



## House Bill 139

### *Public Safety - Police Accountability - Deadline for Completion of Investigation*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

To: Judiciary Committee

Date: February 25, 2025

From: Sarah Sample

The Maryland Association of Counties (MACo) **SUPPORTS HB 139 WITH AMENDMENTS**. This bill clarifies a timeline of nine months for when a law enforcement agency must complete a review of a misconduct complaint from the public. Counties suggest some modest changes to this timeline.

After almost five years of implementation, it is clear minor changes to the investigation and filing timelines are necessary to ensure the public has effective means for civilian oversight and remuneration on behalf of residents. An independent report from the Governor's Office of Crime Prevention and Policy recently confirmed that all statewide Police Accountability Boards, applicable law enforcement agencies, and Administrative Charging Committees (ACC) have raised concerns with the timeline for investigating and filing charges through the civilian process.

Currently, the investigation and subsequent review by the ACC must be completed within one year and one day. This means the investigation must be completed in a shorter period for the ACC to review and decide on the case. HB 139 wisely attempts to separate the investigation and review timelines for these types of complaints, but likely does not leave enough time for a thorough investigation by the agency. While many small- and medium-size jurisdictions could likely comply with the nine-month window to hand off an investigation, the state's largest agencies may handle hundreds of cases each year. These larger agencies will struggle to process all of the investigations within the timeline prescribed in the bill and even more so if a tolling provision for incidents with pending criminal charges is not included in the bill.

Counties support the intent to clarify the process, but believe two changes could improve the process. An amendment allowing for a longer window to complete an investigation when a criminal investigation is pending would reduce the risk of a 5<sup>th</sup> or 14<sup>th</sup> amendment violation. Additionally, an amendment to allow 11 rather than 9 months for the investigation to be completed would ensure investigations are conducted in a thorough manner, but still leave the ACC enough time to review and request more information if necessary.

Counties believe these amendments are necessary to add a clear and reasonable delineation for investigations and review. For these reasons, MACo urges a **FAVORABLE WITH AMENDMENTS** report on **HB 139**.