



INDEPENDENT INVESTIGATIONS DIVISION

Report Concerning the Police-Involved Death in
Baltimore City on June 24, 2025

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Declination Report Concerning the Police-Involved Death of Dontae Maurice Melton, Jr. on June 24, 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 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 June 24, 2025, at approximately 9:40 p.m., a man, later identified as Dontae Melton, Jr., approached a Baltimore Police Department (“BPD”) officer who was in his marked police cruiser stopped at a traffic light at the intersection of West Franklin Street and North Franklintown Road. Mr. Melton appeared to be in a mental health crisis. While the officer spoke with Mr. Melton, he repeatedly ran into the street, despite requests from the officer to stay out of the street. The officer attempted to restrain Mr. Melton for his own safety, and when additional BPD officers arrived on scene to assist, they placed Mr. Melton in handcuffs and leg restraints. The officers called for emergency medical services (“EMS”). While waiting for EMS, Mr. Melton became unresponsive. Despite officers making five requests, EMS never responded. After waiting almost 40 minutes for EMS, officers transported Mr. Melton to a nearby hospital where he was pronounced dead on June 25, 2025.

After completing its investigation and evaluating all available evidence, the Office of the Attorney General has determined that none of the subject officers committed a crime under Maryland law. Accordingly, the Office of 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. Moreover, the IID’s analysis does not consider issues of civil liability or the department’s administrative review of the subject officers’ conduct. Certain information—specifically, 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. The subject officers in this case did not make statements 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 an autopsy

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

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

report, police radio transmissions, dispatch records, police reports, and police body-worn camera footage.

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 ten subject officers:

- A. The decedent, Dontae Maurice Melton, Jr, was 31 years old at the time of the incident. He was a Black male who lived in Baltimore, Maryland.
- B. Officer Gerard Pettiford has been employed by BPD since July 2017. He is a Black male, and, at the time of the incident, was 30 years old.
- C. Officer Jacob Dahl has been employed by BPD since July 2019. He is a White male, and, at the time of the incident, was 27 years old.
- D. Officer Ever Cardenas-Huarcaya has been employed by BPD since March 2022. He is a Hispanic male, and, at the time of the incident, was 26 years old.
- E. Officer Kevin Causion has been employed by BPD since July 2020. He is a Black male, and, at the time of the incident, was 40 years old.
- F. Officer Jammal Parker has been employed by BPD since July 2022. He is a Black male, and, at the time of the incident, was 35 years old.
- G. Officer Renardo Spencer has been employed by BPD since January 2022. He is a Black male, and, at the time of the incident, was 27 years old.
- H. Officer Ryan Stetser has been employed by BPD since June 2024. He is a White male, and, at the time of the incident, was 27 years old.
- I. Officer Darren Hicks, Jr., has been employed by BPD since February 2023. He is a Black male, and, at the time of the incident, was 27 years old.
- J. Officer Andre Smith has been employed by BPD since September 2005. He is a Black male, and, at the time of the incident, was 37 years old.
- K. Sergeant Joshua Jackson has been employed by BPD since May 2017. He was previously employed by Anne Arundel County Police Department from February 2016 to February 2017. He is a Black male, and, at the time of the incident, was 32 years old.

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 June 24, 2025, at 9:40 p.m., BPD Officer Pettiford was in his police cruiser at a traffic light at the intersection of Franklin Street and Franklinton Road, when a man, later identified as Dontae Melton, Jr., approached his vehicle. Officer Pettiford exited his cruiser and asked Mr. Melton what he needed. Mr. Melton was out of breath and said that someone was chasing him. However, Officer Pettiford did not see anyone chasing Mr. Melton. Officer Pettiford asked Mr. Melton if he wanted an ambulance to take him to the hospital, and Mr. Melton said "yes." While Officer Pettiford was speaking with him, Mr. Melton repeatedly ran into the heavily trafficked street. Officer Pettiford instructed Mr. Melton to get out of the street and sit down on the curb, but Mr. Melton would not comply. Mr. Melton continued running into the street, repeatedly stating that someone was after him and they were hiding.



