



# INDEPENDENT INVESTIGATIONS DIVISION

Declination Report Concerning the Police-Involved  
Death in Carroll County on  
April 20, 2024

July 29, 2024

*Public Release:  
August 5, 2024*

## **Declination Report Concerning the Police-Involved Death of Kayla Rodriguez-Garcia on April 20, 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.” Md. Code, State Gov’t § 6-602 (c)(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.” State Gov’t § 6-604 (a)(1).

### **I. Introduction**

On April 20, 2024, at approximately 11:30 p.m., Carroll County Sheriff’s Office (“CCSO”) Deputy First Class Kyle Hessler was in a marked cruiser stopped on the eastbound shoulder of Liberty Road at Ridge Road in Eldersburg, Maryland, when an Infiniti sedan drove past him at a high rate of speed. Deputy Hessler activated his emergency lights and sirens and attempted to conduct a traffic stop on the car, but the driver, later identified as Jamal Steele, failed to stop. After approximately forty seconds, Deputy Hessler slowed down and turned off his emergency lights and sirens, terminating the attempted traffic stop. A moment later, Deputy Hessler came upon a crash involving the Infiniti and a Honda HR-V. The Honda contained two occupants. The driver of the Honda, Kayla Rodriguez-Garcia, was pronounced dead on scene. Mr. Steele and the passenger in the Honda both suffered serious non-life-threatening injuries and were each taken to a local hospital for treatment. 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 Deputy Hessler 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. Therefore, the IID’s investigation did not specifically examine any criminal culpability of Mr. Steele, the driver of the Infiniti, in this incident. Moreover, the IID’s analysis does not consider issues of civil liability or the department’s administrative review of the officer’s conduct. Certain information—specifically, 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, they have not been considered in the IID’s investigation. The subject officer in this case chose not to make a statement to the IID, which had no impact on the prosecutorial decision.

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, and interviews with civilian and law enforcement witnesses. The legal analysis explains why the IID will not bring charges under the relevant Maryland statutes.

This investigation involved the driver of the Infiniti, one decedent, and one subject officer:

- A. Jamal Edward Steele, the driver of the Infiniti, was 33 years old at the time of the collision. He is a Black male who lived in Randallstown, Maryland.
- B. Decedent, Kayla Mariea Rodriguez-Garcia, was 22 years old at the time of the collision. She was an Hispanic female who lived in Randallstown, Maryland.
- C. Deputy First Class Kyle Hessler was employed by CCSO from March 2021 through December 2022. He was rehired by CCSO in September 2023. At the time of the collision, he was 28 years old, and is a White male.

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.

