
By: **Delegates Marriott, Kirk, Watson, C. Mitchell, Oaks, Rawlings, Opara, E. Burns, Boston, and Nathan-Pulliam**

Introduced and read first time: February 4, 1998

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Charter Amendment - Baltimore City Police Department -**
3 **Citizens' Review Board**

4 FOR the purpose of adding a new section to Article II of the Charter of Baltimore City
5 to authorize the Mayor and City Council of Baltimore to establish by ordinance
6 a Citizens' Review Board of the Baltimore City Police Department; authorizing
7 the membership, duties, and procedures of the Board to be established by
8 ordinance; authorizing the Board established by ordinance to exercise certain
9 discretion to investigate complaints, study certain issues, and issue certain
10 recommendations relating to alleged police misconduct; prohibiting certain
11 duties and procedures of the Board established by ordinance from limiting or
12 being inconsistent with provisions of State law; and generally relating to the
13 establishment by ordinance of a Citizens' Review Board of the Baltimore City
14 Police Department.

15 BY adding to
16 The Charter of Baltimore City
17 Article II - General Powers
18 Section (65)
19 (1996 Edition, as amended)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **The Charter of Baltimore City**

23 Article II - General Powers

24 The Mayor and City Council of Baltimore shall have full power and authority to
25 exercise all of the powers heretofore or hereafter granted to it by the Constitution of
26 Maryland or by any Public General or Public Local Laws of the State of Maryland;
27 and in particular, without limitation upon the foregoing, shall have power by
28 ordinance, or such other method as may be provided for in its Charter, subject to the
29 provisions of said Constitution and Public General Laws:

1 (65)

2 (A) TO ESTABLISH BY ORDINANCE A CITIZENS' REVIEW BOARD OF THE
3 BALTIMORE CITY POLICE DEPARTMENT TO PROVIDE A PUBLIC FORUM TO EXAMINE
4 COMPLAINTS OF ALLEGED MISCONDUCT BY POLICE OFFICERS OF THE BALTIMORE
5 CITY POLICE DEPARTMENT.

6 (B) AN ORDINANCE ADOPTED UNDER THIS SECTION SHALL ESTABLISH:

7 (1) THE MEMBERSHIP OF THE BOARD AND THE APPOINTMENT,
8 REMOVAL, AND TERM OF OFFICE OF THE MEMBERS OF THE BOARD; AND

9 (2) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE DUTIES AND
10 PROCEDURES OF THE BOARD.

11 (C) (1) A CITIZENS' REVIEW BOARD ESTABLISHED BY ORDINANCE UNDER
12 THIS SECTION SHALL RECEIVE ALL COMPLAINTS ALLEGING POLICE MISCONDUCT.

13 (2) IN THE DISCRETION OF THE BOARD, THE BOARD MAY:

14 (I) SELECT INDIVIDUAL COMPLAINTS OR INCIDENTS RECEIVED
15 UNDER PARAGRAPH (1) OF THIS SUBSECTION TO INVESTIGATE; AND

16 (II) STUDY ISSUES AND MAKE RECOMMENDATIONS TO THE MAYOR
17 AND CITY COUNCIL OF BALTIMORE AND THE CHIEF OF THE BALTIMORE CITY POLICE
18 DEPARTMENT REGARDING COMMUNITY AND POLICE RELATIONS.

19 (3) BASED ON THE INVESTIGATIVE FINDINGS OF THE BOARD, THE
20 BOARD MAY ISSUE RECOMMENDATIONS ON THE APPROPRIATE DISPOSITION OF A
21 COMPLAINT TO THE MAYOR AND CITY COUNCIL OF BALTIMORE AND THE CHIEF OF
22 THE BALTIMORE CITY POLICE DEPARTMENT.

23 (4) ANY REVIEW, INVESTIGATION, OR RECOMMENDATION OF THE
24 BOARD UNDER THIS SUBSECTION MAY NOT LIMIT OR BE INCONSISTENT WITH ANY
25 PROVISIONS OF THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS IN ARTICLE 27
26 OF THE ANNOTATED CODE OF MARYLAND OR ANY OTHER PROVISIONS OF STATE
27 LAW.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1998.