 Md. 558, 589 (1991) (“the police officer’s conduct should be judged not by hindsight but should be viewed in light of how a *reasonably prudent police officer* would respond faced with the same difficult emergency situation” (emphasis added)). Thus, even though the subject officers drove over 100 m.p.h. throughout the pursuit to keep pace with the Infiniti, a factfinder could find that they were driving reasonably under the circumstances. *Cf. Boyer*, 323 Md. at 580 (holding that allegations that a state trooper driving up to 100 m.p.h. on a congested highway in violation of policy did not constitute gross negligence). Moreover, speeding alone does not constitute reckless driving in Maryland, which weighs against a finding of gross negligence. *See e.g., Duren*, 203 Md. at 584 (holding grossly negligent driving to consist of “a lessening of the control of the vehicle to the point where such lack of effective control is likely at any moment to bring harm to another”); *Khawaja v. Mayor & City Council, City of Rockville*, 89 Md. App. 314, 326 (1991) (finding an officer was not grossly negligent when she struck another car while traveling 25 miles per hour over the speed limit and passing through a red light without her siren on).

Neither the officer in *Khawaja* nor the trooper in *Boyer* were found to be grossly negligent. Unlike the officer in *Khawaja*, each of the subject officers here activated their patrol cars’ lights and sirens during the pursuit, and none of them struck an occupied car. Additionally, unlike the trooper in *Boyer*, the officers in this case were not violating department policy—which is discussed in further detail below—nor were they driving in congested traffic. Instead, the

⁷ Ofc. Pallominy is not considered a subject officer because even though she and Ofc. Baxter rode in the same car, they did not participate in the pursuit, and she did not deploy Stop Sticks.

⁸ This report does not analyze the charge of common law involuntary manslaughter with respect to the pursuit itself because that charge is preempted by the manslaughter by vehicle statute. *State v. Gibson*, 254 Md. 399, 400-01 (1969).

subject officers remained several car-lengths or more behind Mr. White and maintained control of their vehicles, adjusting their speeds and paths of travel to account for traffic. And even though Ofc. Bowles struck the Infiniti at the end of the pursuit, the available evidence indicates that it was a result of the circumstances of the crash—specifically, the Infiniti’s contact with the crash attenuator, which caused it to enter a driverless spin horizontally across the travel lanes and into Ofc. Bowles’s path in a matter of seconds—rather than any particular driving decision that he made. In sum, given that the subject officers’ conduct was less severe than that of officers who were not deemed grossly negligent, then it is unlikely that their conduct demonstrated the “wanton or reckless disregard for human life” that a finding of gross negligence requires. *See Khawaja*, 89 Md. App. at 319.

If a factfinder determined that none of the officers drove in a grossly negligent way, the State would need to show that the decision to engage in the pursuit was itself grossly negligent in order to secure a conviction. One way to determine this is to examine whether the pursuit complied with MCPD’s vehicle pursuit policy. The Court of Appeals has held that, “a violation of police guidelines *may* be the basis for a criminal prosecution.” *State v. Pagotto*, 361 Md. 528, 557 (2000) (citing *State v. Albrecht*, 336 Md. 475, 502-03 (1994)) (emphasis in original). The Court clarified that, “while a violation of police guidelines is not negligence *per se*, it is a factor to be considered in determining the reasonableness of police conduct.” *Id.* (citations omitted). Maryland courts have considered officers’ policy violations as evidence of negligence, recklessness, unreasonableness, and corrupt intent. *See, e.g., Albrecht*, 336 Md. at 503; *Pagotto*, 361 Md. at 550-53; *Koushall v. State*, 249 Md. App. 717, 729-30 (2021), *aff’d*, No. 13, Sept. Term, 2021 (Md. Feb. 3, 2022); *Kern v. State*, No. 2443, Sept. Term 2013, 2016 WL 3670027, at *5 (Md. Ct. Spec. App. Jul. 11, 2016) (unreported); *Merkel v. State*, No. 690 Sept. Term 2018, 2019 WL 2060952, at *8 (Md. Ct. Spec. App. May 9, 2019) (unreported)⁹; *Mayor and City Council of Baltimore v. Hart*, 395 Md. 394, 398 (2006) (civil litigation). However, a “hypertechnical” violation of policy, without more, is not sufficient to establish gross negligence. *State v. Pagotto*, 127 Md. App. 271, 304 (1999), *aff’d*, 361 Md. 528 (2000).

