



INDEPENDENT INVESTIGATIONS DIVISION

Report Concerning the Police-Involved
Death in Calvert County on
November 16, 2024

May 29, 2025

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Declination Report Concerning the Officer-Involved Death of Justin Foreman on November 16, 2024

The Independent Investigations Division of the Maryland Office of the Attorney General (the “IID”) is charged with investigating “police-involved incidents that result in the death of individuals or injuries likely to result in death.”¹ For incidents that occur after October 1, 2023, if the Attorney General determines that the investigation provides sufficient grounds for prosecution, then the IID “shall have exclusive authority to prosecute the offense.”²

I. Introduction

On November 16, 2024, at approximately 8:50 p.m. a Calvert County Sheriff’s Office (“CCSO”) deputy was sitting in a marked police cruiser near MD Route 261 and 17th Street in Chesapeake Beach, Maryland, when a gold Ford Mustang passed at a high rate of speed. The deputy activated his emergency lights and sirens and attempted a traffic stop. The driver of the Mustang did not stop and after approximately 1.6 miles, the Mustang crossed the double yellow line, left the roadway, and struck a utility pole. The subject officer, and an additional CCSO deputy provided the driver, later identified as Justin Foreman, with medical aid until emergency medical services (“EMS”) arrived. Mr. Foreman was later pronounced dead on scene.

After completing its investigation and evaluating all available evidence, the Office of the Attorney General has determined that the subject officer did not commit a crime under Maryland law. Accordingly, the Attorney General has declined to prosecute the subject officer in this case.

The IID’s investigation focused exclusively on potential criminal culpability relating to the subject officer’s conduct. By statute, the IID only has jurisdiction to investigate the actions of police officers,³ not those of any other individuals involved in the incident. Moreover, the IID’s analysis does not consider issues of civil liability or the department’s administrative review of officers’ conduct. Compelled statements by subject officers may be considered in civil or administrative proceedings, but may not be considered in criminal investigations or prosecutions due to the subject officers’ Fifth Amendment rights. If any compelled statements exist in this case, they have not been considered in the IID’s investigation.

This report is composed of a factual narrative followed by a legal analysis. Every fact in the narrative is supported by the evidence obtained in this investigation, including forensic and autopsy reports, police radio transmissions, dispatch records, police and EMS reports, police body-worn camera footage, photographs, department policy, a crash investigation report, and interviews with civilian and law enforcement witnesses. The subject officer did not make a statement in this case, which has no impact on the prosecutorial decision.

The legal analysis explains why the IID will not bring charges under the relevant Maryland statutes.

¹ Md. Code Ann., State Gov’t § 6-602 (c)(1).

² Md. Code Ann., State Gov’t § 6-604 (a)(1).

³ “Police officer” is defined in Md. Code Ann., Public Safety § 3–201(f)(1)(ii)9 to include deputy sheriffs that are members of “the office of the sheriff of a county”.

This investigation involved the decedent and one subject officer.

- A. The decedent, Justin Casey Foreman was 36 years old at the time of the incident. He was a Black male who lived in Oxon Hill, Maryland.
- B. Deputy Taylor Lee Strong has been employed by CCSO since March 2020. He is a White male and at the time of the incident, he was 29 years old.

The IID reviewed all available departmental disciplinary records and criminal histories of these involved parties and where they existed, determined none were relevant to this investigation.

II. Factual Summary

On November 16, 2024, at 8:49:41 p.m., CCSO Deputy Taylor Lee Strong was in a marked patrol vehicle conducting traffic enforcement near the intersection of Bayside Road/Maryland Route 261 (“MD 261”) and 17th Street in Chesapeake Beach, Maryland when a gold Ford Mustang, operated by Justin Foreman, passed him at a high rate of speed.⁴

At approximately 8:50 p.m., Deputy Strong activated his emergency lights and siren and began driving southbound on MD 261. Approximately forty seconds later, Deputy Strong activated his body-worn camera. Deputy Strong radioed to public safety communications (“dispatch”) that he was pursuing the gold Mustang at Chesapeake Village heading southbound on MD 261, indicating “we’re passing Summer City, he’s all over the road.”

