



INDEPENDENT INVESTIGATIONS DIVISION

Report Concerning the Police-Involved
Death in Prince George's County on March 7, 2025

September 11, 2025

Public Release: September 19, 2025

Declination Report Concerning the Officer-Involved Death of Zoey Harrison on March 7, 2025

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 March 7, 2025, at approximately 6:25 pm, a District Heights Police Department (“DHPD”) officer attempted a traffic stop on an Infiniti SUV in the 6400 block of Walker Mill Road. The driver (“Driver”)³ initially stopped, then fled northbound onto Addison Road South. The officer lost sight of the Infiniti and relayed a description of the vehicle to dispatch via radio. Moments later, a DHPD officer and a Capitol Heights Police Department (“CHPD”) officer encountered the Infiniti, activated their emergency lights and sirens, and attempted to stop the Infiniti on Addison Road South. A short time later, the Infiniti crashed into four vehicles in the 1200 block of Addison Road South. Driver was taken into custody and transported to an area hospital with non-life-threatening injuries. A woman and juvenile that occupied one of the vehicles struck by the Infiniti, were transported to area hospitals. The woman was treated for non-life-threatening injuries. The juvenile was pronounced dead at the hospital. The occupants of the remaining cars involved in the crash remained on scene with minor injuries.

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

The IID’s investigation focused exclusively on potential criminal culpability relating to the subject officers’ 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. Therefore, the IID’s investigation did not specifically examine any criminal culpability of Driver in this 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 emergency medical

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

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

³ To avoid compromising any potential criminal investigations(s) by the Prince George’s County State’s Attorney’s Office, the driver’s name will be withheld, and he will be referred to as “Driver” throughout the report.

services reports, police body-worn camera and dashboard footage, photographs, department policy, a crash investigation report, and interviews with civilian and law enforcement witnesses. The subject officers 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.

This investigation involved the driver of the Infiniti, the decedent and three subject officers.

- A. Driver was 39 years old at the time of the incident. He is a Black male and lives in Capitol Heights, Maryland.
- B. The decedent, Zoey Harrison, was 3 years old at the time of the incident. She was a Black female who lived in District Heights, Maryland.
- C. Sergeant Bryan Stevens has been employed by DHPD since August 2024. He is a Black male and at the time of the incident, he was 42 years old.
- D. Private First-Class Shivesh Butani has been employed by DHPD since March 2023. He is an Asian male and at the time of the incident he was 32 years old.
- E. Officer Michael Montgomery has been employed by CHPD since March 2023. He is a Black male and at the time of the incident was 33 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 the legal analysis.

II. Factual Summary

On March 7, 2025, at approximately 6:26 pm, DHPD Sergeant Bryan Stevens was driving an unmarked patrol vehicle northbound on Silver Hill Road, in Capitol Heights, Maryland when he stopped next to a black Infiniti Q60 at the red light where Silver Hill Road becomes Walker Mill Road. After the light turned green, Sergeant Stevens activated his emergency lights and sirens and attempted to stop the Infiniti due to a missing front registration tag and driver seatbelt violation.

Driver briefly pulled over in the 6400 block of Walker Mill Road but then sped off. Sergeant Stevens pursued the driver, gave dispatch a description of the Infiniti, and advised of their location.⁴ Sergeant Steven's emergency lights and sirens remained on during the pursuit.

Sergeant Stevens and the Infiniti briefly crossed the double yellow line as they weaved through traffic. At the intersection of Walker Mill Road and Addison Road South, the Infiniti

⁴ As confirmed by DHPD, on March 7, 2025, Sergeant Stevens was the highest-ranking officer on the evening shift. As such, he was the designated decision-maker, also referred to as the Officer-In-Charge for agency operations, including vehicle pursuits and misdemeanors.

turned left, traveling north on Addison Road South. As Sergeant Stevens approached the red light on Walker Mill Road at Addison Road South, the volume of traffic increased. He then briefly drove on the shoulder of the road, passed traffic and proceeded to follow the Infiniti's direction

DHPD Private First-Class Shivesh Butani ("Officer Butani") and CHPD Officer Michael Montgomery were in the parking lot of a shopping center located on Walker Mill Road when they were alerted to the pursuit of the Infiniti. Both subject officers activated their emergency lights and sirens and joined the pursuit on Addison Road South ahead of Sergeant Stevens. Officer Butani radioed Sergeant Stevens that he was keeping track of the Infiniti.