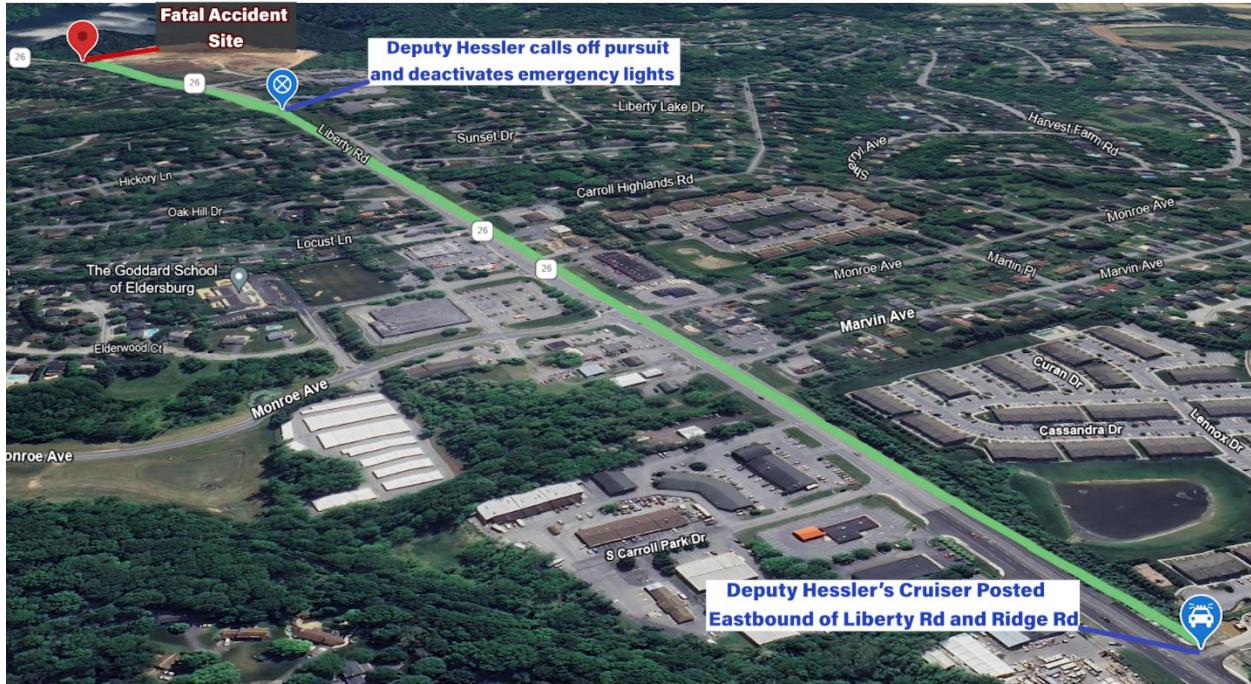
## II. Factual Summary

On April 20, 2024, at approximately 11:30 p.m., Deputy Hessler was driving a marked police cruiser on routine patrol eastbound on Liberty Road in Eldersburg, Maryland. After passing the intersection of Liberty Road and Ridge Road, Deputy Hessler pulled over to the shoulder of Liberty Road and turned off his headlights. A few moments later, a 2018 Black Infiniti Q50 passed the Deputy Hessler traveling at a high rate of speed. The posted speed limit on Liberty Road is 50 m.p.h. At 11:30:30 p.m., as the Infiniti drove by, Deputy Hessler activated the headlights and his emergency lights and sirens and began following the Infiniti eastbound on Liberty Road. The weather conditions were clear and there was minimal traffic on Liberty Road.



*Image 1: Still-image from Deputy Hessler's dash-board camera footage while stopped on Liberty Road, prior to the Infiniti driving past at a high rate of speed. Click image for short video clip.*

As Deputy Hessler accelerated, he called in the attempted traffic stop over the radio; after approximately 20 seconds, the Infiniti was no longer visible on Deputy Hessler's dashboard camera footage. At 11:31:09 p.m., approximately 40 seconds after activating his emergency lights and sirens to try to stop the Infiniti, Deputy Hessler deactivated his emergency lights and sirens and radioed to dispatchers, "Yeah, I terminated, I'm not...killed my lights. Just letting 194 know he's coming out at 120 plus."<sup>1</sup> About twelve seconds after that, as Deputy Hessler continued to drive down Liberty Road, his dashboard camera footage shows that he came upon a crash involving a Honda HR-V and the Infiniti.



*Image 2: Map of Liberty Road indicating where Deputy Hessler was located when he initiated the attempted traffic stop, where he deactivated his emergency equipment and the site of the fatal accident.*

According to the Maryland State Police Crash Team report, the Infiniti was traveling 128 m.p.h. in a 50-m.p.h. zone on Liberty Road five seconds prior to the crash. The brakes on the Infiniti were activated two seconds before the collision. The Infiniti crossed the double-yellow lines into the westbound travel lanes. At the moment of the crash, the Infiniti struck the Honda head-on while traveling between 96 m.p.h. and 119 m.p.h., causing the Honda to rotate clockwise and strike an embankment, and the Infiniti to cross back into the eastbound lanes and strike a guardrail. The Infiniti bounced off the guardrail, continued East, then came to rest after striking the guard rail a second time.

<sup>1</sup> Unit 194 was another CCSO Deputy that was stationed further down Liberty Road.



Image 3: A graphic depicting the aftermath of the crash. The red point shows the point of impact, the blue point shows the Honda's final rest position, and the orange point represents the Infiniti's final resting position. The green line shows the Infiniti's path after the initial impact.



Image 4 and 5: Image 4 is a photograph of the Honda-HRV after being struck head-on by the Infiniti. Image 5 is a photograph of the Infiniti after coming to rest against the guardrail.