Image 1: An image from Officer Pettiford's body-worn camera footage showing Mr. Melton in the street.

Officer Pettiford approached Mr. Melton and took hold of his upper arm to walk him out of the street. Mr. Melton pulled away from Officer Pettiford, yelling and attempting to move further into the street. Officer Pettiford then attempted to place Mr. Melton in handcuffs. Mr. Melton struggled against Officer Pettiford, trying to pull away. Officer Pettiford told Mr. Melton to stop, but Mr. Melton did not comply. Officer Pettiford then requested backup. During the struggle, Officer Pettiford took Mr. Melton to the ground onto his back.

A few seconds later, Officer Hicks arrived and assisted Officer Pettiford in his attempt to place Mr. Melton in handcuffs. Mr. Melton continued struggling with the officers and began yelling “He’s got a gun out!” Shortly thereafter, Officer Dahl, Officer Spencer, and Officer Stetser arrived. Officer Dahl and Officer Stetser each took hold of one of Mr. Melton’s ankles while Officer Spencer and Officer Hicks had hold of Mr. Melton’s wrists.

After struggling with Mr. Melton for a couple minutes, the officers put Mr. Melton onto his stomach and handcuffed him and placed him in leg restraints. After restraining him, the officers sat Mr. Melton on the ground against Officer Pettiford’s cruiser. Mr. Melton would not sit still and attempted to pull away from officers, screaming, “He has a gun out.” Officer Spencer remarked that because Mr. Melton was so combative, he could not be transported in a cruiser and would need a medic. The officers contacted dispatch at 9:48 p.m. and requested EMS to respond.

During this time, additional officers arrived on scene, including Sergeant Jackson who was the supervisor on scene and did not have any physical contact with Mr. Melton, as well as Officer Smith, Officer Parker, Officer Causion, and Officer Cardenas-Huarcaya, who assisted the other officers with controlling Mr. Melton. The officers held Mr. Melton’s arms to keep him upright as he screamed and tried to pull away. When Mr. Melton tipped over on his side, officers held him by his arm so he would not roll over or hit his head. Officer Dahl also stepped on the chain of Mr. Melton’s leg restraints to prevent him from rolling onto his stomach and requested for someone to get a “red man” helmet³ to protect Mr. Melton’s head. Mr. Melton continued to struggle against the officers and scream that a man had a gun out and was going to shoot him. In response, the officers told Mr. Melton to relax and that no one had a gun, as there was no evidence anyone was chasing Mr. Melton or trying to hurt him.

For several minutes, the officers alternated between stepping back from Mr. Melton and holding his arms. When the officers stepped back, Mr. Melton would move continuously, either rolling around from side to side on his back or sitting up. Mr. Melton continued yelling during this time. While rolling around, Mr. Melton would sometimes briefly end up on his stomach, at which point, the officers would take hold of his arm and pull him back to his side, holding him there.

At 9:55 p.m., officers again contacted dispatch, who confirmed that EMS had been requested at 9:48 p.m. and that a second request had just been sent, but there was no estimate on EMS’s arrival. Shortly thereafter, an officer arrived with a “red man” helmet, which Officer Dahl placed on Mr. Melton. Officer Stetser stepped on the chain of Mr. Melton’s leg restraints, and the officers stepped back from him. Mr. Melton continued rolling around on the ground, making noises but no longer yelling.

³ A “red man” helmet is a soft helmet used by law enforcement for protection during training scenarios.



Image 2 (Left): Still image from Officer Dahl's body-worn camera footage showing the subject officers putting the "red man" helmet on Mr. Melton.



Image 3 (Right): Still image from Officer Pettiford's body-worn camera footage showing Mr. Melton on the ground on his side wearing the "red man" helmet.