At 6:27:50 p.m., forty seconds after the pursuit started and six seconds after Officer Butani and Officer Montgomery joined the pursuit, the Infiniti crossed over the centerline and collided with four separate vehicles, including a 2007 Volkswagen Jetta which was occupied by Zoey Harrison and her mother. The impact of the crash forced the Jetta off the road, and the rear of the Jetta hit a tree, as Zoey Harrison sat in a car seat in the rear of the vehicle.

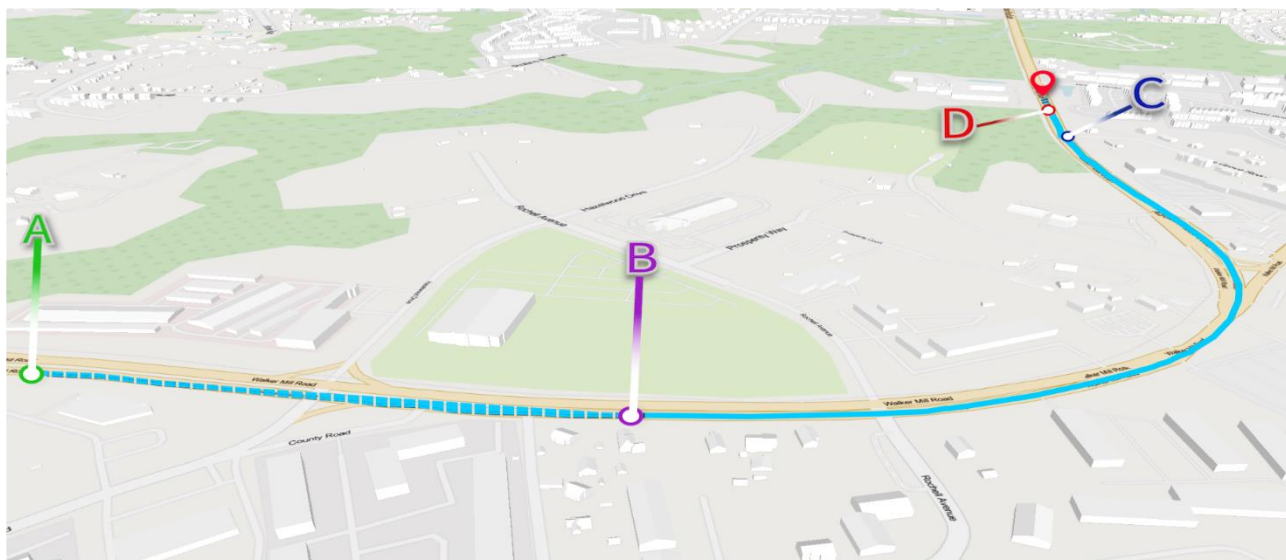


Image 1: Demonstrative map portraying the path of the pursuit. Point A is the location of Sergeant Stevens when he activated his lights and sirens; Point B is the location of the car briefly stopping before fleeing and the start of the pursuit; Point C is where Officers Butani and Montgomery joined the pursuit; Point D is the location of the initial collision. The red marker is the location where Driver's vehicle came to a rest.