Throughout the pursuit, Deputy Strong drove in a relatively straight line at speeds between 80 m.p.h. and 115 m.p.h. He maintained control of his patrol vehicle during the pursuit. The weather was cloudy with no precipitation, and the road was illuminated with streetlights. The posted speed limit on this section of MD 261 was between 30 and 40 m.p.h.

As Deputy Strong passed Summer City Boulevard and the Naval Research Center, he updated dispatch with his location. As Deputy Strong continued pursuing the Mustang southbound on MD 261, he radioed dispatch that the Mustang had driven into oncoming traffic.⁵

⁴ IID investigators interviewed multiple civilian witnesses during its investigation. Two witnesses stated that they observed the gold Mustang speeding before the Mustang passed Deputy Strong’s stationary position at MD 261 and 17th Street.

⁵ A third civilian witness statement corroborated Officer Strong’s radio transmissions that the Mustang was driving into oncoming traffic. The witness stated to IID investigators that she had to pull onto the shoulder of the road to avoid a collision with the Mustang.

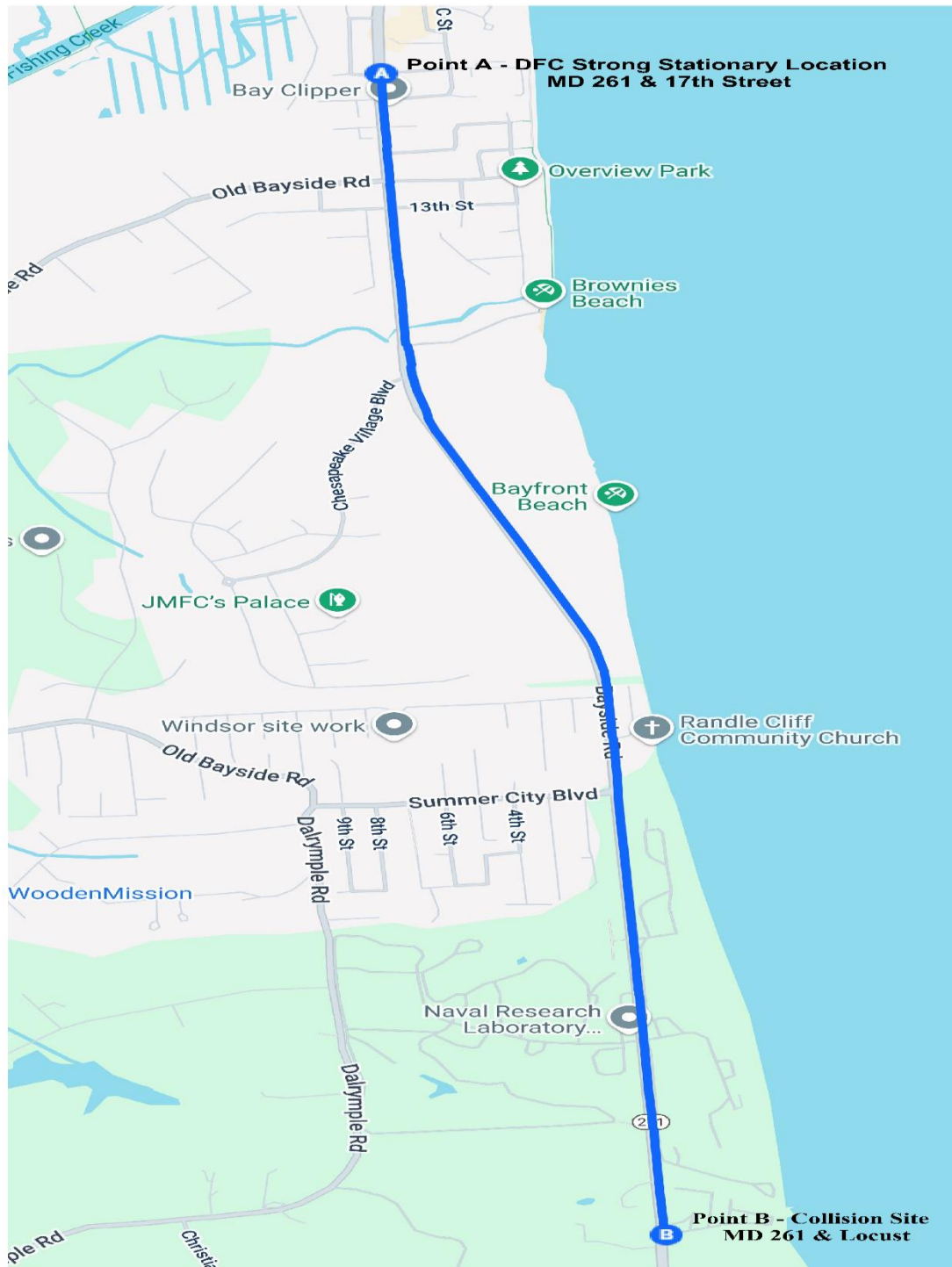


Image 1: A map detailing the route and distance traveled by Deputy Strong and Mr. Foreman. Point A marks the location where Deputy Strong was stationary at the time Mr. Foreman passed him at a high rate of speed. Point B shows the collision location.

At approximately 8:51 p.m., Mr. Foreman lost control of the Mustang while approaching the intersection of MD 261 and Locust Way. The Mustang crossed the double yellow line and left the roadway. It then collided with and broke a utility pole. The vehicle flipped multiple times before coming to a rest in a ditch adjacent to Locust Grove Road. Mr. Foreman was ejected from the Mustang.

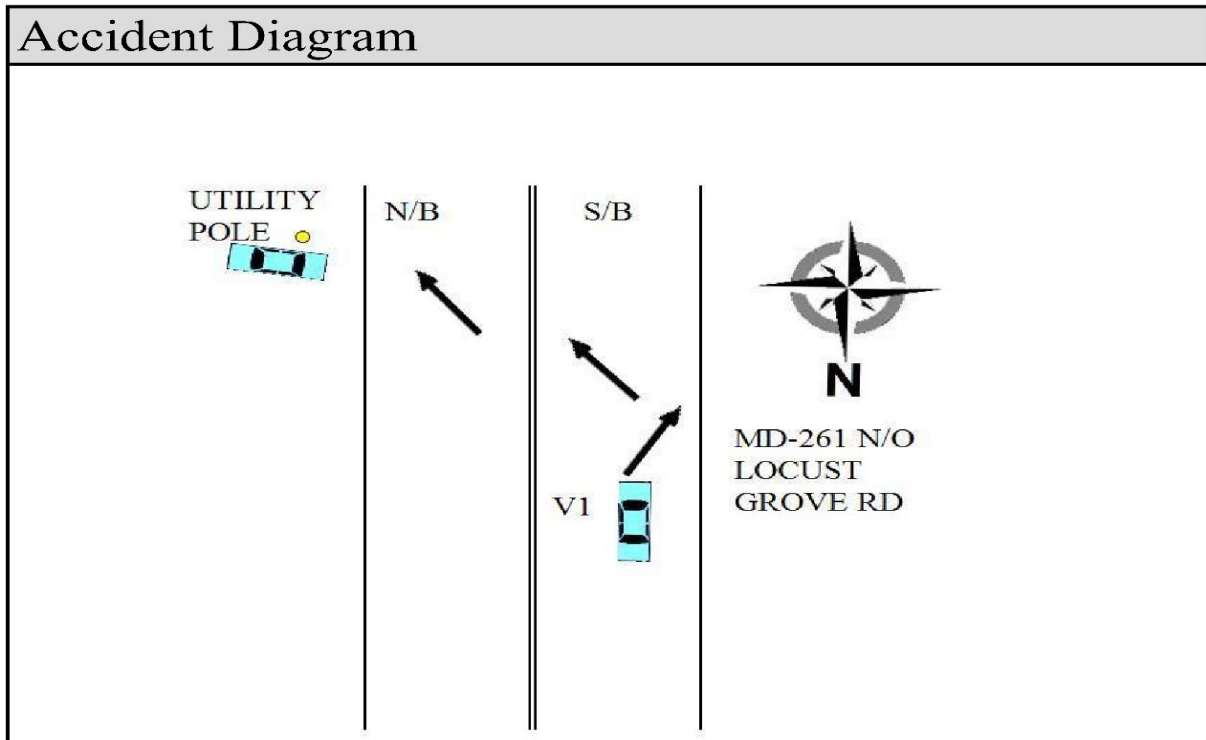


Image 2: Diagram prepared by the Maryland State Police Crash Team which details the Mustang's position while traveling southbound on MD-261, how the vehicle crossed into the northbound lanes and then struck the utility pole.

