



INDEPENDENT INVESTIGATIONS DIVISION

Report Concerning the Police-Involved
Death in Montgomery County on May 30, 2024

March 18, 2025

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Declination Report Concerning the Police-Involved Death of Bishop Jones-Daniel on May 30, 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 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 May 29, 2024, at approximately 11:45 p.m., officers with the Montgomery County Police Department (“MCPD”) responded to a residence in the 3300 Block of Hampton Point Drive, Fairland, Maryland for a domestic incident. The 911 caller reported that his brother, later identified as Bishop Jones-Daniel, and mother were inside, and his brother was armed with a handgun.

Several hours of telephone negotiations were unsuccessful and, on May 30, 2024, at approximately 2:05 a.m., tactical officers entered the residence and encountered Mr. Jones-Daniel holding a handgun. The subject officer fired his service weapon multiple times, striking Mr. Jones-Daniel. Mr. Jones-Daniel was treated at the scene and then transported to a local hospital, where he was pronounced dead.

After completing its investigation and evaluating all the 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, 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 the subject officer’s conduct. Compelled statements by the subject officer may be considered in civil or administrative processes but may not be considered in criminal investigations or prosecutions due to the subject officer’s Fifth Amendment rights. If any compelled statements exist in this case, the IID has not considered them in this 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, and interviews with civilian and law enforcement witnesses. The subject officer in this case chose not to make statements to the IID, which had no impact on the prosecutorial decision.

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

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

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

This investigation involved one decedent and one subject officer:

- A. The decedent, Bishop Jones-Daniel, was 28 years old at the time of the incident. He was a Black male who lived in Clinton, Maryland.
- B. Officer Edward Cochran has been employed by MCPD since July 2010. He is a White male, and at the time of the incident was 35 years old.

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

II. Factual Summary

On May 29, 2024, at 11:39 p.m., a resident of an apartment located in the 3300 Block of Hampton Point Drive called 911 for a domestic disturbance.³ Caller reported that a man, later identified as Bishop Jones-Daniel, was inside the Fairland, Maryland residence with both Caller and Mr. Jones-Daniel's mother.⁴ Caller said that he jumped out of a window of the residence to call the police. Caller told dispatch "My brother is being schizophrenic and needs immediate help right now," and further stated that Mr. Jones-Daniel was being violent. During the call, two loud bangs were heard that Caller identified as gunshots stating, "I don't know if my mom's ok."

At approximately 11:45 p.m., MCPD Officer Karli Dorsey and other MCPD officers arrived on scene and found Caller outside the building still on the phone with a dispatcher. Other officers on scene established a perimeter around the residence.⁵

Officer Dorsey asked Caller to call Mother, who was inside the residence with Mr. Jones-Daniel. When Mother answered, Caller gave Officer Dorsey the cell phone. Mother said she was inside the residence with Mr. Jones-Daniel, who was holding a handgun, but that no one was hurt. Officer Dorsey attempted to speak directly to Mr. Jones-Daniel over the speaker phone, but Mr. Jones-Daniel's responses were unintelligible. Officer Dorsey asked Mother several times if she was able to exit the residence safely. In response, Mother stated that Mr. Jones-Daniel was blocking her exit.⁶

³ For privacy purposes, the 911 caller will be referred to as "Caller" in this report.

⁴ For privacy purposes, the mother of Caller and Mr. Jones-Daniel will be referred to as "Mother" in this report.

⁵ The Residence was a ground floor apartment of a garden style apartment building. The front door was located on the side of the building and there were two sliding glass doors on the side of the building facing the parking lot.

⁶ During an interview with IID investigators, Mother stated that she was able to exit the residence. However, did not want to leave Mr. Jones-Daniel inside the residence by himself.

At approximately 11:54 p.m., as Officer Dorsey spoke with Mother, a full MCPD emergency response was dispatched to the scene.⁷ On May 30, 2024, at 12:02 a.m., Corporal Mauricio Viega, a Crisis Negotiator arrived on the scene and took over negotiations a few moments later.

