



SB0280/123924/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

19 FEB 21
16:40:45

BY: Senator Feldman
(To be offered in the Judicial Proceedings Committee)

AMENDMENTS TO SENATE BILL 280
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “**and**” insert “**Metro Transit**”; in line 8, after the first “a” insert “Metro Transit”; and in line 9, after “a” insert “Metro Transit”.

AMENDMENT NO. 2

On page 2, in lines 18, 20, 23, 26, and 29, in each instance, before “**POLICE**” insert “METRO TRANSIT”; in line 21, after “**SIGNATORY**” insert “PURSUANT TO THE SIGNATORY’S APPLICABLE LAWS,”; in line 24, after “**WITH**” insert “ANY”; in line 25, after “**ENFORCEMENT**” insert “AGENCY”; in line 28, strike “**INCIDENT**” and substitute “INCIDENTAL”; in line 31, strike “**FOUR**” and substitute “A MAJORITY OF THE APPOINTED”; in the same line, strike “**OF THE POLICE COMPLAINTS BOARD**”; in line 32, strike “**, AND NO**” and substitute “. NO”; and in the same line, after “**THE**” insert “METRO TRANSIT”.

On page 3, in line 1, strike “**A**” and substitute “THE”; strike beginning with “**OF**” in line 1 down through “**INCLUDING**” in line 2 and substitute “INCLUDES”; in lines 2 and 3, strike “**, CONCURS**”; in lines 4 and 6, in each instance, after “**THE**” insert “METRO TRANSIT”; in line 10, after “**THE**” insert “METRO TRANSIT”; in line 13, in each instance, strike “**AND**”; in the same line, after “**PROCESSES**” insert “, AND IMPLEMENTATION OF THIS SUBSECTION”; in lines 16 and 21, in each instance, strike “**CITIZEN**”; in line 24, after “**DEATH**” insert “; AND”

(III) MAKING POLICY RECOMMENDATIONS TO THE SIGNATORIES”;

(Over)

and strike beginning with “THE” in line 25 down through “INCLUDING:” in line 28 and substitute “ALL COMPLAINTS AGAINST MEMBERS OF THE METRO TRANSIT POLICE THAT ALLEGE ABUSE OR MISUSE OF POLICE POWERS SHALL BE RECEIVED BY OR TRANSMITTED TO THE METRO TRANSIT POLICE COMPLAINTS BOARD. ALL COMPLAINTS SHALL BE REDUCED TO WRITING AND SIGNED BY THE COMPLAINANT. EXAMPLES OF COMPLAINTS INCLUDE:”.

On page 4, in line 12, strike “BY A MEMBER OF THE PUBLIC”; in line 16, after “THE” insert “METRO TRANSIT”; strike beginning with “THE” in line 17 down through “SUBSECTION” in line 20 and substitute “TO BE TIMELY, A COMPLAINT MUST BE RECEIVED BY THE OFFICE WITHIN 90 DAYS FROM THE DATE OF THE INCIDENT THAT IS THE SUBJECT OF THE COMPLAINT. THE BOARD, OR ITS STAFF, MAY EXTEND THE DEADLINE FOR GOOD CAUSE”; strike beginning with “THE” in line 21 down through “SUBSECTION” in line 24 and substitute “IF A COMPLAINT ALLEGED MISCONDUCT THAT IS NOT WITHIN THE AUTHORITY OF THE BOARD TO REVIEW, THE BOARD SHALL REFER THE ALLEGATION TO THE METRO TRANSIT POLICE CHIEF OR THE AUTHORITY’S GENERAL MANAGER, AS APPROPRIATE, FOR FURTHER PROCESSING”; after line 24, insert:

“(14) THE METRO TRANSIT POLICE COMPLAINTS BOARD SHALL HAVE TIMELY AND COMPLETE ACCESS TO INFORMATION AND SUPPORTING DOCUMENTATION SPECIFICALLY RELATED TO THE METRO TRANSIT POLICE COMPLAINTS BOARD’S DUTIES AND AUTHORITY UNDER PARAGRAPHS (9) AND (10) OF THIS SUBSECTION, AND MAY MAKE REASONABLE REQUESTS FOR ACCESS TO INFORMATION AND SUPPORTING DOCUMENTATION OF A POLICE DEPARTMENT LOCATED WITHIN THE WASHINGTON METROPOLITAN AREA TRANSIT ZONE WHERE AN ALLEGED INCIDENT OCCURRED, PROVIDED THAT:

(I) THE METRO TRANSIT POLICE COMPLAINTS BOARD SHALL KEEP CONFIDENTIAL THE IDENTITY OF PERSONS, OTHER THAN THE

SUBJECT OR SUBJECTS OF A COMPLAINT, NAMED IN ANY DOCUMENTS
TRANSFERRED FROM THE METRO TRANSIT POLICE; AND

(II) THE DISCLOSURE OR TRANSFER OF ANY PUBLIC
RECORD, DOCUMENT, OR INFORMATION FROM THE METRO TRANSIT POLICE TO
THE METRO TRANSIT POLICE COMPLAINTS BOARD SHALL NOT CONSTITUTE A
WAIVER OF ANY PRIVILEGE OR EXCEPTION THAT OTHERWISE COULD BE
ASSERTED BY THE METRO TRANSIT POLICE TO PREVENT DISCLOSURE TO THE
GENERAL PUBLIC OR IN A JUDICIAL OR ADMINISTRATIVE PROCEEDING.

(15) THE METRO TRANSIT POLICE COMPLAINTS BOARD SHALL
HAVE THE AUTHORITY TO DISMISS, CONCILIATE, MEDIATE, INVESTIGATE,
ADJUDICATE, PROVIDE POLICY TRAINING, PARTICIPATE IN RAPID RESOLUTION,
OR REFER FOR FURTHER ACTION TO THE METRO TRANSIT POLICE A COMPLAINT
RECEIVED UNDER PARAGRAPH (10) OF THIS SUBSECTION.”;

in line 25, strike “(14)” and substitute “(16)”; in lines 25 and 27, in each instance, after
“THE” insert “METRO TRANSIT”; and in line 30, after “PARTIES” insert a comma.

On page 5, in lines 3, 12, 18, 27, and 32, strike “(15)”, “(16)”, “(17)”, “(18)”, and
“(19)”, respectively, and substitute “(17)”, “(18)”, “(19)”, “(20)”, and “(21)”,
respectively; in lines 3, 12, 18, 23, 28, 32, 35, 37, and 38, in each instance, before
“POLICE” insert “METRO TRANSIT”; in line 16, strike “WHICH” and substitute “THAT”;
and in line 36, strike “AUTHORITIES” and substitute “AUTHORITY”.

On page 6, in line 3, strike “AUTHORITIES DECLINE” and substitute
“AUTHORITY DECLINES”; in lines 3 and 6, in each instance, before “POLICE” insert
“METRO TRANSIT”; in line 5, strike “(20)” and substitute “(22)”; and in lines 6 and 7,
strike “AND THE SIGNATORIES” and substitute “OF DIRECTORS OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY AND MAKE PUBLIC”.