



INDEPENDENT INVESTIGATIONS DIVISION

Report Concerning the Police-Involved
Death in Baltimore County on February 16, 2026

August 10, 2026

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Declination Report Concerning the Police-Involved Death of Samuel Brown on February 16, 2026

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 Office of 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 February 16, 2026, at approximately 3:20 a.m., Baltimore County Police Department (“BCPD”) Officer Derek Hadel responded to a 911 call reporting a vehicle sitting for a long time at the intersection of Security Boulevard and Whitehead Court in Gwynn Oak, Maryland. Officer Hadel approached the vehicle and observed a man, later identified as Samuel Brown, asleep in the driver’s seat. Officer Hadel opened Mr. Brown’s door and asked him multiple times to exit the vehicle. Mr. Brown refused. Video footage shows that Officer Hadel appeared to forcefully close the vehicle door and walk back to his police cruiser. Mr. Brown exited his vehicle and approached the officer. Officer Hadel pushed Mr. Brown back and repeatedly told Mr. Brown to get back in his vehicle. Mr. Brown did not comply. Instead, Mr. Brown appeared to slap twice at Officer Hadel’s hand, and he continued to approach the officer. Officer Hadel punched Mr. Brown in the face. Mr. Brown fell and his head struck the ground. Officer Hadel requested emergency medical services (EMS) and rendered medical aid to Mr. Brown until EMS arrived. EMS transported Mr. Brown to the hospital. After eleven days at the hospital, Mr. Brown was pronounced dead on February 27, 2026.

After completing its investigation and evaluating all available evidence, the Office of the Attorney General has determined that there is insufficient evidence to prove that the subject officer committed a crime under Maryland law. Accordingly, the Office of 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. The IID’s analysis did not consider issues of civil liability or the department’s administrative review of the subject officer’s conduct. Compelled statements by subject officers may be considered in civil or administrative proceedings but may not be used in criminal investigations or prosecutions due to the subject officer’s Fifth Amendment rights. If any compelled statements exist in this case, they have not been used in the IID’s investigation.

This report is composed of a factual narrative followed by a legal analysis. The narrative is supported by evidence obtained in this investigation, including police body-worn camera footage, police radio transmissions, dispatch records, police and EMS reports, photographs, department policies, interviews with civilian and law enforcement witnesses, and an autopsy report. A Preliminary Expert Examination Report prepared by Powers Consulting Group and

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

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

provided by counsel for the decedent's family was also reviewed and considered. The subject officer in this case chose not to make a statement to the IID, which had no impact on the prosecutorial decision. The legal analysis explains why the Office of the Attorney General will not bring charges under the relevant Maryland statutes.

This investigation involved one decedent and one subject officer:

- A. The decedent, Samuel Brown, was 56 years old at the time of the incident. He was a Black male who lived in Owings Mills, Maryland.
- B. Officer Derek Hadel has been employed by BCPD since June 2016. He is a White male who was 32 years old at the time of the incident.

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

II. Factual Summary

On February 16, 2026, at 3:17 a.m., an anonymous caller (hereinafter "Caller") contacted 911 to report that a man was sitting for a long time at the traffic light at the intersection of Whitehead Court and Security Boulevard in Gwynn Oak, Maryland. In an interview with IID investigators, Caller stated that he and a friend were going to McDonald's when they observed a vehicle sitting at the traffic light. When Caller left the McDonald's nearly fifteen minutes later, he observed the vehicle still sitting at the traffic light, with cars driving around it. Out of concern for the driver, Caller contacted 911.

BCPD Officer Derek Hadel responded to the call for service. Upon arriving at the intersection, Officer Hadel located a black Infiniti SUV sitting on Whitehead Court in front of the traffic light. Whitehead Court is a two-lane road, with one lane in each direction of travel. The Infiniti was blocking one of the lanes of travel. Officer Hadel parked his marked police cruiser parallel to the Infiniti in the adjacent travel lane with limited space between the vehicles. Officer Hadel was the first and only officer on scene.



Image 1: A still image from Officer Hadel's body-worn camera video showing the positioning of Samuel Brown's SUV and Officer Hadel's marked police cruiser on Whitehead Court.