For approximately one hour and forty minutes, Corporal Veiga continued negotiation attempts with Mother and Mr. Jones-Daniel and made several unsuccessful attempts to encourage Mr. Jones-Daniel to leave the residence. During that time, tactical officers took over the perimeter, emergency response personnel established a temporary incident command station outside the residence building, and Captain Brian Dillman, Commander of MCPD's Special Operations Division, took over command of the incident. Occupants of neighboring residences were evacuated from their homes.

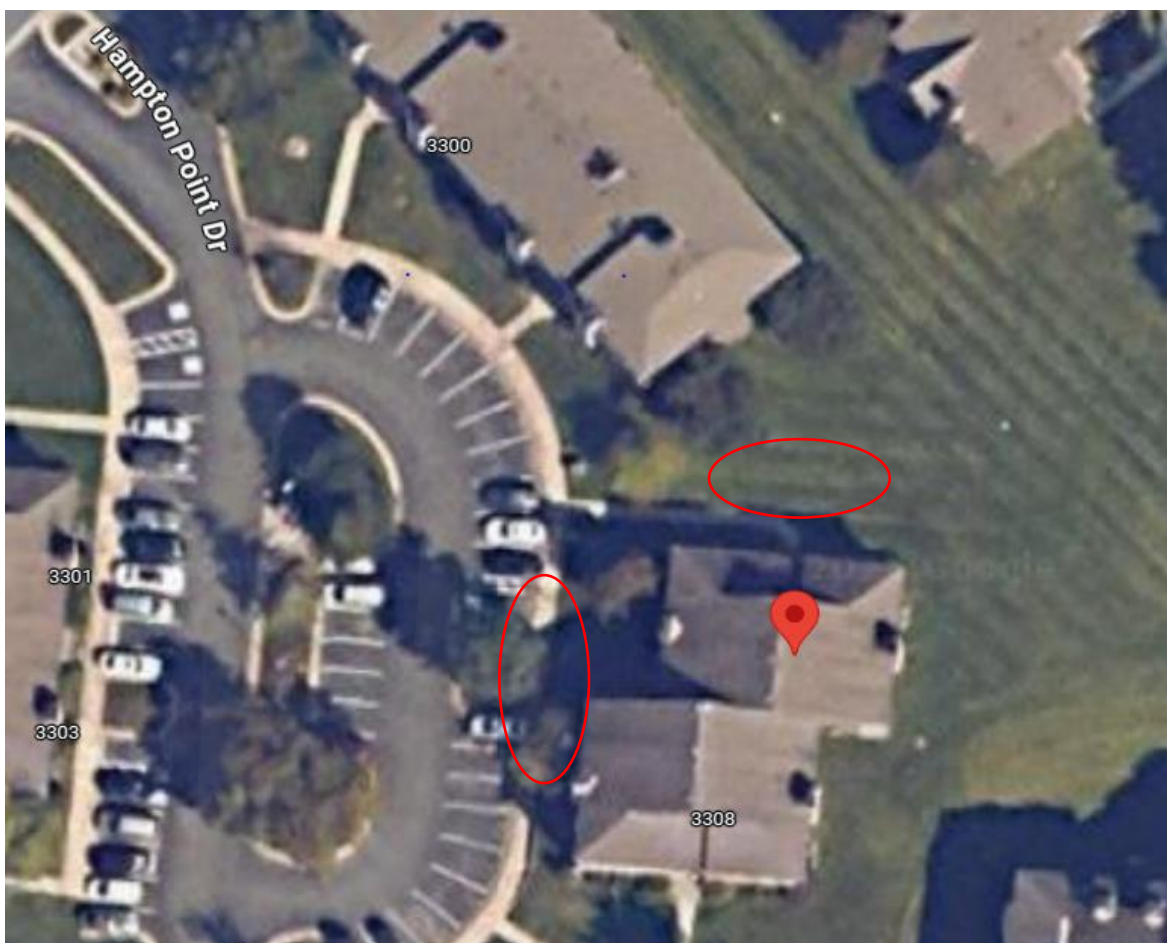


Image 1: Aerial image of the apartment complex. The building containing Mother's residence and her location with Mr. Jones-Daniel is marked with a red location pin. The oval circles appearing on the left and top of the building depict the location of the tactical officers.