While rolling around on the ground during this time, Mr. Melton rolled onto his stomach in the prone position, moving his torso up and down off the ground. Shortly after 10 p.m., after approximately two minutes on his stomach, Officer Dahl took hold of Mr. Melton's elbow and turned him on his side. Officer Dahl noted that Mr. Melton's pulse was very high, and he questioned why EMS had not arrived yet. Officer Causion approached, and along with Officer Dahl and Officer Stetser, they lifted Mr. Melton under his arms, intending to put him in a cruiser. However, Mr. Melton had become unresponsive and could not stand on his own. The officers asked Sergeant Jackson what they should do, and Sergeant Jackson said to put Mr. Melton back on the ground and wait for EMS.

The officers placed Mr. Melton back on the ground, sitting him upright against Officer Pettiford's cruiser. Officer Causion stood next to Mr. Melton, talking to him and gently shaking his shoulder. Officer Causion noted that Mr. Melton was very hot and asked if anyone had water. At that time, the temperature outside was approximately 86 degrees. Officer Dahl purchased cold water from an adjacent convenience store, and along with Officer Causion, poured small amounts of water onto Mr. Melton's torso, legs, and onto his head through the slats on the helmet to cool him down. The officers again questioned why EMS was taking so long to respond.

Over the next ten minutes, the officers contacted dispatch three times as they monitored Mr. Melton's condition. Officer Pettiford contacted dispatch at approximately 10:12 p.m. and asked to send another request for EMS. Officer Pettiford told dispatch that Mr. Melton was now unresponsive. Less than a minute later, Officer Causion suggested trying to put Mr. Melton in a cruiser and driving him to the hospital because of how long EMS was taking to arrive. Officers Causion and Spencer lifted Mr. Melton and, with the assistance of other officers, attempted to put him into the backseat of one of the police cruisers. After approximately three minutes struggling to put Mr. Melton into the cruiser, Sergeant Jackson told the officers to stop and to put Mr. Melton back on the ground in the recovery position. Sergeant Jackson told the officers that it was unsafe to transport Mr. Melton in a cruiser in his condition because he could not hold himself up.

The body-worn camera footage shows that the officers placed Mr. Melton back on the pavement on his side in the recovery position. A minute later, at 10:19 p.m., Sergeant Jackson

contacted dispatch asking for an update on EMS and informing dispatch they had unsuccessfully tried to put Mr. Melton into a cruiser. The officers expressed frustration that EMS had not arrived yet, and Officer Spencer suggested going to the closest firehouse and asking when they planned to come out. Sergeant Jackson denied the request.



Image 4: FOR DEMONSTRATIVE PURPOSES ONLY. Picture demonstrating an individual lying on his side in the recovery position. From the National Library of Medicine Medical Encyclopedia.

As shown in the body-worn camera footage, the subject officers placed Mr. Melton into this position on the ground after the unsuccessful attempt to put him into a police cruiser.

Sergeant Jackson contacted dispatch again at 10:22 p.m., informing them EMS still had not arrived. Sergeant Jackson then stepped away to call his Lieutenant, informing the Lieutenant about the situation with Mr. Melton and EMS's lack of response. While Sergeant Jackson was on the phone, Officer Dahl took hold of Mr. Melton's upper arm to examine him more closely. Officer Dahl noted that Mr. Melton's breathing was becoming increasingly shallow. The officers decided they would transport him to the hospital and that given his condition, they could justify transporting him without a seatbelt. Officer Dahl approached Sergeant Jackson and informed him they could no longer wait for EMS to arrive due to Mr. Melton's deteriorating condition. Sergeant Jackson agreed, and the officers placed Mr. Melton into the backseat of a police cruiser with Officer Cardenas-Huarcaya sitting beside him, holding him up. At approximately 10:27 p.m., Officer Causion drove Mr. Melton to the hospital. Several hours later, Mr. Melton was pronounced dead. Subsequent investigation revealed that although BPD dispatch told the officers that requests for EMS had been sent, due to an extended malfunction with the city's Computer-Aided Dispatch (CAD) system, the Baltimore City Fire Department (BCFD) never received the requests.⁴

