COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 4

Bill No. 16-22

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

By the County Council, February 7, 2022

Introduced and first read on February 7, 2022
Public Hearing set for and held on March 7, 2022
Public Hearing on AMENDED bill set for and held on March 21, 2022
Public Hearing on SECOND AMENDED bill set for and held on April 4, 2022
Public Hearing on THIRD AMENDED bill set for and held on April 18, 2022
Bill AMENDED and VOTED on April 18, 2022
Bill Expires May 13, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

AN ORDINANCE concerning: Police Accountability Board

FOR the purpose of establishing a Police Accountability Board; defining certain terms;
providing for the composition and terms and removal of members of the Police
Accountability Board; providing for a chair of the Police Accountability Board;
providing for the meeting standards, training, budget and staff, compensation of
members, and recordkeeping standards of the Police Accountability Board;
establishing the duties of the Police Accountability Board; requiring annual reports by
the Police Accountability Board; providing for the compensation, staffing, powers,
duties, and appointment of members of Administrative Charging Committees
Committee and Trial Hearing Boards; requiring voting members of Police
Accountability Board to file financial disclosure statements; and generally relating to
boards, commissions, and similar bodies and public ethics.

BY adding: §§ 3-7A-101 through 3-7A-112 to be under the new title “Title 7A.
Police Accountability Board”

Anne Arundel County Code (2005, as amended)

EXPLANATION:
CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter stricken from existing law.
Captions and taglines in bold in this bill are catchwords and are not law.
Underlining indicates matter added to bill by amendment.
Strikeover indicates matter removed from bill by amendment.
BY renumbering: § 7-6-101(98) through (99), respectively, to be 7-6-101(99) through (100), respectively
Anne Arundel County Code (2005, as amended)

BY adding: § 7-6-101(98)
Anne Arundel County Code (2005, as amended)

WHEREAS, in 2021 the Maryland General Assembly passed House Bill 670, also known as the Maryland Police Accountability Act of 2021, which becomes effective on July 1, 2022 and requires Anne Arundel County to establish a Police Accountability Board; and

WHEREAS, House Bill 670 also requires the County to have an Administrative Charging Committee to serve countywide law enforcement agencies and local law enforcement agencies in the County; and

WHEREAS, House Bill 670 also requires the County to establish a trial board process; and

WHEREAS, the County Council intends to meet the requirements the Maryland Police Accountability Act of 2021; now, therefore,

SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland, That § 7-6-101(98) through (99), respectively, of the Anne Arundel County Code (2005, as amended) are hereby renumbered to be § 7-6-101(99) through (100), respectively.

SECTION 2. And be it further enacted, That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 3. BOARDS, COMMISSIONS, AND SIMILAR BODIES

TITLE 7A. POLICE ACCOUNTABILITY BOARD


THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) “HEARING BOARD” MEANS “TRIAL BOARD” AS USED IN TITLE 3, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE OF THE STATE CODE.

(2) “LAW ENFORCEMENT AGENCY” MEANS A GOVERNMENTAL POLICE FORCE, SHERIFF’S OFFICE, OR SECURITY FORCE OR LAW ENFORCEMENT ORGANIZATION OF THE STATE, A COUNTY, OR A MUNICIPAL CORPORATION THAT BY STATUTE, ORDINANCE, OR COMMON LAW IS AUTHORIZED TO ENFORCE THE GENERAL CRIMINAL LAWS OF THE STATE.

(3) “POLICE MISCONDUCT” MEANS A PATTERN, PRACTICE, OR CONDUCT BY A POLICE OFFICER OR LAW ENFORCEMENT AGENCY THAT INCLUDES:

(I) DEPRIVING PERSONS OF RIGHTS PROTECTED BY THE CONSTITUTION OR LAWS OF THE STATE OR THE UNITED STATES;
(II) A VIOLATION OF A CRIMINAL STATUTE; AND

(III) A VIOLATION OF LAW ENFORCEMENT AGENCY STANDARDS AND POLICIES.

(4) “POLICE OFFICER” HAS THE MEANING SET FORTH IN § 3-201 § 3-101 OF THE PUBLIC SAFETY ARTICLE OF THE STATE CODE.

(5) “RIDE-ALONG” MEANS AN ARRANGEMENT TO SPEND A SHIFT IN THE PASSENGER SEAT OF AN EMERGENCY VEHICLE AND OBSERVE THE WORK DAY OF A COUNTY POLICE OFFICER, FIREFIGHTER, PARAMEDIC, OR OTHER EMERGENCY PERSONNEL OR OTHER LAW ENFORCEMENT OFFICER IN THE COUNTY.