Officer Hadel did not activate his body-worn camera (BWC) when he first arrived at the intersection. IID investigators did not locate any witnesses or surveillance cameras that captured this incident. Thus, the only available account of the initial interaction between Officer Hadel and Mr. Brown comes from a Statement of Probable Cause

submitted by Officer Hadel.³ According to Officer Hadel's report, he approached the Infiniti and observed a man, later identified as Samuel Brown, asleep in the driver's seat. Mr. Brown was the vehicle's sole occupant. Officer Hadel knocked on the driver's side window to wake up Mr. Brown. As Mr. Brown began to wake up, Officer Hadel told Mr. Brown to roll down his window. Mr. Brown reached over to the center console and turned on his windshield wipers. Officer Hadel opened the driver's side door.

According to his report, Officer Hadel asked Mr. Brown if he was okay, to which Mr. Brown responded that he was fine and did not need any help. Officer Hadel told Mr. Brown that he was not okay. Officer Hadel's report noted that Mr. Brown's eyes were bloodshot, he had difficulty speaking, and his breath had a light odor of alcohol. Officer Hadel indicated that he instructed Mr. Brown to exit his vehicle multiple times. Mr. Brown did not comply with Officer Hadel's orders. In his report, Officer Hadel described Mr. Brown as "confrontational."

During this interaction with Mr. Brown, Officer Hadel's BWC video began recording. Consistent with the standard operation of a body-worn camera, the first minute of the video footage from Officer Hadel's BWC does not have audio.⁴

At 3:25 A.M., approximately fifty seconds after Officer Hadel's BWC began recording, Officer Hadel appeared to forcefully shut Mr. Brown's car door. Officer Hadel then turned back towards his cruiser. Almost immediately after his car door closed, Mr. Brown opened the door and got out of his vehicle. Mr. Brown approached Officer Hadel. Officer Hadel turned around to face Mr. Brown. Officer Hadel's BWC shows that Mr. Brown walked with his hands behind his back, apparently speaking to Officer Hadel as he approached. As the BWC was still buffering, it did not capture any audio from this initial exchange. According to Officer Hadel's report, he told Mr. Brown to "get back." Mr. Brown did not comply and continued to approach Officer Hadel. When Mr. Brown got within a couple feet of Officer Hadel, Officer Hadel extended his arm and pressed it against Mr. Brown's midsection. According to Officer Hadel's report, he did so to prevent Mr. Brown from coming closer. Mr. Brown took his left arm from behind his back and appeared to slap at Officer Hadel's hand. At this moment, the audio begins on Officer Hadel's BWC recording.

Officer Hadel told Mr. Brown, "Get in your car. Get in your car, sir." Mr. Brown did not comply. Instead, Mr. Brown approached Officer Hadel. Mr. Brown spoke with a raised voice, although his words were unclear. Officer Hadel again told Mr. Brown to get in his car, but he did not comply. As Mr. Brown drew closer, Officer Hadel again extended his arm, pressed it to Mr. Brown's midsection, and pushed him back. In response, Mr. Brown again took his left arm from behind his back and appeared to slap at Officer Hadel's hand near his waist area. It is unclear from the BWC footage whether Mr. Brown made contact with Officer Hadel one or both times he slapped at the officer's hand. According to Officer Hadel's report, Mr. Brown struck Officer Hadel's hand twice.

³ Officer Hadel wrote and signed a Statement of Probable Cause under penalty of perjury on February 16, 2026. A Statement of Probable Cause is a report written by a police officer establishing probable cause for an arrest.

⁴ When turned on, BCPD body-worn cameras (BWC) record continuously. However, the recording is not saved until an officer "activates" his BWC. Once the BWC is activated by an officer, the video footage recorded one minute prior to activation is saved but does not have audio. This one-minute period is known as "pre-event buffering." A one-minute "pre-event buffering" period without audio is consistent with industry standards.

As Mr. Brown moved closer, Officer Hadel told Mr. Brown, “Get in your fucking car, sir. Get in your car.” With his right hand, Officer Hadel then punched Mr. Brown on the left side of his face. Officer Hadel then immediately swung his left arm towards the right side of Mr. Brown’s face. Officer Hadel’s BWC recording does not clearly show whether the second swing struck Mr. Brown’s face. However, in his report, Officer Hadel states that he punched Mr. Brown on both the right and left sides of his face.

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Image 2: A video clip from Officer Hadel’s BWC footage showing his interaction with Mr. Brown after Mr. Brown got out of his vehicle and approached the officer.