Here, the available evidence indicates that the officers’ decisions to engage in the pursuit were compliant with MCPD’s vehicle pursuit policy, FC 135, which weighs against a finding of gross negligence. *Cf. id.* FC 135 authorizes officers to initiate a pursuit of people who are “driving under the influence of alcohol or narcotics,” and there is evidence that Mr. White exhibited signs of driving under the influence of alcohol that the officers were aware of before the pursuit began. For example, the call began because a civilian bystander contacted MCPD to report an unresponsive driver behind the wheel of a car, which was relayed to officers before their arrival. When the officers arrived on scene, they found Mr. White—consistent with the bystander’s report—unconscious behind the wheel of the Infiniti while its keys were in the ignition, its headlights, taillights, and internal screens were on, and the gearshift was in drive. *See e.g., Atkinson v. State*, 331 Md. 199, 215-19 (1993) (finding that similar facts could be circumstantial evidence that an intoxicated driver was in “actual physical control” of a vehicle). Body-worn camera shows that Mr. White remained unresponsive despite the noise and lighting from multiple emergency vehicles, as well as officers’ flashlights and their voices, which was

⁹ Pursuant to General Provisions § 1-104, unreported opinions shall not be used as either precedential or persuasive authority in any Maryland court. They are included here solely for illustrative purposes.

also consistent with the bystander's report. Furthermore, officers had multiple opportunities to observe Mr. White's demeanor before the pursuit began because he rolled down the Infiniti's windows. Immediately after the pursuit began, Sgt. Trahan told dispatchers that he believed Mr. White was "DUI," and when explaining the incident to other responders on his body-worn camera after the crash, Sgt. Trahan told multiple people immediately after the accident that he could see that Mr. White was "drunk" before he drove onto I-270. Mr. White's autopsy results also support the conclusion that he was intoxicated. Thus, the available evidence indicates that the officers' decision to engage in the pursuit complied with FC 135.

Additionally, a factfinder would need to use the available evidence to determine whether the officers caused Mr. White's death, as required to satisfy the third element of a manslaughter by vehicle charge. "A causal connection between ... gross negligence and death must exist to support a conviction" *Albrecht*, 336 Md. at 499, 649 A.2d 336 (citation omitted). *See also Craig v. State*, 220 Md. 590, 597, (1959) (negligence "must be the proximate cause of death"); *Duren*, 203 Md. at 593, ("Necessarily, the criminal negligence must have produced the death if the accused is to be guilty of manslaughter."); *Blackwell v. State*, 34 Md. App. 547, 557, (1977) (there must "be some reasonable connection between the act or omission and the death that ensued") (citation omitted); *Mills*, 13 Md. App. at 200. "It is required, for criminal liability, that the conduct of the defendant be both (1) the actual cause, and (2) the 'legal' cause (often called 'proximate' cause) of the result." LaFave, *Criminal Law* § 6.4(a), at 437. For conduct to be the actual cause of some result, "it is almost always sufficient that the result would not have happened in the absence of the conduct"—or "but for" the defendant's actions. LaFave, *Criminal Law* § 6.4(b), at 439. However, the causal link between an accused person's actions and another person's death—the chain of causation—may be broken by an "unforeseen and intervening event" that more immediately causes the death. *Pagotto*, 127 Md. App. at 364. For an intervening act to be sufficient to break the chain of causation, it must outweigh the effect of an accused person's negligent act and produce an outcome that was not a foreseeable consequence of the negligent act. *Id.* at 356-61. Even if a factfinder concluded that the officers were grossly negligent either by pursuing Mr. White or by placing the Stop Sticks, Mr. White's actions—fleeing from police while intoxicated and weaving in and out of traffic at over 100 m.p.h.—likely meet the *Pagotto* standard for a sufficient intervening act.