III. Supplemental Information

A. Autopsy

The Maryland Office of the Chief Medical Examiner (the "OCME") performed an autopsy of Mr. Melton on June 25, 2025. The Medical Examiner determined that Mr. Melton died "due to a combination of drug intoxication, hyperthermia, and restraint." The Medical Examiner noted abrasions and contusions on Mr. Melton's body consistent with "struggle and restraint;" however, the autopsy did not reveal any evidence of major traumatic injuries. The OCME concluded Mr. Melton's manner of death was "Homicide."⁵

⁴ Under Md. Code, State Gov't § 6-602, the IID has jurisdiction to investigate the actions only of police officers, not other government employees or emergency personnel. Therefore, the IID did not analyze the actions or potential culpability of the dispatch personnel involved in this incident.

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 the Chief Medical Examiner uses five categories of manner of death: natural, accident, suicide, homicide, and undetermined. "Homicide" applies when death results

The OCME toxicology test detected the presence of cocaine and fentanyl in Mr. Melton's system.

B. Department Policies

BPD provides officers with written policies and procedures, as well as practical training in the use of force. The BPD policies and training materials encompass the written policies and procedures for its sworn officers, several of which are relevant to this investigation.

1. Policy 1115 (Use of Force) and Policy 1107 (De-escalation)

BPD Policy 1115 (Use of Force) and Policy 1107 (De-escalation) require an officer to "use only the force Reasonable, Necessary, and Proportional to respond to the threat or resistance effectively and safely to resolve an incident and will immediately reduce the level of force as the threat or resistance diminishes."

Policy 1115 defines those terms as follows:

- Reasonable: "A member uses Reasonable Force when the member uses no more force than required to perform a lawful purpose."
- Necessary: "Force is necessary only when no reasonably effective alternative exists."
- Proportional: "Proportionality measures whether the force used by the member is rationally related to the level of resistance or aggression confronting the member."

The policies mandate that officers use de-escalation techniques to minimize the need to use force or to lessen the amount of force needed. De-escalation techniques can include talking to a person in a non-confrontational tone, putting space between the officer and the person, allowing a person to move around when it is safe to do so, and allowing a person to make statements or ask questions. Further, force should de-escalate as resistance decreases, and once resistance stops, officers are also required to stop using force.

The policies further explain that officers have a duty to provide aid to any injured person after a use of force. The policies specify that if a person has been restrained, that individual is not to be placed face down or on their backs due to increased chance of injury. Restrained individuals are to be placed on their sides or in a seated position.

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.

2. Policy 1114 (Persons in Police Custody)

BPD Policy 1114 mandates that officers handcuff detainees as soon as possible to minimize the risk of injury to the officers and others. However, officers are to ensure that individuals are detained in a way that does not cause undue pain or increase chance of injury. For example, officers are not to leave detainees on hot pavement or in a face-down prone position. If a detainee shows signs of injury, withdrawal, or overdose, officers must render aid and request that a medic respond to the scene to transport the detainee to the hospital. Whenever officers transport a detainee, they must use vehicles with safety barriers and ensure that the detainee is secured with a seatbelt or similar restraining device for safety purposes. Further, officers are prohibited from transporting detainees in any way that could impair the detainee's safety, including unnecessary speeding, braking, or sharp turns.

3. Policy 702 (Crisis Intervention Program)

BPD Policy 702 provides guidelines for officers responding to incidents involving individuals experiencing mental or behavioral health crises. Although officers are not expected to diagnose mental or behavioral conditions, they are expected to recognize behaviors indicative of such conditions. The policy states that when an officer responds to an incident involving an individual who is experiencing a behavioral health crisis, the officer must first secure the scene to ensure the safety of the officer, the individual in crisis, and any bystanders. Then, the officer must determine how to assist the individual, including seeking assistance through the Crisis Helpline or transporting individuals to psychiatric emergency facilities and seeking an Emergency Petition in cases where there is no less-restrictive form of intervention consistent with the safety of the individual involved. Further, throughout encounters with individuals in crisis, officers are required to use de-escalation techniques, as proscribed in Policy 1107, to avoid the need to use force to resolve the incident.