Mr. Brown fell backward onto the ground. Officer Hadel’s BWC video shows the back of Mr. Brown’s head hit the pavement. Officer Hadel immediately rolled Mr. Brown onto his stomach. Mr. Brown appeared to be unconscious and had an apparent injury to the back of his head. Officer Hadel handcuffed Mr. Brown and placed him on his side in the recovery position.⁵ Officer Hadel contacted dispatch and requested a medic. Within one minute, other BCPD officers arrived on scene. Officer Hadel, with the assistance of these officers, provided medical aid to Mr. Brown until EMS arrived.

EMS transported Mr. Brown to the hospital. Based on testing conducted by hospital personnel on February 16, 2026, at 4:20 a.m., Mr. Brown’s blood alcohol content (BAC) was 0.22%. At the hospital eleven days later, on February 27, 2026, Mr. Brown was pronounced dead. Hospital records did not identify any fractures or significant injuries to Mr. Brown’s face.

III. Supplemental Information

A. Autopsy

The Maryland Office of the Chief Medical Examiner (the “OCME”) performed an autopsy of Mr. Brown on February 28, 2026. The Medical Examiner determined that Mr. Brown died due to complications from blunt force head trauma with cardiovascular disease as a contributing factor.

⁵ The recovery position is a first aid technique that can be used for someone who is unconscious but breathing normally. The position helps keep the airway clear and prevent choking.

The Medical Examiner did not note any significant facial injuries. The OCME concluded Mr. Brown's manner of death was "Homicide."⁶

B. Department Policies and Training

BCPD provides its officers with written policies and training on the use of force.

1. BCPD Field Manual

Field Manual, Article 12-1.0 (Use of Force Incidents) provides guidelines for the use of force. Specifically, an officer may use force only in situations where force is "necessary and proportional" to prevent an "imminent threat" of injury to the officer or others. Force is not considered necessary unless, given the circumstances, there is no reasonable alternative that would accomplish the same objective. However, officers are not required to pursue alternatives if doing so would jeopardize their own safety. Prior to using force, an officer must communicate with involved individuals, including stating the officer's identity, purpose, and intention. Further, officers should take steps to de-escalate and obtain compliance without using force. Officers must cease using force once any involved individuals are under the officer's control or no longer present an imminent threat of injury. Finally, officers are required to render medical aid to any individual injured due to police action and to request emergency medical assistance.

2. Training

BCPD provides its officers with comprehensive classroom-based and hands-on instruction in the use of force and defensive tactics. BCPD officers are trained to look at the use of force as a scale shaped like a pyramid. Where a type of force falls on the pyramid is determined by the frequency of its use and its propensity for causing harm, such that the more frequently a type of force is used and the less potential it has to cause harm, the lower it will fall on the pyramid. Implied force falls at the bottom of the pyramid and includes an officer's mere presence at a scene as a means of changing an individual's behavior. This level does not include any physical contact. Moving up the pyramid, the ATM ("Ask – Tell – Make") Line is a type of implied force in which officers ask and, if necessary, tell, an individual to do something as a means of achieving compliance. Every level above the ATM Line includes physical contact. Simple Hands On is the first level of physical force and involves grasping a non-resistant individual to either move them away

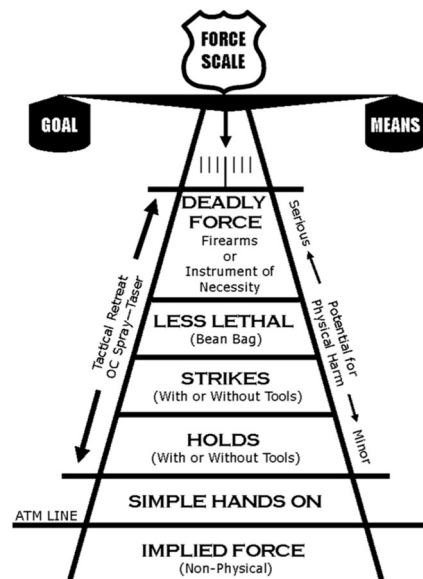


Image 3: Picture of the force scale used in BCPD's use of force training materials.

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 the Chief Medical Examiner 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. 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.

from an area or place them under arrest. Holds, with or without tools, are used to grasp a resistant individual. Strikes, with hands or tools, are considered physical combat. When using strikes, officers are to consider the area on an individual's body they are striking and the potential for causing injury.