One could argue that Ofc. Bowles caused Mr. White's death by running him over after the crash, but based on the available evidence, it is unlikely that the argument could be proved beyond a reasonable doubt, which would be necessary to sustain a conviction. *See Ruffin v. State*, 594 Md. 355, 373 (2006) (holding that in criminal trials, juries must be instructed on the reasonable doubt standard laid out in MPJI-CR 2:02, which reads "[a] reasonable doubt is a doubt founded upon reason. Proof beyond a reasonable doubt requires such proof as would convince you of the truth of a fact to the extent that you would be willing to act upon such belief without reservation in an important matter in your own business or personal affairs."). Mr. White was injured both in the crash and by being run over by Ofc. Bowles' patrol car, and the Office of the Chief Medical Examiner's autopsy report did not draw any conclusions about which injuries were fatal, which injuries were caused by specific acts, or what chronological order the injuries occurred in. Thus, there are several events that reasonably could have caused Mr. White's death—crashing into a metal barrier without wearing a seatbelt at over 100 m.p.h., being ejected from the Infiniti, landing on the highway after ejection, or being run over by Ofc. Bowles's

patrol car. Without those conclusions by the Office of the Chief Medical Examiner, the State would have difficulty proving or excluding any of those possibilities.

B. Criminally Negligent Manslaughter by Vehicle

Criminal Law § 2-210 states:

(b) A person may not cause the death of another as the result of the person’s driving, operating, or controlling a vehicle or vessel in a criminally negligent manner. (c) For purposes of this section, a person acts in a criminally negligent manner with respect to a result or a circumstance when: (1) the person should be aware, but fails to perceive, that the person’s conduct creates a substantial and unjustifiable risk that such a result will occur; and (2) the failure to perceive constitutes a gross deviation from the standard of care that would be exercised by a reasonable person. (d) It is not a violation of this section for a person to cause the death of another as the result of the person’s driving, operating, or controlling a vehicle or vessel in a negligent manner.

Criminally negligent manslaughter by vehicle differs from manslaughter by vehicle only in that it requires proof of criminal negligence rather than gross negligence. MPJI-Cr 4:17.10 Homicide—Manslaughter by Motor Vehicle, MPJI-Cr 4:17.10 (2d ed. 2021). Gross negligence requires proof that “the defendant *was conscious of the risk* to human life posed by his or her conduct.” 96 Md. Op. Atty. Gen. 128, 138, Dec. 21, 2011 (*available at* <https://www.marylandattorneygeneral.gov/Opinions%20Documents/2011/96oag128.pdf>) (emphasis in original). Criminal negligence requires proof that “the defendant *should have been aware, but failed to perceive* that his or her conduct created a ‘substantial and unjustifiable risk’ to human life and that the failure to perceive that risk was a ‘gross deviation’ from the standard of care that a reasonable person would exercise.” *Id.* (emphasis in original; quoting Crim. Law § 2-210). In *Beattie v. State*, the Appellate Court explained Maryland’s “gross deviation” standard by comparing it with a similar Kansas statute that used the “material deviation” standard, stating: “a ‘material deviation’ from the standard of care require[s] ‘something more than ordinary or simple negligence yet something less than gross and wanton negligence.’” 216 Md. App. 667, 683 (2014). The court’s analysis presents negligence as a spectrum—with simple negligence on one end, followed by criminal negligence (“a gross deviation from the standard of care”), and ending with gross negligence.

As with the manslaughter by vehicle charge discussed above in Section V(A), of the State would need to prove that the subject officers—Baxter, Bowles, Johnson, or Sgt. Trahan—created an unjustifiable risk that was a gross deviation from a reasonable standard of care. While there is little case law interpreting the criminally negligent manslaughter statute, which was enacted in 2011, those few cases have examined issues related to speed, visibility, driver aggressiveness, and driver impairment. *See, e.g., id.* at 684 (upholding a conviction where defendant “drove his 70-foot tractor trailer, in the dark, across three lanes of traffic on a highway where the speed limit was 65 miles per hour” and “[d]ue to his location near the curve of the road, he could see only a distance of a quarter mile.”); *Billups v. State*, 2019 WL 4724633, at *3 (Md. Ct. Spec. App. Sept. 26, 2019) (upholding a conviction where defendant, while high on PCP, drove on a highway on-ramp while swerving and going 16 miles per hour over the speed limit); and

Dobrzynski v. State, 223 Md. App. 771 (2015) (upholding a conviction where defendant drove while on medication and severely over-tired and drove above the speed limit knowing that her child was unbuckled in the back seat).