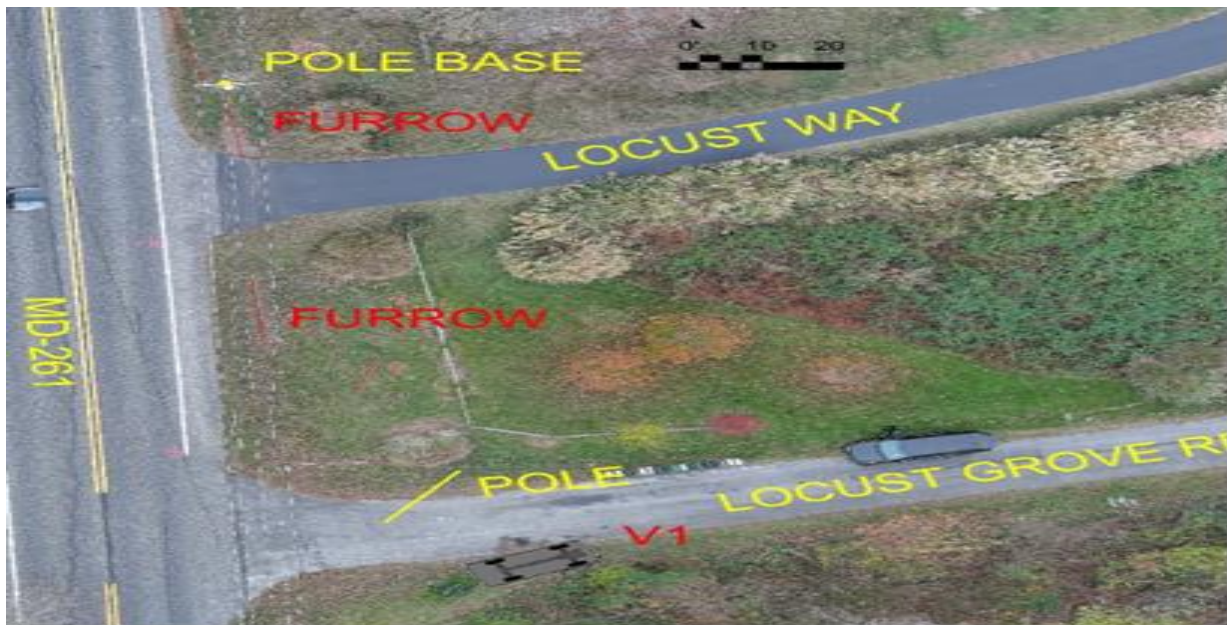


Image 3: Aerial photograph of the collision scene taken by the Maryland State Police following the incident that shows where the vehicle ultimately came to rest after striking the utility pole.

Deputy Strong immediately notified dispatch that a collision occurred. At approximately 8:52 p.m., CCSO Deputy Tanner Zinn, arrived on scene as backup. Deputy Zinn was not part of the pursuit and did not witness the collision. Deputies Strong and Zinn located Mr. Foreman and administered medical aid while waiting for emergency medics to respond. At approximately 8:59 p.m., the medics arrived and took over medical treatment. At approximately 9:04 p.m., Mr. Foreman was pronounced dead on scene.

III. Supplemental Information

A. Autopsy

The Office of the Chief Medical Examiner (the “OCME”) performed an autopsy on Mr. Foreman on November 17, 2024. The Medical Examiner determined that Mr. Foreman “died from multiple injuries sustained.” The manner of death was ruled an “accident.”⁶

The OCME toxicology testing detected Mr. Foreman’s blood alcohol content was .20 percent based on a vitreous measurement.

B. Maryland State Police Crash Investigation Report

The Maryland State Police completed a detailed Crash Investigation Report regarding this incident. According to that report, Justin Foreman, the driver of the Mustang, was driving in the southbound lane of MD-261 north of Locust Grove Road when he lost control of the vehicle, rotated counterclockwise, traveled diagonally from the southbound lane through the northbound lane into the grass area, and ultimately collided with a utility pole. According to the report, a thirteen-foot section of the pole was dislodged from the base and landed on Locust Grove Road.