⁷ MCPD has an emergency response team that works within the Special Operations Division. The division's emergency response team is comprised of a crisis negotiators, tactical officers, and tactical medics. They individually and collaboratively respond to high-risk situations, including barricades.

At approximately 1:52 a.m., Captain Dillman,⁸ determined that further negotiations would likely be unsuccessful based on his training, experience and incident knowledge. As a result, Captain Dillman ordered tactical officers to enter the residence. Approximately four minutes later, MCPD tactical officers broke through the residence's side patio sliding glass doors. Officer Edward Cochran and followed by three other members of the MCPD tactical team, entered the living room with ballistic shields and weapons drawn. Other tactical officers entered the residence simultaneously through the front door.

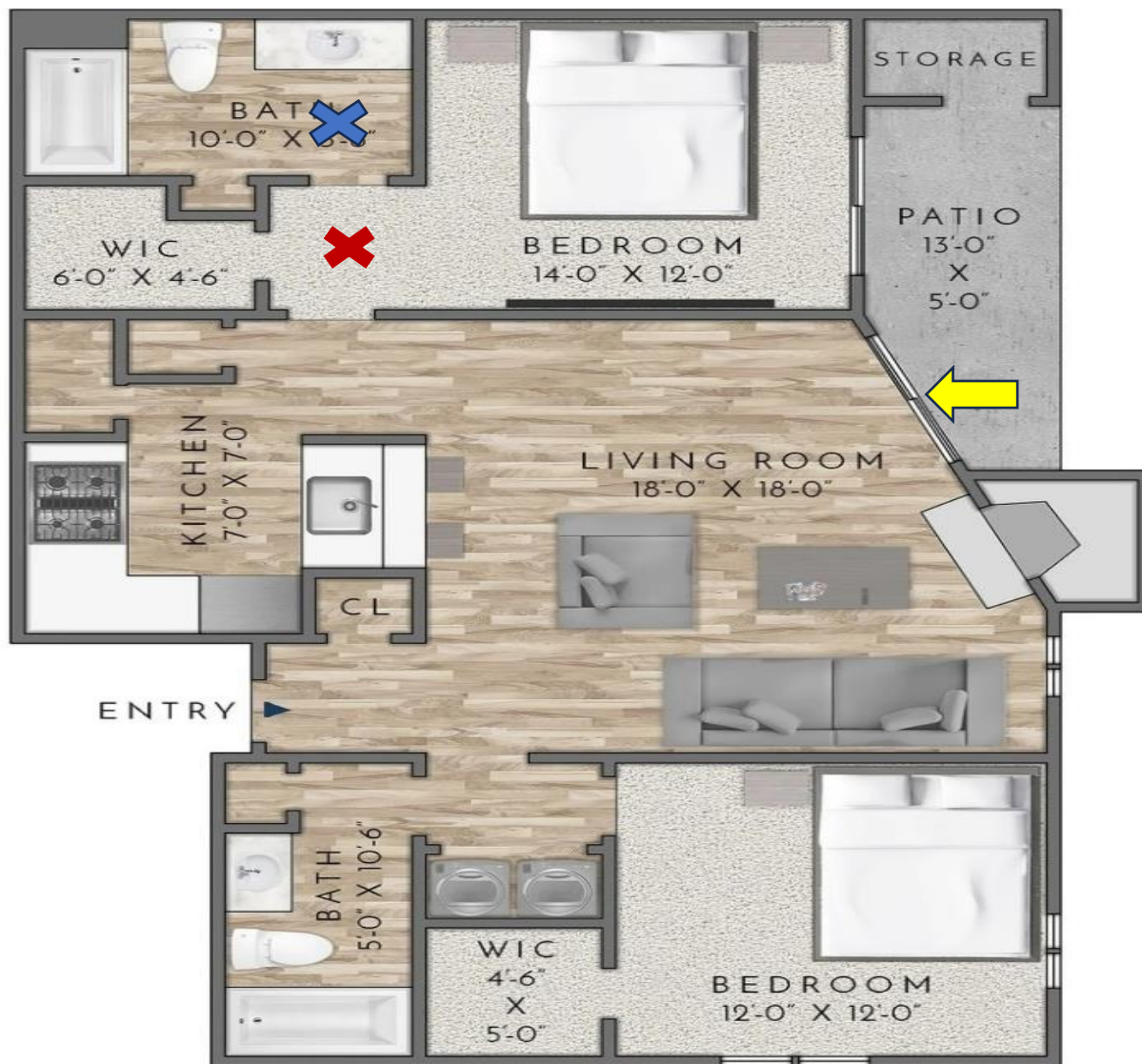


Image 2: Model floorplan, obtained from the apartment complex's website. This floor plan is identical to the subject residence. The furniture placement in this model floorplan is not consistent with the furniture placement of the subject residence. The yellow arrow points to the sliding glass door and indicates the subject officer's entry point. The blue "X" represents the approximate location of Mr. Jones-Daniel and Mother at the time of the shooting. The red "X" represents the approximate location of the subject officer at the time of the shooting.

⁸ Captain Dillman was interviewed by IID investigators on June 24, 2024.

Mr. Jones-Daniel, who was in the living room of the residence when Tactical Officers entered, went into the primary bedroom and shut the door. Officer Cochran then kicked the bedroom door open, as Mr. Jones-Daniel and Mother stood directly across from the door in the bedroom's ensuite bathroom.

At 1:56:20 a.m., when officers entered the bedroom, Mr. Jones-Daniel held a handgun in his left hand, and Mother held his left arm. Officers shouted several verbal commands at Mr. Jones-Daniel to "drop it." At 1:56:23 a.m., Officer Cochran fired his service weapon thirteen times,⁹ striking Mr. Jones-Daniel. Mr. Jones-Daniel then fell back onto the toilet of that bathroom. A knife was found on his lap. No other officers discharged their weapons.



Image 3: Still image captured from the subject officer's body-worn camera footage showing Mr. Jones-Daniel holding a handgun immediately before the subject officer fired. The handgun is circled in red.

