



October 28, 2025

VIA ELECTRONIC AND U.S. MAIL

Sheriff Charles A. Jenkins
Frederick County Sheriff's Office
110 Airport Drive East
Frederick, MD 21701

Dear Sheriff Jenkins:

We, the ACLU of Maryland the Frederick County Branch of the NAACP, write to express our concern regarding Frederick County Sheriff's Office handling of the recent detention of an innocent Black child at gunpoint. For reasons we detail below, we consider this conduct unacceptable. We urge you to recognize the harm this type of incident causes to police-community relations, to issue guidance to department staff to help prevent conduct like this in the future, and to issue a public apology to the family for the irreparable harm the child has suffered as a result of officers' actions. We also note the failure of the police accountability structure which resulted in no finding of excessive force by the involved deputies.

On May 25, 2025, at approximately 4 am, Frederick Deputy Sheriff Nicholas Roush and Sergeant Harry Sier jumped out of a police cruiser near a field at St. Ignatius Catholic Church, where a local Boy Scout troop was conducting a Memorial Day vigil honoring service members who died for their country. Shouting expletives and wielding guns, the officers rushed at 15-year-old Jonas Shaw in the darkness, demanding that he drop to the ground from his walk around the flag field. Deputy Roush pointed a rifle with a flashlight directly at Jonas while Sgt. Sier brandished a handgun, terrorizing Jonas. As evidenced by the body-worn camera video, Jonas endeavored to stay calm so as not to exacerbate the officers' frenzy, moving slowly to sit cross-legged on the ground with his arms raised. Jonas explained as best he could that he was legitimately in the church field patrolling American flags – the Field of Honor – as part of his troop's vigil. The police then lowered their guns, but one deputy kept the rifle visible.

The officers sought to justify their frightening assault by explaining that they were searching for three Black teenagers and a young man whom they suspected of crashing a stolen car overnight. Jonas happens to be a Black boy whose body and Boy Scout uniform fit the so-called description of “Black and in dark clothing” that police were employing in their search.

This incident was terrifying for Jonas and has left him and his family severely traumatized.

Jonas’ mother, Dr. Marsha Shaw, spent the days and weeks following this incident in shock, contacting various officials within the sheriff’s department and Frederick County government to understand how her son could have come so close to serious injury or death on such a flimsy basis. Months later, Jonas and his mother’s formal complaints through the police discipline and Police Accountability Board processes failed to result in corrective action for one deputy and a minor finding regarding failed body-worn camera usage for the other – a finding which has been appealed. The Frederick Sheriff’s Office maintains the position, as you explained to the family, that deputies behaved appropriately towards Jonas at the time of this incident. We disagree.

Rather, we believe sheriff’s deputies used excessive force on insufficient information – targeting Jonas based on his race. This abuse endangered Jonas’ life, traumatized him severely, and failed to make the community safer. In our view, the fact that you dismissed this incident as consistent with general norms illustrates a critical failure of the accountability structure created to help the Sheriff’s Office improve its service to the community.

The United States Court of Appeals for the Fourth Circuit recently had occasion to address a similar case involving two Black teens approached by a gun-wielding Baltimore police officer for simply being outside, leading to a federal jury verdict of \$250,000. When Baltimore officers appealed this judgment, alleging it was excessive, judges hearing the appeal in September expressed incredulity at police claims that this award was excessive to compensate the 16-year-old child for the trauma he suffered.¹ Citing trial testimony detailing the traumatic impacts the teenager accosted this way by police suffered, the three judges, Roger Gregory, Steven Agee, and Roderick Young, stressed repeatedly how terrifying it can be when police approach Black teenagers with guns pointed:

Judge Young: *“When the gun is introduced it causes an element of FEAR ... and that fear that that young person experienced is going to be with him probably for the rest of his life.”* *Id.* at minute mark 1:47:20;

Judge Gregory: *“That young person, for the rest of his life, he’ll never forget that.”* *Id.* at minute mark 1:46:90;

Judge Young: *“Any time a gun is presented like that, that changes the whole dynamic of the interaction.”* *Id.* at minute mark 142:20.

¹ *Jawone Nicholson v. Damond Durant*, Case No. 24-1789 (4th Cir. Argued Sept. 10, 2025), available at https://www.youtube.com/live/xTtyy_H0aWU.

Similarly here, Frederick officers behaved toward Jonas as though he was a certain threat while operating on a facially deficient description. Being Black, wearing dark clothes, and walking outside in the early hours of the morning are not illegal activities, and a significant number of innocent Black people could meet that description while celebrating over a holiday weekend. Further, officers had no information suggesting the young people they sought were armed with any weapons. Just as deputies allowed Jonas to explain his presence after pointing their guns at him, they should have investigated first, reserving such an extreme show of force for an actual threat, or even a reasonable suspicion of an actual threat.

Deputies' decision to jump out with guns drawn and rush toward a young person yelling expletives caused trauma that Jonas will carry for the rest of his life. Worse still, Black men experience disproportionately high police violence,² which means Jonas will likely confront this terrifying experience for many future police contacts – knowing police may opt to shoot him *before* determining whether he is actually a threat to their safety.

Safety is best served when police presume all children they encounter are Boy Scouts like Jonas unless and until they identify a safety threat requiring otherwise. Had they done so, Jonas would have completed his Memorial Day Field of Honor shift with minor police contact instead of facing down the bright beam of a police gun attachment.