3-7A-102. Police Accountability Board created.

PURSUANT TO TITLE 3, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE OF THE STATE CODE, THERE IS A POLICE ACCOUNTABILITY BOARD.

3-7A-103. Membership.

(A) Voting members.

1. THE POLICE ACCOUNTABILITY BOARD CONSISTS OF NINE VOTING MEMBERS, ALL OF WHOM SHALL BE RESIDENTS OF THE COUNTY, APPOINTED AS FOLLOWS:

   (I) EIGHT VOTING MEMBERS SHALL HAVE RESIDED IN THE COUNTY FOR AT LEAST THREE YEARS PRIOR TO APPOINTMENT AND SHALL BE APPOINTED BY THE COUNTY EXECUTIVE AND APPROVED BY RESOLUTION OF THE COUNTY COUNCIL; AND

   (II) ONE VOTING MEMBER SHALL HAVE BEEN A RESIDENT OF RESIDED IN THE CITY OF ANNAPOLIS FOR AT LEAST THREE YEARS AND SHALL BE APPOINTED BY THE COUNTY EXECUTIVE UPON RECOMMENDATION OF THE MAYOR AND CITY COUNCIL.; AND

   (III) EACH MEMBER OF THE COUNTY COUNCIL SHALL HAVE A REASONABLE OPPORTUNITY TO RECOMMEND TO THE COUNTY EXECUTIVE A RESIDENT OF THAT COUNCIL MEMBER'S DISTRICT FOR POTENTIAL APPOINTMENT TO THE BOARD.

2. AN ACTIVE POLICE OFFICER MAY NOT BE A VOTING MEMBER OF THE POLICE ACCOUNTABILITY BOARD.


4. TO THE EXTENT PRACTICABLE, THE VOTING MEMBERSHIP OF THE POLICE ACCOUNTABILITY BOARD SHALL INCLUDE REPRESENTATION FROM COMMUNITIES THAT THE POPULATIONS, IDENTITIES, GEOGRAPHIC AREAS, AND COMMUNITIES THAT HISTORICALLY EXPERIENCED OR CURRENTLY EXPERIENCE A HIGHER FREQUENCY OF INTERACTIONS WITH LAW ENFORCEMENT.

5. TO THE EXTENT PRACTICABLE, THE VOTING MEMBERSHIP OF THE POLICE ACCOUNTABILITY BOARD SHALL INCLUDE A DIVERSITY OF EXPERIENCE AND EXPERTISE, INCLUDING IN SUCH AREAS AS:

   (I) COMMUNITY ORGANIZATION;

   (II) CIVIL RIGHTS;

   (III) LAW ENFORCEMENT;
(IV) CRIMINAL LAW;
(V) BEHAVIORAL HEALTH;
(VI) FAITH-BASED LEADERSHIP;
(VII) COMMUNITY POLICING;
(VIII) POLICING STANDARDS;
(IX) SOCIOLOGY;
(X) EDUCATION;
(XI) SOCIAL WORK;
(XII) CRIMINOLOGY;
(XIII) PERSONNEL MANAGEMENT AND DISCIPLINE; AND
(XIV) JUVENILE SERVICES; OR
(XV) OTHER LIFE EXPERIENCE THAT MAY BE VALUABLE TO THE BOARD.

(6) (I) VOTING MEMBERS SHALL BE SUBJECT TO A CRIMINAL BACKGROUND INVESTIGATION BEFORE BEGINNING TO SERVE.

(II) A PERSON MAY NOT BE APPOINTED AS A VOTING MEMBER OF THE BOARD IF THE PERSON HAS BEEN CONVICTED OF, PLED GUILTY TO, OR RECEIVED PROBATION BEFORE JUDGEMENT FOR THE FOLLOWING:


2. DOMESTIC VIOLENCE;

3. A FELONY IN MARYLAND;

4. A CRIME THAT IS A FELONY IN ANOTHER STATE OR IN A FEDERAL PROCEEDING THAT WOULD BE A FELONY IN MARYLAND; OR

5. OF THEFT, DISHONESTY, FRAUD, OR ANOTHER CRIME OF MORAL TURPITUDE.

(III) A PERSON WHO HAS BEEN CONVICTED OF CRIMES OTHER THAN AS SET FORTH IN PARAGRAPH (6)(II) MAY BE APPOINTED TO SERVE AS A VOTING MEMBER OF THE BOARD SUBJECT TO THE APPOINTMENT PROCEDURES IN THIS TITLE.