Officers are trained to use the least amount of force needed to accomplish their objective. Officers are also instructed to prioritize communication as a means of preventing a situation from escalating to a higher level of necessary force. However, officers are not required to start at the lowest level on the force scale. Rather, the level of force is dictated by an individual's actions and the type of resistance presented by an individual. Thus, an officer may start at any level on the scale that is appropriate for the situation. Officers may also jump levels and/or move up and down the scale during a confrontation in reaction to an individual's actions.

The IID interviewed BCPD Officer Dennis Chesgreen, who has twenty-seven years of law enforcement service and seventeen years of experience as a defensive tactics instructor at BCPD's training academy. Officer Chesgreen was Officer Hadel's defensive tactics instructor when he was in the BCPD training academy. According to Officer Chesgreen, officers must consider that the longer a physical confrontation continues, the greater the potential for harm to the officer or to others. As such, when force is necessary, officers should use a level of force that is both proportionate to the threat they are facing and the most effective at making the situation as safe as possible as quickly as possible.

When determining the type of force to use, the distance between an officer and a suspect is an important factor an officer must consider. Officers should attempt to keep two arm lengths between themselves and a suspect because the closer a suspect comes to the officer, the less time the officer has to react to the suspect's actions. Distance can be a deciding factor when an officer is determining what type of force to use. According to Officer Chesgreen, BCPD officers are trained to use their hands to strike or punch an "actively resisting" suspect in the face when in a close-quarters confrontation. A suspect who attempts to fight or otherwise engages in assaultive behavior towards an officer is considered to be actively resisting. BCPD does not train its officers to differentiate between the types of assaultive behavior an officer may face (e.g., a punch versus a slap), when determining how to respond to an actively resisting suspect. According to Officer Chesgreen, "a strike is a strike," and given the minimal time an officer has for decision-making when in a close-quarters confrontation, BCPD officers are trained to treat all forms of active resistance uniformly. Specifically, BCPD trains its officers to strike an actively resisting suspect in the face because a punch to the face, rather than to the body, is the most effective way to quickly end a confrontation and gain control of a suspect.

Officers are trained that some tools may not be effective if a suspect is close to the officer. Specifically, BCPD officers are trained that they should not use OC spray unless a suspect is at least three feet away. Because of the force of the spray, OC spray could injure a suspect when used within three feet. Additionally, when used within less than three feet, OC spray may only strike the lower half of a suspect's face, which, while it may cause a burning sensation, will not incapacitate the suspect. Particles from the spray also can stay in the air for several seconds, which increases the chances of the spray affecting and/or incapacitating the officer. Likewise, a Taser is not suited for use during a close-quarters confrontation because the Taser prongs generally need time and distance to spread to be effective. Finally, BCPD officers are trained that a baton is not an effective

tool when a combative suspect is close to an officer because time and distance are necessary to enable an officer to draw, extend, and swing the baton. As with deploying a Taser, this required time and the close distance create an opportunity for a nearby suspect to grab the officer or his weapon.

During their defensive tactics training at the academy, BCPD officers participate in approximately sixty to one hundred use-of-force scenarios. These scenarios give officers an opportunity to practice communication, de-escalation, and decision-making, with feedback from instructors. The scenarios also provide officers an opportunity to practice interacting with individuals who appear to be intoxicated and/or mentally unstable. During training, officers are taught to give loud, concise, and continuous verbal commands when interacting with someone who is intoxicated. Once an intoxicated individual becomes physically combative, BCPD officers are trained to treat those individuals no differently than someone who is combative and not intoxicated. Ultimately, an individual's combativeness dictates whether the officer should use force and what type of force the officer should employ.

IV. Legal Analysis

After a criminal investigation is complete, prosecutors must determine whether to bring criminal charges against a person. 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 must also determine whether the person accused of the crime could raise an affirmative defense. In those cases, prosecutors not only need to prove the crime, they must also 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.

Based on the evidence, three offenses were considered in this case: 1) Maryland's Use of Force Statute, which makes it a crime for officers to intentionally use excessive force;⁷ 2) Second Degree Assault; and 3) Involuntary Manslaughter.

There is insufficient evidence to prove that the subject officer violated the aforementioned statutes. Accordingly, the Office of the Attorney General will not pursue criminal charges against the subject officer. This report explains in further detail why, based on the evidence, we cannot prove beyond a reasonable doubt that the subject 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;

⁷ See Md Code, Public Safety §3-524(d)(1).