Officers moved Mr. Jones-Daniel to the bedroom. On-scene tactical medics immediately administered medical aid and performed life-saving efforts on Mr. Jones-Daniel. Mr. Jones-Daniel was subsequently transported to an area hospital where he was pronounced dead at 2:56 a.m.

⁹ While it is unclear from the body-worn camera footage if Mr. Jones-Daniel fired his weapon after officers entered the primary bedroom, two fired casings from Mr. Jones-Daniel's handgun were recovered, one in the entranceway of the bathroom, and one in close proximity to the bathroom. IID investigators interviewed family members of Mr. Jones-Daniel, and they stated that Mr. Jones-Daniel only fired his handgun near the front door of the apartment and in the family room prior to police entering. They said that, prior to police entering, Mr. Jones-Daniel did not fire his gun in the primary bathroom area. This is discussed further in Section II (A) of the report.

III. Supplemental Information

A. Autopsy

On May 30, 2024, the Office of the Chief Medical Examiner (“OCME”) performed an autopsy on Mr. Jones-Daniel. The Medical Examiner determined that Mr. Jones-Daniel suffered nine gunshot wounds to his chest, abdomen, upper back, and both arms, that multiple gunshot wounds caused Mr. Jones-Daniel’s death, and that the manner of his death was homicide.¹⁰

There was no evidence of soot deposition or gunpowder stippling, which indicates that Mr. Jones-Daniel was not shot at close range. The toxicology report indicated that narcotics were present in Mr. Jones-Daniel’s system at the time of the incident.

B. Firearms Recovery and Ballistics Information

Maryland State Police (“MSP”) Crime Scene technicians processed the scene. Seven fired cartridge cases¹¹ were recovered that did not belong to MCPD weapons. Five of the fired cartridge cases were in the entryway and living room while the remaining two cartridge cases were recovered near the bathroom entrance and in the primary bedroom in close proximity to the bathroom. The fired cartridge cases and the handgun recovered from Mr. Jones-Daniel, a Taurus G2C 9mm, were submitted to the MSP Forensic Sciences Division for testing.

A Forensic Sciences Division Firearms Examiner completed a test-fire of the recovered handgun and concluded that the seven cartridge cases referenced above exhibited “similar class characteristics” to casings fired from the recovered handgun. One of the cartridge cases recovered from the living room “was identified as having been fired from” the recovered handgun. A background check on the handgun indicated that the handgun was not registered to Mr. Jones-Daniel; however, the handgun was not reported stolen.