(7) VOTING MEMBERS SHALL FILE FINANCIAL DISCLOSURE FORMS AS REQUIRED BY § 7-6-101 OF THIS CODE, AND SHALL BE SUBJECT TO ALL OTHER PROVISIONS OF ARTICLE 7 OF THIS CODE THAT ARE APPLICABLE TO COUNTY EMPLOYEES, INCLUDING ALL PROVISIONS RELATING TO RECUSE THEMSELVES IN THE CASE OF CONFLICTS OF INTEREST.

(B) Ex officio members. THE FOLLOWING SHALL SERVE AS NON VOTING EX OFFICIO MEMBERS OF THE BOARD:

1. THE CHIEF OF THE ANNE ARUNDEL COUNTY POLICE DEPARTMENT OR THE CHIEF’S DESIGNEE;
(2) THE CHIEF OF THE ANNAPOLIS POLICE DEPARTMENT OR THE CHIEF’S DESIGNEE;

(3) THE ANNE ARUNDEL COUNTY SHERIFF OR THE SHERIFF’S DESIGNEE;

(4) THE DIRECTOR OF EQUITY, DIVERSITY, AND INCLUSION; AND

(5) THE HUMAN RELATIONS OFFICER.

(B) Application process. For the Members appointed pursuant to (A)(1)(i):

(1) An advertisement to apply for membership shall be published at least 30 days prior to any appointment by the County Executive; and

(2) The resolution approving any appointment shall be advertised at least once after introduction and shall have a public hearing before any vote by the County Council.

(2) A resolution to approve the appointment of any member may not be considered or acted on by the County Council less than seven days after its date of introduction and shall receive a public hearing.

(C) Vacancies. Vacancies shall be filled for any unexpired term in the same manner as the original appointment.

3-7A-104. Chair.

Every three years, the County Executive shall designate a Chair from the membership of the Board subject to the approval of the County Council by resolution.

3-7A-105. Terms of voting members.

(A) Generally.

(1) The initial terms of voting members shall be staggered so that four members, including the Chair, shall serve initial terms of three years and five members shall serve initial terms of two years.

(2) After the initial terms, the term of a voting member is three years.

(3) At the end of any term, a voting member continues to serve until a successor is appointed and qualifies.

(4) A voting member who is appointed after a term has begun serves only for the remainder of the term and until a successor is appointed and qualifies.

(5) There is no limit on the number of terms a voting member may serve, provided that a voting member may not serve more than two full consecutive terms.

(B) Removal.

(1) (i) The County Executive may remove a member for cause, including but not limited to a change of address to a location outside of Anne Arundel County, improper use or disclosure of information, being charged with a
CRIME, IMMORAL CONDUCT, OR ABSENCE FROM 25% OR MORE OF THE SCHEDULED MEETINGS DURING ANY 12-MONTH PERIOD.

(II) WITHIN 10 DAYS, THE COUNTY EXECUTIVE SHALL SEND WRITTEN NOTICE OF THE REMOVAL THAT INCLUDES THE REASONS FOR THE REMOVAL AND THE EFFECTIVE DATE TO THE CHAIR AND VICE CHAIR OF THE BOARD AND TO THE COUNTY COUNCIL.

(2) THE CHAIR OF THE BOARD SHALL:

(I) NOTIFY THE COUNTY EXECUTIVE OF ANY MEMBER WHO IS ABSENT FROM 25% OR MORE OF THE SCHEDULED MEETINGS OF THE BOARD DURING ANY 12-MONTH PERIOD;

(II) INCLUDE IN THE NOTIFICATION ANY KNOWN EXTENUATING CIRCUMSTANCES; AND

(III) SEND A COPY OF THE NOTIFICATION TO EACH MEMBER OF THE BOARD.

(3) THE COUNTY EXECUTIVE MAY EXCUSE ABSENCES FOR GOOD CAUSE SUCH AS ILLNESS, EMERGENCY SITUATIONS, OR OTHER EXTENUATING CIRCUMSTANCES.

(4) WITHIN TWO BUSINESS MEETINGS AFTER RECEIPT OF A NOTICE OF REMOVAL, THE COUNTY COUNCIL MAY REINSTATE THE REMOVED MEMBER OF THE BOARD BY A RESOLUTION ADOPTED BY THE AFFIRMATIVE VOTE OF FIVE MEMBERS.