The Mustang overturned multiple times and came to rest in a ditch next to Locust Grove Road. Mr. Foreman was ejected from the vehicle. Mr. Foreman’s speed immediately before the crash was estimated to be between 54 and 65 m.p.h. in a 35-m.p.h. speed zone. Additionally, it was noted that the seat belt was not in use.

C. Department Policy

Calvert County Sheriff’s Office Policy

The Calvert County Sheriff’s Office Administrative & Operational Manual provides guidance to its officers through specific policies and procedures. Specifically, the department policy provides guidelines for deputies involved in traffic stops and pursuits.

⁶ Manner of death is a classification used to define whether a death is from intentional causes, unintentional causes, natural causes, or undetermined causes. The Maryland Office of Chief Medical Examiner uses five categories of manner of death: natural, accident, suicide, homicide, and undetermined. “Accident” applies when injuries caused the death in question and there is little or no evidence that the injuries occurred with the intent to harm or cause death. These terms are not considered a legal determination, rather they are largely used to assist in the collection of public health statistics. “A Guide for Manner of Death Classification,” First Edition, National Association of Medical Examiners, February 2002.

CCSO Policy 11-301, indicates that deputies are allowed to engage in pursuits when “it is necessary to apprehend a violator of the laws of [Maryland].” A pursuit is justified when the deputy knows or has reasonable suspicion to believe that a suspect has committed or is attempting to commit a crime, or a traffic infraction where the suspect refuses to stop and the necessity of the apprehension outweighs the danger created by the pursuit. Essentially, deputies must weigh the urgency of the pursuit and tactics used against the potential for injuries or property damage possibly caused by the pursuit. Deputies must also consider the continued actions of the suspect. The CCSO policy gives deputies “wide latitude in deciding to pursue and after pursuit has begun, in choosing the methods of conducting and ending the pursuit.” Once a pursuit is initiated, the deputy must immediately advise dispatch of the reason for the pursuit and seek supervisor approval to continue the pursuit.

According to CCSO policies 11-302 and 11-303, deputies must consider factors such as the type of offense, the deputy’s ability to drive at high speeds, the characteristics of the roads, traffic density, and the danger to the public. Additionally, deputies are required to use their emergency equipment and attempt to apprehend the suspect as soon as possible to minimize the risk of injury. According to CCSO policy 11-304, the decision to abandon pursuit is within the discretion of the pursuing deputy.

IV. Legal Analysis

After a criminal investigation is complete, prosecutors must determine whether to bring criminal charges against someone. When making that determination, prosecutors have a legal and ethical duty to only charge a person with a crime when they can meet the State’s burden of proof; that is, when the available evidence can prove each element of the alleged crime beyond a reasonable doubt. Prosecutors also need to determine whether the person accused of the crime could raise an affirmative defense. In those cases, prosecutors not only need to prove the crime, but they also need to determine whether the evidence could disprove the defense beyond a reasonable doubt. Ultimately, the decision to bring any charges rests on whether the available evidence is sufficient for prosecutors to meet that standard.

The relevant offense that was considered in this case is criminally negligent manslaughter by vehicle. This offense requires proving that an accused person caused the death of another person by operating a vehicle in a criminally negligent manner.⁷

If a prosecutor cannot prove criminally negligent manslaughter by vehicle based on the available evidence, they cannot prove the more severe charge of manslaughter by vehicle,⁸ which requires a prosecutor to prove that the defendant drove with gross negligence, a level above criminal negligence. Both offenses require proof of causation—the evidence must show that the defendant’s actions were the legal cause of the death or harm at issue.

There is insufficient evidence to prove that the subject officer drove his vehicle in a criminally negligent manner. Accordingly, the IID will not pursue criminal charges against the

⁷ Md. Code Ann., Criminal Law § 2-210.

⁸ Md. Code Ann., Criminal Law § 2-209.

subject officer. This report explains below in further detail why, based on the evidence, a prosecutor could not prove beyond a reasonable doubt that any officer committed a crime.⁹

A. Criminally Negligent Manslaughter by Vehicle

Proving criminally negligent manslaughter by vehicle requires a prosecutor to establish three elements beyond a reasonable doubt: (1) that the accused drove a motor vehicle; (2) in a criminally negligent manner; and (3) in doing so caused Mr. Foreman's death.¹⁰ Criminal negligence requires proof that the accused "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."¹¹ In Maryland, negligence is measured on a spectrum – with simple negligence on one end, criminal negligence in the middle, and gross negligence on the other end.¹² Where alleged negligence involves a law enforcement officer, the "reasonable person" perspective is replaced with a "reasonably prudent police officer" perspective, which must also account for the fact that an officer is permitted to violate some traffic laws under certain circumstances.¹³

