
By: **Prince George's County Delegation**
Introduced and read first time: February 4, 2002
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Complaints Against a Law Enforcement Officer -**
3 **Subpoena Power**
4 **PG 305-02**

5 FOR the purpose of allowing the Prince George's County Human Relations
6 Commission and Citizen Complaint Oversight Panel in making certain
7 investigations and recommendations concerning certain law enforcement
8 officers to issue subpoenas to compel the attendance of certain persons or the
9 production of certain items under certain circumstances; allowing a court to
10 compel compliance with a subpoena under certain circumstances; allowing a
11 court to punish failure to comply with certain orders in a certain manner; and
12 generally relating to the issuance of subpoenas by the Prince George's County
13 Human Relations Commission and Citizen Complaint Oversight Panel.

14 BY adding to
15 The Public Local Laws of Prince George's County
16 Section 18-186.09
17 Article 17 - Public Local Laws of Maryland
18 (1999 Edition and 2000 Supplement, as amended)

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

21 **Article 17 - Prince George's County**

22 18-186.09.

23 (A) IN ITS INVESTIGATION OF A LAW ENFORCEMENT OFFICER, THE HUMAN
24 RELATIONS COMMISSION MAY ISSUE A SUBPOENA SIGNED BY THE CHAIRMAN OF
25 THE COMMISSION TO COMPEL:

- 26 (1) THE ATTENDANCE AND TESTIMONY OF A WITNESS; AND
27 (2) THE PRODUCTION OF ANY BOOK, RECORD, OR OTHER ITEM.

1 (B) TO ASSIST IN MAKING ITS RECOMMENDATIONS CONCERNING A
2 COMPLAINT AGAINST A LAW ENFORCEMENT OFFICER, THE CITIZEN COMPLAINT
3 OVERSIGHT PANEL MAY ISSUE A SUBPOENA SIGNED BY THE CHAIRPERSON OF THE
4 COMMISSION TO COMPEL:

5 (1) THE ATTENDANCE AND TESTIMONY OF A WITNESS; AND

6 (2) THE PRODUCTION OF ANY BOOK, RECORD, OR OTHER ITEM.

7 (C) (1) IF A PERSON FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER
8 THIS SECTION, ON PETITION OF THE HUMAN RELATIONS COMMISSION OR PANEL A
9 COURT OF COMPETENT JURISDICTION MAY COMPEL COMPLIANCE WITH THE
10 SUBPOENA IF IT FINDS THAT THE PERSON'S ATTENDANCE AND TESTIMONY OR
11 PRODUCTION OF DOCUMENTS AND ITEMS IS RELEVANT AND NECESSARY FOR THE
12 PROCEEDINGS.

13 (2) FAILURE OF A PERSON TO OBEY AN ORDER OF COURT ISSUED
14 UNDER THIS SUBSECTION MAY BE PUNISHED AS CONTEMPT OF COURT.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2002.