- (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.⁸

Determining whether an officer's use of force is "necessary and proportional" to prevent an imminent threat of physical injury or to accomplish a legitimate law enforcement objective is a fact-specific inquiry. Generally, 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 it was not likely to result in harm that was out of proportion or too severe in relation to the officer's law enforcement objective.⁹ 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.¹⁰

Based on the totality of the circumstances, there is insufficient evidence to prove that the subject officer in this case intended to use force that exceeded what was necessary and proportional to protect himself from an imminent threat of physical injury. The subject officer used force after Mr. Brown defied law enforcement commands by approaching the subject officer and twice slapping at the subject officer's hand. Consistent with BCPD training and policy, the subject officer gave Mr. Brown repeated instructions to get back in his vehicle. Mr. Brown did not acknowledge or comply with these instructions, and, instead, continued to approach the subject officer. When communication alone proved ineffective, the subject officer used minimal physical contact to push Mr. Brown back and maintain a safe distance, but this too was ineffective. Mr. Brown responded by slapping at the subject officer's hand two times. Mr. Brown's refusal to comply with law enforcement commands, his continued approach towards the subject officer, and his multiple slaps at the subject officer's hand presented an imminent threat to the subject officer's safety. Additionally, the subject officer was alone at approximately 3 a.m., with a restricted range of movement given the location of the vehicles at the intersection. Considering these factors, we lack sufficient evidence to prove that the subject officer's use of force was unnecessary at the time he punched Mr. Brown.

Likewise, based on the circumstances surrounding the subject officer's use of force, we cannot prove that his decision to punch Mr. Brown was a disproportionate response to the threat presented. Specifically, prior to punching Mr. Brown, alternative lesser means of force, including communication and simple hands-on physical contact, had proven ineffective. Further, the subject officer had been trained that tools that may otherwise have been available at the time, including OC spray and a Taser, would have been unadvisable for use due to his proximity with Mr. Brown. Moreover, these tools did not eliminate the risk of injury to Mr. Brown. Under these circumstances, the subject officer's decision to punch Mr. Brown in the face was in accordance with the training he received regarding use of force when in a close-quarters physical confrontation with an assaultive individual. Consistent with BCPD training and policy, the subject officer stopped using

⁸ MPJI-Cr 4:36, *Unlawful Use of Force by a Police Officer*, (2d ed. 2022).

⁹ 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 (2022).

¹⁰ *Id.*

force as soon as Mr. Brown no longer presented a threat. Finally, there is insufficient evidence that the subject officer intended to seriously injure or kill Mr. Brown or that the subject officer knew that punching Mr. Brown in the face was reasonably calculated to cause his death or serious physical injury. Thus, we cannot prove that, when punching Mr. Brown, the subject officer intended to use excessive force.

Accordingly, the Office of the Attorney General will not charge the subject officer with a violation of the Use of Force Statute in this case.

B. Second Degree Assault

To prove second degree assault, prosecutors must show that an accused person recklessly or intentionally made offensive physical contact with another person without legal justification.¹¹ A police officer's use of force is legally justified if it is in complete self-defense, in defense of others, or in furtherance of law enforcement duties.¹²

Complete self-defense exists when the subject officer: (1) was not the initial aggressor; (2) had the subjective belief that he was in immediate or imminent danger of bodily harm; (3) that belief was objectively reasonable; and (4) used force that was not more than what was reasonably necessary in light of the threat or actual force.¹³ The reasonableness of an officer's decision to use force must be viewed from "the perspective of a reasonable police officer similarly situated."¹⁴ In practice, this means that a factfinder must consider that police officers often work under rapidly changing circumstances and that what constitutes a reasonable use of force may change from moment to moment.¹⁵ 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.

IID could not disprove a claim of self-defense in this case. Specifically, the body-worn camera footage does not show that the subject officer was the initial aggressor. Mr. Brown exited his vehicle and approached the subject officer, with apparent agitation. Mr. Brown repeatedly defied the subject officer's clear and repeated instructions to get back in his car. The subject officer's two attempts to push Mr. Brown back did not dissuade Mr. Brown. Mr. Brown reacted by twice slapping at the subject officer's hand, in an area near the officer's waistband. Given these circumstances, we could not prove that it was unreasonable for the subject officer to believe that Mr. Brown presented a threat of immediate bodily harm. According to the BCPD trainer who trained the subject officer, Officer Hadel's decision to use force at that point was consistent with BCPD defensive tactics training for situations involving a close-quarters physical confrontation.¹⁶ Further, the subject officer stopped using force after Mr. Brown no longer presented a threat to his safety. Although Mr. Brown struck his head on the ground after being punched, which ultimately resulted in his death, there is insufficient evidence to prove that the subject officer intended to use

¹¹ MPJI-Cr 4:01.

