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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 12, 2002

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County - Complaints Against a Law Enforcement Officer -**
3 **Subpoena ~~Power~~ Enforcement**
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~~ authorizing the
10 Citizens Complaint Oversight Panel to petition a certain court to enforce a
11 certain subpoena; allowing a court to compel compliance with a subpoena under
12 certain circumstances; allowing a court to punish failure to comply with certain
13 orders in a certain manner; and generally relating to the ~~issuance~~ enforcement
14 of subpoenas ~~by and~~ the Prince George's County ~~Human Relations Commission~~
15 ~~and~~ Citizen Complaint Oversight Panel.

16 BY adding to
17 The Public Local Laws of Prince George's County
18 Section 18-186.09
19 Article 17 - Public Local Laws of Maryland
20 (1999 Edition and 2000 Supplement, as amended)

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

1

Article 17 - Prince George's County

2 18-186.09.

3 ~~(A) IN ITS INVESTIGATION OF A LAW ENFORCEMENT OFFICER, THE HUMAN~~
4 ~~RELATIONS COMMISSION MAY ISSUE A SUBPOENA SIGNED BY THE CHAIRMAN OF~~
5 ~~THE COMMISSION TO COMPEL:~~

6 ~~(1) THE ATTENDANCE AND TESTIMONY OF A WITNESS; AND~~

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

8 ~~(B) TO ASSIST IN MAKING ITS RECOMMENDATIONS CONCERNING A~~
9 ~~COMPLAINT AGAINST A LAW ENFORCEMENT OFFICER, THE CITIZEN COMPLAINT~~
10 ~~OVERSIGHT PANEL MAY ISSUE A SUBPOENA SIGNED BY THE CHAIRPERSON OF THE~~
11 ~~COMMISSION TO COMPEL:~~

12 ~~(1) THE ATTENDANCE AND TESTIMONY OF A WITNESS; AND~~

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

14 ~~(C) (1) IF A PERSON FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER~~
15 ~~THIS SECTION, ON PETITION OF THE HUMAN RELATIONS COMMISSION OR PANEL A~~
16 ~~COURT OF COMPETENT JURISDICTION MAY COMPEL COMPLIANCE WITH THE~~
17 ~~SUBPOENA IF IT FINDS THAT THE PERSON'S ATTENDANCE AND TESTIMONY OR~~
18 ~~PRODUCTION OF DOCUMENTS AND ITEMS IS RELEVANT AND NECESSARY FOR THE~~
19 ~~PROCEEDINGS.~~

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

22 (A) THE PRINCE GEORGE'S COUNTY CITIZEN COMPLAINT OVERSIGHT PANEL
23 MAY PETITION A COURT OF COMPETENT JURISDICTION TO ISSUE AN ORDER
24 REQUIRING COMPLIANCE WITH A SUBPOENA ISSUED FOR THE PANEL BY THE
25 COUNTY COUNCIL.

26 (B) A COURT OF COMPETENT JURISDICTION MAY HOLD A PERSON WHO FAILS
27 TO OBEY AN ORDER ISSUED UNDER SUBSECTION (A) OF THE SECTION IN CONTEMPT
28 OF COURT.

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