Deputy Hessler immediately notified dispatch of the accident, “1050, 1050. Start [inaudible], start more units.” At 11:32:46 p.m. a responding officer made a request for medics over the radio. Deputy Hessler got out of his cruiser and approached the Infiniti with his gun drawn. Mr. Steel was trapped in the driver’s seat of the Infiniti, conscious and responsive. Deputy Hessler asked why he ran, and Mr. Steele responded, “I don’t even know why. I seen you sitting over there on the side. I seen you sitting right there.” Mr. Steele was later removed from the car, taken to an area hospital and treated for his injuries. Further investigation revealed that Mr. Steele’s blood alcohol levels were above the limit permitted by Maryland law. Mr. Steele admitted to consuming tequila and beer. Investigation also revealed the Infiniti was reported stolen on January 22, 2024, and two additional sets of stolen registration plates were located inside the car.

Ms. Rodriguez-Garcia and one passenger occupied the Honda at the time of the crash. Other deputies, along with other bystanders on scene, assessed Ms. Rodriguez-Garcia and the passenger for injuries. They were unable to remove Ms. Rodriguez-Garcia from the car; she was unresponsive, and the bystanders were unable to detect a pulse. Medics arrived on the scene at

11:39 p.m. The passenger was taken to an area hospital where she was treated for her injuries. Ms. Rodriguez-Garcia was removed from the Honda and pronounced dead on scene.

### **III. Supplemental Information**

#### **A. Autopsy Report**

The Office of the Chief Medical Examiner performed an autopsy of Ms. Rodriguez-Garcia's on April 21, 2024. The medical examiner determined that Ms. Rodriguez-Garcia died from multiple injuries sustained in the crash and that the manner of death was an "accident."<sup>2</sup>

#### **B. Department Policies**

Traffic stops are governed by CCSO's Traffic Procedures No. 503 – Traffic Control and Enforcement. The purpose of the policy is to "to promote the safe and efficient movement of traffic within the county and utilize selective enforcement techniques for reducing traffic collisions..."<sup>3</sup> The policy goes on to give guidance specifically regarding "excessive speed violations" advising deputies to regard "violations of the speed limit laws as serious and hazardous violations warranting enforcement action."

CCSO also has a written policy governing when officers are authorized to engage in vehicle pursuits. Traffic Procedures No. 502 – Vehicle Pursuits and Roadblocks, which went into effect on March 22, 2023, defines a vehicular pursuit as occurring when, "a deputy attempts to apprehend the driver of a vehicle who is disregarding the signal to stop."<sup>4</sup> The policy prohibits pursuits for "minor traffic violations, to include suspended and/or revoked drivers, suspect DUI drivers, or non-violent criminal acts, regardless of whether the suspect is known or unknown." The policy leaves room for a supervisor-authorized pursuit for "Incidents and Events that may occur which may pose a risk to the public."

### **IV. Legal Analysis**

After a criminal investigation, 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.

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<sup>2</sup> 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

<sup>3</sup> CCSO Traffic Procedures No. 503 – Traffic Control and Enforcement.

<sup>4</sup> CCSO Traffic Procedures No. 502 – Vehicle Pursuits and Roadblocks.

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 which is applicable in most police-involved fatal accidents is criminally negligent manslaughter by vehicle.<sup>5</sup> This offense requires proving that an accused person caused the death of another person by operating a vehicle in a criminally negligent manner. It is the baseline homicide charge that a prosecutor can bring in an officer-involved pursuit case.

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,<sup>6</sup> which requires a prosecutor to prove that the defendant drove with gross negligence, a level above criminal negligence. Both of these 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.

The evidence in this case shows that Deputy Hessler did not violate the aforementioned statutes because there is insufficient evidence to prove that he drove his vehicle in a criminally negligent manner. Accordingly, the IID will not pursue criminal charges against him. This report explains in further detail why, based on the evidence, a prosecutor could not prove beyond a reasonable doubt that the officer committed a crime.<sup>7</sup>

#### 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 the death of Ms. Rodriguez-Garcia.<sup>8</sup> 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 was would exercise.”<sup>9</sup> 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.<sup>10</sup> In Maryland, 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.<sup>11</sup>

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<sup>5</sup> Md. Code, Criminal Law § 2-210.