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 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, 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.

Based on the evidence, two 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.⁶ The second offense is Involuntary Manslaughter, which occurs when an accused person's grossly negligent conduct causes the death of another person.⁷

The evidence in this case shows that the subject officers did not violate either of the aforementioned statutes. Accordingly, the Office of the Attorney General will not pursue criminal charges against any of the subject officers. 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.⁸

First, prosecutors would need to establish that one or more of the subject officers used force that was not necessary and proportional under the circumstances. Second, prosecutors would need to prove that a subject officer's use of excessive force was intentional. Finally, prosecutors would need to establish that the force used by the subject officers resulted in Mr. Melton's death.

Determining whether an officer's use of force is "necessary and proportional" to prevent an imminent threat of physical injury or 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 available to the officer 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

⁶ See Md Code, Public Safety §3-524(d)(1).

⁷ MPJI-Cr 4:17.9 Homicide—Involuntary Manslaughter (Grossly Negligent Act and Unlawful Act), MPJI-Cr 4:17.9 (2d Ed. 2022).

⁸ MPJI-Cr 4:36 Unlawful Use of Force by a Police Officer, MPJI-Cr 4:36 (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.

¹⁰ *Id.*

Based on the totality of the circumstances, there is no evidence that the subject officers in this case intended to use force that exceeded that which was necessary and proportional to prevent Mr. Melton from being a danger to himself or others.

First, with respect to whether the use of force was necessary, Mr. Melton's behavior posed a threat to his safety and the safety of others, which required the subject officers to restrain him.¹¹ When Mr. Melton initially approached one of the subject officers, he was behaving erratically and continually running into a heavily trafficked intersection. Mr. Melton did not comply with the subject officer's instructions to get out of the street or the subject officer's attempt to escort him out of the street without using force. Mr. Melton's actions, specifically, pulling away from the subject officer and running back into the street, required the subject officers to detain him for his safety and the safety of others. Further, once detained, Mr. Melton continued to struggle and pull away from the subject officers, requiring the officers to continue restraining him for his safety.

Second, with respect to whether the kind and degree of force used by the subject officers was proportional to the imminent threat of harm presented by Mr. Melton, the evidence shows that the force used by the subject officers was proportionate. In accordance with BPD policies, the subject officers only used force on Mr. Melton after he refused to comply with verbal commands to get out of the busy street. The subject officers did not strike or slam Mr. Melton to the ground. The subject officers initially took hold of Mr. Melton's hands and took him to the ground only when he would not comply with verbal commands to stop pulling away. The subject officers then took hold of both Mr. Melton's feet and arms because he would not stop struggling. The officers briefly placed Mr. Melton on his stomach in the prone position to secure handcuffs and leg restraints but immediately pulled him up and sat him in an upright position once he was restrained. During their attempts to restrain Mr. Melton, the subject officers did not exert any pressure on Mr. Melton's chest or neck. Further, once detained, the subject officers only held Mr. Melton's arms as he continued to struggle to prevent him from falling over and injuring himself. Moreover, throughout their interactions with Mr. Melton, the subject officers attempted to de-escalate the situation by telling him to relax and assuring him no one was trying to hurt him.

Based on the evidence, a prosecutor could not prove beyond a reasonable doubt that the subject officers' use of force was not necessary and proportional to accomplish a legitimate law enforcement objective.¹² Accordingly, the Office of the Attorney General will not charge the subject officers with a violation of the Use of Force Statute in this case.

¹¹ Maryland courts have recognized that police perform a variety of functions, including non-criminal and non-investigatory functions to protect the safety and welfare of members of the community. Specifically, Maryland courts have recognized a "public welfare exception" allowing officers to investigate, aid, stop, or otherwise detain citizens who may need assistance or are in danger. *See Wilson v. State*, 409 Md. 415 (2009) (holding that officers may take reasonable steps to provide aid if they have specific and articulable reasons to believe an individual is in need of assistance; however, once that individual no longer needs assistance, the officer cannot further detain the individual without a warrant).