Additional evidence recovered from the scene indicates that during the incident, Officer Cochran fired thirteen rounds from his service weapon, a Glock 17 Gen 49 mm handgun.

C. Department Policy

MCPD provides officers with written policies and procedures, as well as practical training in the use of force. MCPD policy also provides direction on making tactical decisions while on-duty and responding to high-risk situations. The MCPD General Orders encompasses the written policies and procedures for its sworn officers, which include several written policies relevant to this investigation:

¹⁰ Manner of death is a classification used to define whether a death is from intentional causes, unintentional causes, natural causes, or undetermined causes. The OCME uses five categories of manner of death: natural, accident, suicide, homicide, and undetermined. “Homicide” applies when death results from a volitional act committed by another person to cause fear, harm, or death. This term is 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.

¹¹ Ammunition consists of a bullet that is encased in a cartridge case. Once a gun is fired, the bullet is projected from the muzzle and the fired cartridge case is simultaneously ejected from the chamber.

1. MCPD Function Code 131– Use of Force

This policy states that MCPD officers may only use force “when under the totality of the circumstances, it is necessary and proportional to prevent an imminent threat of physical injury to a person or effectuate a legitimate law enforcement objective.” Use of force is defined as “the intentional use of any weapon...by a law enforcement officer other than compliant handcuffing or unresisted escorting, in response to the action or inaction of an individual in order to...overcome the resistance of an individual(s) to gain compliance, control, or custody.” It defines “necessary” force as that which is used “only if the officer has no other reasonable alternative(s) under the totality of the circumstances to prevent imminent physical harm or accomplish another legitimate law enforcement objective,” and “proportional” force as “[t]he degree and amount of force that corresponds to, and is appropriate, in relation to the level of resistance or aggression facing the officer, or the objective that the officer is attempting to accomplish.” Officers must take steps to de-escalate a situation “when time, circumstances, and safety allow,” but they are “not required to jeopardize their own safety by pursuing alternatives that are not reasonable under the totality of the circumstances.”

Regarding deadly force, the policy provides: “Officers may use deadly force if such force is necessary, as a last resort due to a lack of reasonable and safe alternatives, to defend themselves or another person from what they reasonably believe is an imminent threat of death or serious physical injury.” Factors to be considered in evaluating the totality of the circumstances include: “[w]hether the subject was posing an immediate threat to officers or a danger to the community,” “[p]re-assault indicators – [t]he subject’s actions and statements (as reasonably perceived by the officer at the time),” “[t]he availability of and proximity or access to weapons by the subject,” and “[t]he severity of the crime or suspected offense.” Additionally, the policy provides those officers “shall provide and obtain medical treatment consistent with their training as soon as it is safe and practical for individuals . . . [w]ho show signs of injury as a result of any use of force.”

2. MCPD Function Code 950 – Emergency Response Team/Other High-Risk Incidents

This policy defines a barricade as “any person, who represents a threat to the safety of himself or others, or to the property of others, or after the commission of a crime, attempts to avoid apprehension by taking refuge in a fortified location.” In these situations, officers shall make every effort “to resolve life-threatening incidents through containment and negotiation before resorting to a tactical solution,” understanding MCPD’s responsibility to preserve life.

The Emergency Response Team (“ERT”) includes a Crisis Negotiation team, Tactical Section, and Tactical Medics. They are responsible for responding to “all hostage, barricade, active shooter, and life-threatening incidents.” Once on scene, the Special Operations Division (“SOD”) Director assumes command of the incident and crisis negotiators must contain the scene and establish communications with the subject. The SOD Director has “the final authority on all tactical decisions.”

The Tactical Section is responsible for evacuating civilians from the immediate area of the threat and developing a tactical plan. They are responsible, “when possible, [for] reliev[ing] patrol officers and maintain[ing] the inner perimeter during the negotiation process.” Under the direction of the SOD Commander, they are to “take the appropriate tactical steps to resolve the situation safely.” Once the incident is resolved, they are to “relinquish control of the inner perimeter and location of occurrence to district personnel.”