¹² See *Malaska v. State*, 216 Md. App. 492, 517-522 (2014).

¹³ MPJI-Cr 5:07.

¹⁴ *State v. Albrecht*, 336 Md. 475, 501 (1994); *State v. Pagotto*, 361 Md. 528, 555 (2000).

¹⁵ *Id.*

¹⁶ After reviewing the subject officer's BWC video, Officer Chesgreen opined that because Mr. Brown twice struck the subject officer, the subject officer's punches were consistent with BCPD's defensive tactics training.

force that would cause death or serious physical injury. Nor do we have sufficient evidence to prove that the subject officer's two punches were reasonably calculated to cause death or serious physical injury, particularly since neither the medical records nor the autopsy identified significant facial injuries. Given these facts, we cannot prove that the subject officer's use of force was more than reasonably necessary to stop the threat presented.

Faced with this evidentiary record, we cannot overcome the elements of complete self-defense. Accordingly, the Office of the Attorney General will not charge the subject officer with second degree assault in this case.

C. Homicide Offenses

When a person is killed by another person, 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.¹⁷
- Second Degree Murder: when the defendant intended to kill or inflict such serious injury that death would be the likely result and there were no justification or mitigating circumstances.¹⁸
- Voluntary Manslaughter: an intentional killing that is not murder because the defendant acted in partial self-defense.¹⁹
- Involuntary Manslaughter: when the defendant acted with gross negligence and that conduct caused the death of another.²⁰

First Degree Murder, Second Degree Murder, and Voluntary Manslaughter all require proof that an accused intended to kill another person. Here, there is no evidence that the subject officer intended to kill Mr. Brown when he punched him twice. Because there is no evidence that the subject officer intentionally killed Mr. Brown, involuntary manslaughter is the only homicide offense that remains for consideration.

To prove involuntary manslaughter, a prosecutor would need to establish beyond a reasonable doubt that:

- (1) the subject officer acted in a grossly negligent manner, and
- (2) his gross negligence caused Mr. Brown's death.²¹

Gross negligence is conduct that demonstrates a "wanton and reckless disregard for human life."²²

¹⁷ MPJI-Cr 4:17.

¹⁸ MPJI-Cr 4:17.

¹⁹ MPJI-Cr 4:17.2.

²⁰ MPJI-Cr 4:17.8.

²¹ MPJI-Cr 4:17.9 Homicide—Involuntary Manslaughter (Grossly Negligent Act and Unlawful Act).

²² *Duren v. State*, 203 Md. 584, 588 (1954).

Complete self-defense applies to involuntary manslaughter, as it does with the other homicide offenses.²³ Where a defendant raises a claim of self-defense, a prosecutor must prove beyond a reasonable doubt that one of the elements of self-defense is not applicable.

For the reasons outlined above in Section IV-B, the evidence here is insufficient to defeat a claim that the subject officer acted in self-defense. Specifically, we cannot prove that it was unreasonable for the subject officer to believe that Mr. Brown posed an ongoing threat to his safety, as Mr. Brown had defied commands, confronted the subject officer, and twice slapped at the officer's hand. With these facts – and evidence that Officer Hadel acted in accordance with his BCPD training on defensive tactics – we cannot prove that the use of force demonstrated a reckless disregard for Mr. Brown's life. Nor can we prove, considering Mr. Brown's proximity and assaultive conduct, that the use of force was more than reasonably necessary to stop the threat presented.

The subject officer's actions do not constitute the crime of involuntary manslaughter, as we cannot overcome a claim of complete self-defense. Accordingly, the Office of the Attorney General will not charge the subject officer with a homicide offense in this case.

VI. Conclusion

This report has presented factual findings, legal analysis, and conclusions relevant to the February 16, 2026, police-involved death of Samuel Brown in Baltimore, 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.

²³ Self-defense is a defense to all assaultive crimes. *MPJI-Cr 5:07*; see also *Jones v. State*, 357 Md. 408 (2000).