In determining whether an officer's actions constitute criminal negligence, the totality of the circumstances must be considered, including relevant factors such as department policy, use of warning devices, traffic conditions, speed, yielding to traffic signals, and erratic driving.¹⁴ When examining the weight given to the violation of departmental policy, the Supreme Court of Maryland has held that, "a violation of police guidelines *may* be the basis for a criminal prosecution."¹⁵ 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." Maryland courts have considered officers' policy violations as evidence of negligence, recklessness, unreasonableness, and corrupt intent.¹⁶ However, a "hyper technical" violation of policy, without more, is not sufficient to establish gross negligence.¹⁷ Applying these principles to the present matter, prosecutors must individually analyze the subject officer's decision to pursue the Mustang and his actions while the cruiser was in pursuit.

⁹ Because there is insufficient evidence to establish that the subject officers acted with criminal negligence, this report does not analyze whether the subject officers caused the death of Mr. Foreman.

¹⁰ MPJI-Cr 4:17.10 (3d ed. 2024)

¹¹ For a more detailed discussion of the different negligence standards, see [this opinion](#) written by the Office of the Attorney General. 96 Md. Op. Atty. Gen. 128.

¹² See *Beattie v. State*, 216 Md. App. 667, 683 (2014) (explaining "a gross deviation from the standard of care" 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.'").

¹³ *Boyer v. State*, 323 Md. 558, 589 (1991).

¹⁴ See, e.g., *Boyer*, 323 Md. at 591; *Taylor v. State*, 83 Md. App. 399, 404 (Ct. Sp. App. Md. 1990).

¹⁵ *State v. Pagotto*, 361 Md. 528, 557 (2000) (citing *State v. Albrecht*, 336 Md. 475, 502-03 (1994)) (emphasis in original).

¹⁶ 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); *Mayor and City Council of Baltimore v. Hart*, 395 Md. 394, 398 (2006) (civil litigation).

¹⁷ *State v. Pagotto*, 127 Md. App. 271, 304 (1999), *aff'd*, 361 Md. 528 (2000).

Regarding the decision to engage in the pursuit, CCSO policy authorized the subject officer to engage in a pursuit when Mr. Foreman passed the subject officer traveling at a high rate of speed, presenting a risk to public safety. The subject officer immediately activated his emergency lights and sirens and unsuccessfully attempted to stop the car. The decision to continue the pursuit was reasonable as Mr. Foreman was speeding and crossing the double yellow line into oncoming traffic. From that point forward, Mr. Foreman's operation of the Mustang presented an active threat to public safety, which continued throughout the course of the pursuit.

Regarding the subject officer's actions while in pursuit, the subject officer followed the CCSO pursuit protocols. The subject officer notified dispatch of the traffic violation and provided the reason for pursuing the Mustang. The subject officer provided updated information regarding his location throughout the pursuit and informed his supervisors of the Mustang's continued erratic driving. While the subject officer traveled at high rates of speed during the pursuit, he maintained control of his vehicle throughout the pursuit and used his emergency lights and sirens, which was consistent with CCSO policy.¹⁸

Given the totality of the circumstances, there is no evidence to indicate that the subject officer acted in a manner that created a substantial and unjustifiable risk to human life during the pursuit. Since such a risk did not exist, the subject officer could not have failed to perceive an unjustifiable risk to human life in a manner that constituted a gross deviation from the reasonable standard of care. Accordingly, the Office of the Attorney will not charge Deputy Strong with criminally negligent manslaughter by motor vehicle in this case.

V. Conclusion

This report has presented factual findings, legal analysis, and conclusions relevant to the November 16, 2024, police-involved death in Calvert County that resulted in the death of Justin Foreman. The Office of the Attorney General has declined to pursue charges in this case because, based on the evidence obtained in its investigation, the subject officer did not commit a crime.

¹⁸ Mr. Foreman was driving in a high-risk manner before encountering Deputy Strong, there is no evidence to suggest that Deputy Strong's presence altered or exacerbated that facet of this incident.