IV. Legal Analysis

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

Based on the evidence, three relevant offenses were considered in this case. First is the violation of Maryland’s Use of Force Statute, which makes it a crime for officers to intentionally use excessive force.¹² The second and third offenses are homicide related charges due to the intentional killing of a person.

There is insufficient evidence to prove that the subject officer violated the aforementioned statutes. Accordingly, the IID will not pursue criminal charges against the subject officer. This report explains in further detail why, based on the evidence, a prosecutor could not prove beyond a reasonable doubt that any officer committed a crime.

A. Maryland Use of Force Statute

Proving a violation of the Use of Force Statute requires a prosecutor to establish beyond a reasonable doubt that a subject officer:

- (1) used force that was not necessary and proportional to prevent an imminent threat of physical injury to themselves or another person, or to accomplish a legitimate law enforcement objective;
- (2) intended to use force that was excessive, *i.e.* not necessary and proportional under the circumstances; and
- (3) the use of excessive force resulted in serious bodily injury or death;¹³

Here, prosecutors would need to establish that the subject officer used force that was not necessary and proportional under the circumstances, that the subject officer intended to use the force that was excessive, and that the excessive force used by the subject officer resulted in Mr. Jones-Daniel’s death.

¹² See Md. Ann. Code, Public Safety §3-524(d)(1).

¹³ MPJI-Cr 4:36.

Determining whether an officer's use of force is "necessary and proportional" to prevent an imminent threat of physical injury to someone or accomplish a legitimate law enforcement objective is a fact-specific inquiry. Generally speaking, a use of force is considered "necessary and proportional" when an officer had no reasonable alternative under the circumstances, the kind and degree of force was appropriate in light of the officer's legitimate law enforcement objective, and, given the context, the force was not likely to result in harm that was out of proportion or too severe in relation to the officer's law enforcement objective.¹⁴ When a factfinder—either a judge or a jury—conducts this analysis, they must consider the totality of the circumstances, including, but not limited to, the nature of the call for service, what occurred in the moments before force was used, what the subject officers knew at the time force was used, and the time and distances involved.¹⁵

Based on the totality of the circumstances, there is no evidence that the subject officer intended to use force that exceeded that which was necessary and proportional to prevent Mr. Jones-Daniel from being a danger to himself or others. With respect to whether the use of force was necessary, Mr. Jones-Daniel had a handgun and had already fired it multiple times when the officers arrived in response to the 911 call. Mother reported to officers that Mr. Jones-Daniel was preventing her from leaving the residence. Negotiations with Mr. Jones-Daniel, through Mother, were unsuccessful. When Tactical Section officers entered the residence, Mr. Jones-Daniel was in the living room holding a handgun. Mr. Jones-Daniel retreated to the bathroom and when the subject officer, along with other members of the Tactical Section, followed, Mr. Jones-Daniel refused to drop the weapon and ballistic evidence suggests that he fired. Based on these facts and the evidence presented, there was an apparent and ongoing threat to the safety of Mother and the officers on scene. In short, Mr. Jones-Daniel presented an imminent threat of deadly force threat that required the subject officer to resort to deadly force, both for the subject officer's own safety and the safety of others.

Second, with respect to whether the kind and degree of force used by the subject officer was proportional to the imminent threat of harm presented by Mr. Jones-Daniel, video evidence shows that the force used by the subject officer was appropriate. In the seconds that the officers were inside of the residence, Mr. Jones-Daniel retreated into the bathroom and displayed a handgun when confronted by the subject officer. He refused to follow commands to drop the handgun and posed a deadly threat to the occupants of the residence.

Based on the evidence, a prosecutor could not prove beyond a reasonable doubt that the subject officer's use of force was not necessary and proportional to prevent an imminent threat of physical injury to himself or another person. Accordingly, the Office of the Attorney General will not charge the subject officer with a violation of the Use of Force Statute.