Sergeant Stevens and Officer Butani immediately notified dispatch of the crash. As the subject officers approached, Sergeant Stevens requested an ambulance, and subject officers Butani and Montgomery detained Driver as he attempted to flee on foot. Officer Montgomery checked on the occupants of the Jetta. A responding Prince George's County officer arrived on scene, removed Zoey Harrison from the Jetta, and rendered medical aid. Medics arrived on scene and transported Zoey and her mother to a local hospital. Zoey was later pronounced dead at the hospital.

The posted speed limit on Addison Road South is 35 mph. The weather appeared clear with no precipitation, and the road was illuminated with streetlights. During the pursuit, Sergeant Stevens' speed ranged between 35 and 70 mph; Officer Butani's speed ranged between 30 and 60

mph; and Officer Montgomery's speed ranged between 30 and 50 mph. The subject officers always maintained control of their vehicles.

Driver was transported to a local hospital where he was treated for non-life-threatening injuries. The hospital's toxicology screening revealed marijuana and amphetamines in Driver's blood.

III. Supplemental Information

A. Autopsy

On March 8, 2025, the Office of the Chief Medical Examiner performed an autopsy on Ms. Harrison. The medical examiner determined that Ms. Harrison died from multiple blunt force injuries and that the manner of death was an "Accident."⁵

B. Maryland State Police Crash Investigation Report

The Maryland State Police completed a detailed Crash Investigation Report regarding this incident. According to that report, the driver of the Infiniti crossed over the centerline and collided with a 2010 Ford Crown Victoria. The Infiniti then collided with the left side of a 2017 Dodge Journey. The Infiniti then collided with the rear of a 2007 Volkswagen Jetta, causing it to go off the road in a wooded area and crash into a tree. The rear of the Jetta, closest to Zoey Harrison, hit the tree directly. Finally, the Infiniti collided with the rear of a 2014 Buick Lacrosse. The driver's speed immediately before the crash was 92 mph in a 35 mph speed zone.

C. Department Policy

1. District Heights Departmental Policy and Capitol Heights Departmental Policy

The DHPD Manual and the CHPD Policy Manual provide guidance to their officers through specific written policies and procedures. Specifically, their department policy provides guidelines for officers involved in traffic stops and pursuits. Policy 407 of the District Heights Manual governing vehicle pursuits is identical to Policy 307 of the Capitol Heights Manual.

Policies 407.3 and 307.3 require officers to use authorized police department emergency vehicles that are equipped with lights and sirens when conducting pursuits. Officers must drive with due regard for the safety of others but may proceed past red signals or stop signs after slowing down, exceeding the speed limit, and disregard regulations related to direction of movement or turning when it is reasonably safe to do so.

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 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.

Policies 407.3. and 307.1 authorize Officers to pursue a suspect when it is reasonable to believe that the suspect was given an appropriate signal to stop and is attempting to evade arrest or detention by fleeing in a vehicle. When deciding whether to engage in a vehicle pursuit, Officers are instructed to balance the seriousness of the offense and how it impacts community safety against the risk to innocent motorists and others. Officers should consider the road conditions, the weather, time of day, amount of traffic, speed of pursuit, the officer's familiarity with the area and the officer's driving capabilities as well as the performance capability of the police cruiser. Both policies require pursuits to be approved by a designated Officer in Charge, supervising Sergeant or higher-ranking officer. The policies also state that a lieutenant or higher-ranking officer must approve pursuits for misdemeanors. According to Major Timothy Hodge, Patrol Commander for DHPD, in practice, the department designates the highest-ranking officer on shift, usually a Sergeant, as the Officer-In-Charge. According to Major Hodge, the Officer-In-Charge can approve pursuits for misdemeanors, and in this instance, Sergeant Stevens was the designated Officer-In-Charge.

Policies 407.3.2 and 307.3.2 require pursuits to be terminated if, using the factors described above, an officer determines that the pursuit is dangerous to the public. If an officer is made aware of a pursuit in the vicinity, that officer may assist in the pursuit and is subject to the same safety balancing factors as an officer who initiates a pursuit.