¹² Because there is insufficient evidence to establish that the subject officers intended to use force that was excessive, this report does not analyze whether the subject officers caused the death of Mr. Melton.

B. Involuntary Manslaughter

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

- (1) one or more of the subject officers acted in a grossly negligent manner, and
- (2) their gross negligence caused Mr. Melton's death.¹³

Gross negligence is conduct that demonstrates a "wanton and reckless disregard for human life."¹⁴ To determine whether the subject officers acted with gross negligence, prosecutors must examine the decision to restrain Mr. Melton forcefully and the manner in which the subject officers rendered medical aid.

Regarding the decision to restrain Mr. Melton and their actions during the restraint, the evidence does not support a charge that the subject officers acted recklessly or negligently. Rather, the subject officers used force that was reasonable under the circumstances to prevent Mr. Melton from being a danger to himself and others. Specifically, the subject officers only restrained Mr. Melton after he refused to comply with both the subject officer's verbal commands to get out of the heavily trafficked intersection and the officer's attempts to escort him out of the street. Mr. Melton's behavior required the subject officers to restrain him for his safety. Further, the subject officers' body-worn cameras show that they tried to gain control of Mr. Melton as safely as possible. They did not strike Mr. Melton or slam him to the ground. Nor did they place pressure on his neck or chest. The subject officers only placed Mr. Melton onto his stomach after attempts to restrain him on his back were unsuccessful due to Mr. Melton's continuous struggling. Once restrained, the officers sat Mr. Melton in an upright position in accordance with their training. Any further attempts to restrain Mr. Melton were limited to either holding him upright or holding him on his side to prevent him from falling over or rolling onto his stomach. As such, the actions taken by the subject officers to restrain Mr. Melton were minimal and appropriate.

With regards to medical treatment for Mr. Melton, the evidence does not show that the subject officers acted recklessly or negligently. Rather, the evidence shows the subject officers took measures available to them, in accordance with BPD policies, to assist Mr. Melton while waiting for medical services that never arrived. Specifically, once Mr. Melton was restrained, the subject officers sent a request for EMS as they recognized they could not safely transport Mr. Melton in a police cruiser. Over the course of approximately forty minutes waiting for EMS to arrive, the subject officers contacted dispatch five times, requesting EMS, updating dispatch on Mr. Melton's condition, and asking for information on EMS's estimated arrival. While waiting on EMS, the subject officers monitored Mr. Melton's physical condition and provided aid. The subject officers attempted to keep Mr. Melton upright or on his side and took steps to prevent him from rolling onto his stomach. When Mr. Melton rolled himself into the prone position, the subject officers did not leave him on his stomach for extended periods of time and would roll him back onto his side into the recovery position. The subject officers also took note of Mr. Melton's pulse,

¹³ MPJI-Cr 4:17.9 Homicide—Involuntary Manslaughter (Grossly Negligent Act and Unlawful Act), MPJI-Cr 4:17.9 (2d Ed. 2021).

¹⁴ *Duren v. State*, 203 Md. 584, 588 (1954).

his body temperature, and his breathing. When Mr. Melton became hot, officers attempted to cool him down with water. When Mr. Melton became unresponsive and his pulse increased, subject officers made two separate attempts to put him into a cruiser to transport him to the hospital. Officers only ceased those attempts because they could not transport Mr. Melton in compliance with BPD policy due to his condition, which requires that the person be secured by a seatbelt or other safety equipment. However, when subject officers observed Mr. Melton's breathing becoming increasingly shallow and determined that it was no longer safe to continue waiting for EMS, they took steps to safely transport Mr. Melton and quickly get him to a hospital.

Accordingly, the Office of the Attorney General will not charge the subject officers with involuntary manslaughter in this case.

VI. Conclusion

This report has presented factual findings, legal analyses, and conclusions relevant to the June 24, 2025, police-involved death of Dontae Maurice Melton, Jr. 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 officers did not commit a crime.