¹⁴ For a more detailed discussion of the "necessary and proportional" standard, see [this opinion](#) written by the Office of the Attorney General. 107 Op. Atty. Gen. Md. 33

¹⁵ *Id.*

B. Homicide Offenses

There are four homicide charges that a prosecutor may consider in the State of Maryland:

- First Degree Murder: the willful, deliberate, and premeditated killing of another.¹⁶
- Second Degree Murder: when the defendant intended to kill or inflict such serious injury that death would be the likely result and there was no justification or mitigating circumstances.¹⁷
- Voluntary Manslaughter: an intentional killing that is not murder because the defendant acted in partial self-defense.¹⁸
- Involuntary Manslaughter: when the defendant acted with gross negligence and that conduct caused the death of another.¹⁹

As the shooting of Mr. Jones-Daniel was intentional, but not premeditated, Second-Degree Murder and Voluntary Manslaughter are the homicide offenses that remain for consideration.

If the evidence indicates that there is legal justification or certain mitigating circumstances involved, such as self-defense, then a prosecutor could not prove the remaining homicide offenses against the subject officer.²⁰ A police officer's use of deadly force is legally justified if it is in complete self-defense, defense of others, or in furtherance of law enforcement related duties.²¹

Complete self-defense, also known as perfect self-defense, exists when the accused: (1) was not the initial aggressor²² (or did not raise the level of force to deadly force); (2) believed that he was in immediate or imminent danger of serious harm or death; (3) that belief was reasonable; and (4) used force that was not more than what was reasonably necessary in light of the threat or actual force.²³ Complete self-defense is an affirmative defense, which means that a prosecutor must prove beyond a reasonable doubt that one of the elements of self-defense is not applicable.

When an officer has sufficient probable cause to believe that a person poses a "threat of serious physical harm," then the officer may use deadly force,²⁴ and the reasonableness of that decision must be viewed from "the perspective of a reasonable police officer similarly situated."²⁵ In practice, this means that a factfinder must consider that police officers often work under rapidly

¹⁶ MPJI-Cr. 4:17.

¹⁷ MPJI-Cr. 4:17.

¹⁸ MPJI-Cr 4:17.2.

¹⁹ MPJI-Cr. 4:17.8.

²⁰ If a defendant has the requisite *mens rea* to uphold a claim of complete self-defense or defense of others, that is, a subjective belief that their or another's life was in imminent danger that was objectively reasonable under the circumstances, then the claims are valid regardless of any unintended consequences. See *Malaska v. State*, 216 Md. App. 492, 517-522 (2014).

²¹ *Id.*; MPJI-Cr 4:17.3.

²² An aggressor is an individual whose conduct provokes another to reasonably fear for their safety.

²³ *Porter v. State*, 455 Md. 220, 234-36 (2017); MPJI-Cr 4:17.2.

²⁴ *Estate of Blair*, 469 Md. at 23-24 (quoting *Tennessee v. Garner*, 471 U.S. 1, 11 (1985)).

²⁵ *State v. Albrecht*, 336 Md. 475, 501 (1994); *State v. Pagotto*, 361 Md. 528, 555 (2000) (quoting *Graham*, 490 U.S. at 397).

changing circumstances and that what constitutes a reasonable use of force may change from moment to moment.²⁶

The evidence shows that Mr. Jones-Daniel was the aggressor and that the subject officer held an objectively reasonable belief of imminent danger of serious harm or death. Mr. Jones-Daniel was armed, refused to leave his apartment or surrender his weapon despite long negotiations, held a handgun for the duration of the incident, including when confronted by officers, and evidence suggests an exchange of gunfire with the Tactical Section officers. This evidence provides a basis for the subject officer to reasonably believe that the life of Mother, his life, and the lives of other officers were in danger.

Based on the investigation, the actions of the subject officer do not constitute the crime of Second-Degree Murder. Prosecutors are unable to overcome any of the elements of complete self-defense. Moreover, because complete self-defense also applies to Voluntary Manslaughter²⁷, a prosecutor would be unable to prove any homicide offense in this matter. Accordingly, the Office of the Attorney General will not charge the subject officer with a homicide offense.

VI. Conclusion

This report has presented factual findings, legal analysis, and conclusions relevant to the May 30, 2024, police-involved death of Bishop Jones-Daniel in Fairland, Maryland. 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 officers did not commit a crime.

²⁶ *Id.*

²⁷ *State v. Faulkner*, 301 Md. 482, 485 (1984).