Although racial profiling has been and continues to be a persistent challenge for U.S. law enforcement, the state of Maryland and counties have taken measures to improve law enforcement agencies in response to community feedback by creating police accountability boards (PAB). According to the Frederick Sheriff's own 2023 Annual Administrative Review of bias-based profiling, Black people in Frederick County made up only 12% of the population, but criminal arrests of Black children accounted for 55% of all juvenile arrests in 2023.³

Beyond the Frederick Sheriff's Office being sued twice for racially profiling Latine people, the John Hopkins University School of Public Health released a study in January 2025 finding more than 300 children were shot by police between 2015 and 2020; fifty-four percent of the police shooting victims were non-Hispanic Black and a third of the total shooting victims were killed.⁴ An Associated Press report in October 2021 counted roughly

² Cato T. Laurencin & Joanne M. Walker, *Racial Profiling Is a Public Health and Health Disparities Issue*, J. RACIAL ETHN. HEALTH DISPARITIES, April 6, 2020 at 393, accessed at <https://pmc.ncbi.nlm.nih.gov/articles/PMC7231642/>.

³ Lt. Jeff Hyatt, *2023 Annual Administrative Review/Bias Based Profiling*, June 11, 2024, accessed at https://www.frederickcosheriff.com/files/ugd/3bc718_16b6d536d09b431c836cc19d58f69b70.pdf.

⁴ Naureen Shah & Nick Steiner, *ACLU of Maryland Amended DHS Amended Complaint Against Frederick County Sheriff's Office 287(g) Agreement*, July 11, 2023, accessed at <https://www.aclu.org/documents/aclu-complaint-to-dhs-office-for-civil-rights-and-civil-liberties-on-frederick-county-sheriffs-office-and-287g-program>; Dylan B. Jackson, Alexander Testa, et. al, *Juvenile Injuries and Deaths from Shootings by Police in the United States, 2015-2020*, J ADOLESCENT

3,000 children victimized by police force under the age of 16 years over the prior 11 years, and more than half of those victimized children were Black.⁵

These facts make clear that your office faces the same challenge as other law enforcement agencies and, therefore, must consistently mitigate bias in your police practices to protect children from your officers, *especially Black children*.

Locally, the disparities of police contact and their harmful impact on Black and Brown communities do not simply illustrate how dangerous and traumatizing this encounter was; the data also prompted the City of Frederick to declare racism a public health emergency in 2020,⁶ and led the Maryland General Assembly to pass legislation requiring police accountability boards (PABs) across Maryland in 2021. The medical profession has also long recognized the "enormous pain," "senseless deaths," and diminished health outcomes of Black people caused by racist policing. In response, the National Medical Association and American Psychiatric Association published a 2020 Joint Statement on Racism in America calling for an end to police brutality.⁷

Despite the Maryland General Assembly's intent to give communities a voice in police discipline, here the internal investigation and police accountability process found your deputies' brandishing weapons at a child to be appropriate. The decision details the obviousness of an event tent in the officers' line of sight, the surprising nature of their arrival, Jonas' clothing outside the overbroad "description," and Jonas' swift compliance with discourteous commands. Yet, the decision found neither officer used excessive force in holding him at gunpoint – especially for, at most, suspected car theft and collisions if the officers had been correct. This decision, without some actual safety threat, is not consistent with the protection of Black and Brown children or anyone else.

The disciplinary finding is also in direct tension with the Fourth Circuit's view of the significant harmful impacts police uses of force have on children, which we detail above. The Sheriff's responsibility to ensure public safety includes protecting communities from showings and uses of force with which your deputies are privileged.

The Frederick County Sheriff's Office must acknowledge the harm this kind of incident causes to police-community relations by publishing clear departmental guidance to protect

HEALTH, February 2025, accessed at <https://publichealth.jhu.edu/center-for-gun-violence-solutions/2025/over-300-juveniles-were-shot-by-police-between-2015-and-2020>.

⁵ Helen Wieffering, Colleen Long, & Camille Fassett, *Tiny wrists in cuffs: how police use force against children*, ASSOCIATED PRESS, accessed at https://apnews.com/article/death-of-george-floyd-arrests-george-floyd-chicago-only-on-ap-5df43637790f1750dcfbac559ec3bfdb?utm_campaign=SocialFlow&utm_source=Twitter&utm_medium=AP.

⁶ Board of Alderman Resolution No. 20-15, City of Frederick, Maryland (2020), accessed at <https://www.cityoffrederickmd.gov/DocumentCenter/View/18164/20-15-Concerning-Racism-as-a-Public-Health-Crisis>

⁷ American Psychiatric Association & National Medical Association, *Joint Statement on Racism in America*, June 12, 2020, accessed at <https://nmanet.org/news/513480/Joint-Statement-on-Racism-in-America.htm>.

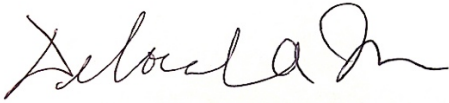
Black children from similar life-altering experiences in the future. You should also account for sheriff deputies' conduct by issuing a public apology to the family for the irreparable harm the child has suffered as a result of their actions.

Please let us hear from you at your earliest opportunity to discuss this concerning matter.

Sincerely,

A handwritten signature in cursive script that reads "Willie F. Mahone".

Mr. William Mahone, President
NAACP, Frederick County Branch

A handwritten signature in cursive script that reads "Deborah Jeon".

Deborah Jeon, Legal Director
ACLU of Maryland

A handwritten signature in cursive script that reads "Gina Elleby".

Gina Elleby, Legal Advocacy Manager
ACLU of Maryland