There are many factors in this case that could be used to conduct the fact-dependent criminal negligence analysis here. For example, a factfinder could determine that the officers undoubtedly drove at speeds well above the posted speed limit on I-270. However, they did so during clear weather at a time of day with a low to moderate volume of traffic, and while driving, they adjusted their speeds and paths of travel to account for other cars on the road. Each of the officers used their lights and sirens and largely maintained their lanes during the pursuit, none of their patrol cars spun or appeared to lose control even at high speeds, and none of the officers were involved in an accident with bystanders' vehicles. Additionally, the dashboard camera footage and radio transmissions largely indicate that officers were able to identify and see the Infiniti throughout the pursuit, which remained at least several car lengths in front of them during the incident. Finally, there is certainly no evidence that any of the officers were in any way impaired during the pursuit, as has commonly been a factor in the limited criminally negligent manslaughter by vehicle cases for which there is case law available.

C. Duty of Driver to Render Reasonable Assistance to Persons Injured in an Accident

Transportation Article § 20-104(a) states: "The driver of each vehicle involved in an accident that results in bodily injury to or death of any person or in damage to an attended vehicle or other attended property shall render reasonable assistance to any person injured in the accident and, if the person requests medical treatment or it is apparent that medical treatment is necessary, arrange for the transportation of the person to a physician, surgeon, or hospital for medical treatment."

This offense requires proof that: (1) the defendant drove a motor vehicle; (2) the motor vehicle was involved in an accident; (3) the accident resulted in bodily injury to or death of a person or in damage to an attended vehicle or other attended property; and (4) the defendant did not render reasonable assistance to a person injured in the accident.

Whether any of the officers were involved in an accident is a determination best left to the fact finder. *See Comstock v. State*, 82 Md. App. 744, 755 (1990) (holding that a defendant driver may be involved in an accident even if there is no physical contact between vehicles). Accordingly, when determining whether officers rendered reasonable assistance to Mr. White, the fact finder could consider several factors. Ofc. Bowles reported the collision at the exact moment it happened. Further, as captured on body-worn camera footage, though Ofc. Bowles did not initially realize that Mr. White had been ejected from the Infiniti, he searched for him immediately after seeing that the Infiniti was empty and pointed him out to Ofc. Johnson as soon as he could; only seconds had elapsed since the crash. Finally, though Ofc. Bowles left Mr. White to attempt to find the handgun, Ofc. Johnson and Sgt. Trahan were present and began providing first aid to Mr. White at almost the same time. Further, based on the nature of the collision and Mr. White's injuries as described in previous sections, there is a significant chance that Mr. White was already dead at the time Ofc. Bowles first approached the Infiniti on foot.

Officers continually administered chest compressions to Mr. White until paramedics arrived, and the paramedics provided similar treatment before pronouncing Mr. White dead moments later. There is no indication that additional medical aid could have prevented his death.

D. Reckless Driving and Negligent Driving

Transportation Article § 21-901.1(a) states: “A person is guilty of reckless driving if he drives a motor vehicle: (1) In wanton or willful disregard for the safety of persons or property; or (2) In a manner that indicates a wanton or willful disregard for the safety of persons or property.”

Transportation Article § 21-901(b) states: “A person is guilty of negligent driving if he drives a motor vehicle in a careless or imprudent manner that endangers any property or the life or person of any individual.”

Factors such as “[s]peed, erratic driving, disregard of the red light, [and] force of impact ... can be taken as evidence of wanton or reckless disregard of human life.” *Taylor v. State*, 83 Md. App. 399, 404 (1990) (citing *Boyd v. State*, 22 Md. App. 539 (1974); *State v. Kramer*, 318 Md. 576, 590 (1990)).