<sup>6</sup> Md. Code, Criminal Law § 2-209

<sup>7</sup> 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 Ms. Rodriguez-Garcia.

<sup>8</sup> MPJI-Cr 4:17.10 (3d ed. 2024)

<sup>9</sup> 96 Md. Op. Atty. Gen. 128, 138, Dec. 21, 2011 (*available at*

<https://www.marylandattorneygeneral.gov/Opinions%20Documents/2011/96oag128.pdf>)

<sup>10</sup> 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.’”).

<sup>11</sup> *Boyer v. State*, 323 Md. 558, 589 (1991).

Determining whether an officer's actions constitute criminal negligence must take into consideration the totality of the circumstances, including relevant factors such as department policies, use of warning devices, traffic conditions, speed, yielding to traffic signals, and erratic driving.<sup>12</sup> 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."<sup>13</sup> 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 an officer's policy violations as evidence of negligence, recklessness, unreasonableness, and corrupt intent.<sup>14</sup> However, a "hypertechnical" violation of policy, without more, is not sufficient to establish gross negligence.<sup>15</sup> Applying these principles to the present matter, prosecutors must analyze Deputy Hessler's decision to attempt to stop the Infiniti and his actions while his cruiser was in motion.

Regarding Deputy Hessler's decision to attempt to stop the Infiniti, his cruiser was stationary on the side of Liberty Road when the Infiniti drove past him at what he estimated was 120 m.p.h. in a 50-m.p.h. zone. CCSO policy permits officers to attempt a traffic stop if a vehicle is traveling over the speed limit and creating a hazard to the public. The available evidence suggests that Deputy Hessler's estimate was relatively accurate, and a vehicle traveling 70 m.p.h. over the speed limit represents a clear public safety hazard. Accordingly, his decision to attempt to stop the Infiniti was within policy and objectively reasonable. Therefore, Deputy Hessler did not create an unjustifiable risk that was a gross deviation from the reasonable standard of care, and his decision to conduct a traffic stop was not criminally negligent.

With respect to Deputy Hessler's driving, he was driving a marked cruiser and immediately activated his lights and sirens when he began the traffic stop. While Deputy Hessler drove above the posted speed limit of 50 m.p.h., he maintained control of his vehicle and drove with reasonable caution regarding civilian traffic in clear weather conditions, which is consistent with his training and CCSO policies.<sup>16</sup> Less than a minute later, once Deputy Hessler determined that he would not be able to safely stop the Infiniti, he deactivated his emergency lights and sirens, continued to drive, and called in the termination of the attempted stop. Thus, the evidence shows that Deputy Hessler did not attempt to engage in a vehicle pursuit, consistent with the CCSO policy that prohibits vehicle pursuits under these circumstances. In sum, Deputy Hessler's actions during the attempted traffic stop were consistent with departmental policy and did not create an unjustifiable risk that was a gross deviation from a reasonable standard of care. Accordingly, the Office of the Attorney General will not charge him with criminally negligent manslaughter by motor vehicle in this case.

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<sup>12</sup> See, e.g. *Boyer*, 323 Md. at 591; *Taylor v. State*, 83 Md. App. 399, 404 (Ct. Sp. App. Md. 1990).

<sup>13</sup> *State v. Pagotto*, 361 Md. 528, 557 (2000) (citing *State v. Albrecht*, 336 Md. 475, 502-03 (1994)) (emphasis in original).

<sup>14</sup> 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).

<sup>15</sup> *State v. Pagotto*, 127 Md. App. 271, 304 (1999), *aff'd*, 361 Md. 528 (2000).

<sup>16</sup> Cf. *Khawaja v. Mayor & City Council, City of Rockville*, 89 Md. App. 314, 318 (1991) (finding that an officer was not grossly negligent even though they sped 25 m.p.h. over the speed limit through a red light without using lights and sirens and directly caused a collision).

## **V. Conclusion**

This report has presented factual findings and legal analysis and conclusions relevant to the April 20, 2024, police-involved fatal vehicle accident in Carroll County that resulted in the death of Kayla Rodriguez-Garcia. The Office of the Attorney General has declined to seek charges in this case because, based on the evidence obtained in its investigation, Deputy Hessler did not commit a crime.