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.⁶ There is insufficient evidence to prove that the subject officers committed the crime of criminally negligent manslaughter by vehicle. Accordingly, the IID will not pursue criminal charges against the subject officers. 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.

A. Criminally Negligent Manslaughter by Vehicle

To convict a defendant of criminally negligent manslaughter by vehicle, a prosecutor must prove beyond a reasonable doubt that the defendant drove a motor vehicle in a criminally negligent manner, and in doing so caused the death of another person.⁷ In Maryland, negligence is measured

⁶ Md. Code, Criminal Law § 2-210.

⁷ MPJI-Cr 4:17.10 (3d ed. 2024)

on a spectrum – with simple negligence on one end, criminal negligence in the middle, and gross negligence on the other end.⁸ 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.”⁹ 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.¹⁰

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.¹¹ 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.”¹² 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.¹³ However, a “hyper technical” violation of policy, without more, is not sufficient to establish gross negligence.¹⁴

Applying these principles here, prosecutors must analyze the subject officers’ decision to pursue the Infiniti and their actions during the pursuit. Regarding Sergeant Stevens’ decision to engage in the pursuit, officers from this agency require approval from a lieutenant or higher to engage in a pursuit based on a misdemeanor violation.¹⁵ However, because Sergeant Stevens was the designated Officer-In-Charge, he had the authority to decide whether to pursue the Infiniti. Based on the evidence, after the attempted traffic stop, Driver fled at a high rate of speed in an area with moderate to heavy traffic, posing an active risk to public safety, which continued throughout the pursuit. There is no evidence to suggest that Sergeant Steven’s decision to pursue increased this danger.

⁸See *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.’”).

⁹ 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.

¹⁰ *Boyer v. State*, 323 Md. 558, 589 (1991).

¹¹ See, e.g. *Boyer*, 323 Md. at 591; *Taylor v. State*, 83 Md. App. 399, 404 (Ct. Sp. App. Md. 1990).

¹² *State v. Pagotto*, 361 Md. 528, 557 (2000) (citing *State v. Albrecht*, 336 Md. 475, 502-03 (1994)) (emphasis in original).

¹³ 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).

¹⁴*State v. Pagotto*, 127 Md. App. 271, 304 (1999), *aff’d*, 361 Md. 528 (2000).

¹⁵ MD Code, Transportation § 21-904.

Regarding Officer Butani and Officer Montgomery's decision to engage in the pursuit, the subject officers were made aware of the pursuit via dispatch and joined the active pursuit as backup officers.

Regarding the subject officers' actions while the cruisers were in motion, the subject officers were driving with their lights and sirens on. Sergeant Stevens notified dispatch that the Infiniti had fled from the traffic stop and that he was engaging in pursuit.¹⁶ Sergeant Stevens provided updated information regarding his location throughout the pursuit. While Sergeant Stevens traveled at high rates of speed, briefly crossed the center line, and briefly drove on the shoulder during the pursuit, he maintained control of his vehicle throughout the pursuit and used his emergency lights and sirens. In addition, Sergeant Stevens slowed down when he lost sight of the Infiniti before going through a red light. Subject officers Butani and Montgomery activated their emergency equipment upon entering the pursuit. While both subject officers drove at high rates of speed, both maintained control of their vehicles during the six-second period prior to the accident¹⁷.

Given the totality of the circumstances, there is no evidence to indicate that the subject officers 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.¹⁸ Accordingly, the Office of the Attorney will not charge the subject officers 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 March 7, 2025, police-involved death of Zoey Harrison in Prince George's County, 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 officer did not commit a crime.

¹⁶ Id.

¹⁷ 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 Zoey Harrison.

¹⁸ Because prosecutors could not prove that the subject officers drove in a criminally negligent manner, they could not prove the more severe charge of manslaughter by vehicle, which requires a prosecutor to prove that the defendant drove with gross negligence, a level above criminal negligence.