For the reasons outlined in Sections V(A) and V(B) above, the available evidence would make it difficult to prove that any of the officers drove recklessly or negligently.

E. Other Charges Considered¹⁰

There are several other charges for which full analysis was not warranted given the facts of this incident. Those charges are addressed briefly here.

The crimes of first-degree murder, intentional second-degree murder, and voluntary manslaughter each require the State to prove the defendant had “either the intent to kill or the intent to inflict such serious bodily harm that death would be the likely result.” MPJI-Cr 4:17 Homicide—First Degree Premeditated Murder and Second Degree Specific Intent Murder, MPJI-Cr 4:17 (2d ed. 2021); *Cox v. State*, 311 Md. 326, 331 (1988) (voluntary manslaughter is “an intentional homicide”). In this case, there are certainly no facts suggesting that any officer intended to kill or cause serious bodily harm to Mr. White.

The crime of second-degree depraved heart murder requires the State to prove the defendant “created a very high degree of risk to the life of [Mr. White]” and “acted with extreme disregard of the life endangering consequences” of such risk. MPJI-Cr 4:17.8 Homicide—Second Degree Depraved Heart Murder and Involuntary Manslaughter (Grossly Negligent Act and Unlawful Act), MPJI-Cr 4:17.8 (2d ed. 2021). With respect to the pursuit, this charge is preempted by the manslaughter by vehicle statute. *Blackwell v. State*, 34 Md. App. 547, 555-56 (1977).

¹⁰ This report does not analyze the potential charge of reckless endangerment because the relevant subsection of that statute “does not apply to conduct involving ... the use of a motor vehicle.” Criminal Law § 3-204(c)(1)(i).

The crime of misconduct in office requires the State prove: (1) that the defendant was a public officer; (2) that the defendant acted in their official capacity or took advantage of their public office; and (3) that the defendant corruptly did an unlawful act (malfeasance), corruptly failed to do an act required by the duties of their office (nonfeasance), or corruptly did a lawful act (misfeasance). MPJI-Cr 4:23 Misconduct in Office (Malfeasance, Misfeasance, and Nonfeasance), MPJI-Cr 4:23 (2d ed. 2021). “[T]he conduct must be a willful abuse of authority and not merely an error in judgment.” Comment to *id.* (citing Hyman Ginsberg and Isidore Ginsberg, *Criminal Law & Procedure in Maryland* 152 (1940)). While the State need not show direct evidence of intent when alleging malfeasance, the available evidence here does not indicate that any of the officers engaged in any unlawful acts. *See Pinheiro v. State*, 244 Md. App. 703, 722 n. 8 (2020). Regarding misfeasance and nonfeasance, there is no evidence that any of the officers—Baxter, Bowles, Johnson, or Sgt. Trahan—acted with a corrupt intent, defined as “depravity, perversion, or taint.” *Id.*

This report has presented factual findings and legal analysis relevant to the death of Lawrence White, which occurred on May 20, 2023, in Rockville, Maryland. The IID will supplement this report when it receives the relevant forensic testing results, but please feel free to contact the IID if you would like us to supplement this report in any other way through further investigation or analysis.

Appendices

Appendix A – Materials Reviewed

911 Calls (3 recordings)
Body-Worn Camera Video (35 recordings)
CAD Reports (9 items)
Civilian Witness Documents (1 item)
Civilian Witness Statements (4 recordings)
Communications Audio (1 recording)
Dash Cam Video (2 items)
Departmental Policies (9 items)
IA History and Training Records (30 items)
Medical Records (5 items)
MSP Reports (19 items)
OAG Reports (20 items)
OCME (1 autopsy report with cover letter, 15 photographs, 1 request)
Other Video (1 recording)
Photographs (626 photos)
Police Reports (2 items)
Subpoenas (4 items)

All materials reviewed have been shared with the Howard County State's Attorney's Office via a secure filesharing service.

Appendix B – Relevant Montgomery County Departmental Policies

See attached policies.

Appendix B
Relevant Montgomery County
Departmental Policies