3-7A-106. Quorum; meetings.

(A) **Quorum.** FIVE VOTING MEMBERS OF THE BOARD IS A QUORUM. AN AFFIRMATIVE VOTE OF A MAJORITY OF THE VOTING MEMBERS PRESENT AT ANY MEETING AT WHICH THERE IS A QUORUM SHALL BE SUFFICIENT FOR ANY ACTION OF THE BOARD.

(B) **Meetings.** THE BOARD SHALL MEET AT THE CALL OF THE CHAIR OR AT THE REQUEST OF FIVE MEMBERS AS FREQUENTLY AS REQUIRED TO PERFORM THE DUTIES OF THE BOARD, BUT NO LESS THAN QUARTERLY. ALL MEETINGS SHALL COMPLY WITH THE MARYLAND OPEN MEETINGS ACT AND THIS CODE AND SHALL PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT.

3-7A-107. Training.

AS SOON AS PRACTICABLE AFTER APPOINTMENT AND AT THE INTERVALS SPECIFIED, EACH VOTING MEMBER OF THE BOARD SHALL COMPLETE THE FOLLOWING TRAINING:

(A) (1) ETHICS TRAINING ANNUALLY;

(B) (2) IMPLICIT BIAS TRAINING ANNUALLY;

(C) (3) THE CITIZEN’S POLICE ACADEMY ONE TIME PER TERM; AND

(D) (4) A RIDE-ALONG ANNUALLY, THAT INCLUDES, WHENEVER POSSIBLE, RIDING ALONG WITH DIFFERENT COUNTY POLICE DISTRICTS OR DIVISIONS OR OTHER COUNTY OR STATE AGENCIES IN EACH SUBSEQUENT YEAR TO FACILITATE BROAD TRAINING EXPOSURE; AND

(E) (5) ANY OTHER TRAINING SPECIFIED BY THE STATE, THE COUNTY EXECUTIVE, OR MAJORITY VOTE OF THE BOARD.
3-7A-108. Budget and staff.

(A) **Budget.** THE COUNTY EXECUTIVE SHALL PROPOSE A BUDGET FOR THE BOARD TO BE INCLUDED IN THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE ADOPTED BY THE COUNTY COUNCIL.

(B) **Executive Director.** THERE SHALL BE AN EXECUTIVE DIRECTOR TO THE BOARD AND AN ADMINISTRATIVE SECRETARY TO THE EXECUTIVE DIRECTOR, WHICH SHALL BE IN THE EXEMPT SERVICE, TO PROVIDE SUPPORT AND ASSISTANCE TO THE BOARD.

(C) **Other staff and contractual services.** THE BOARD MAY BE ASSIGNED ADDITIONAL STAFF AND PROVIDED WITH CONTRACTUAL SERVICES AS NEEDED AND AS PROVIDED FOR IN THE ANNUAL BUDGET.

(B) **Staff.**

(1) **Executive Director.** THERE SHALL BE AN EXECUTIVE DIRECTOR TO THE BOARD WHO IS APPOINTED BY THE COUNTY EXECUTIVE AND CONFIRMED BY RESOLUTION OF THE COUNTY COUNCIL. THE EXECUTIVE DIRECTOR SHALL BE AN ATTORNEY IN GOOD STANDING OF THE STATE OF MARYLAND AND SHALL POSSESS AT LEAST THREE YEARS OF RELEVANT EXPERIENCE. THE EXECUTIVE DIRECTOR SHALL SUPERVISE STAFF ASSIGNED TO THE BOARD AND MANAGE CONTRACTUAL SERVICES AS NEEDED. THE EXECUTIVE DIRECTOR MAY BE REMOVED BY THE COUNTY EXECUTIVE, UNLESS THE COUNTY COUNCIL, BY RESOLUTION ON THE AFFIRMATIVE VOTE OF NOT LESS THAN FIVE MEMBERS, VOTES TO PREVENT THE REMOVAL OF AN EXECUTIVE DIRECTOR APPOINTED BY THE COUNTY EXECUTIVE.

(2) **Administrative Secretary.** THERE SHALL BE, IN THE EXEMPT SERVICE, AN ADMINISTRATIVE SECRETARY TO THE EXECUTIVE DIRECTOR TO PROVIDE SUPPORT AND ASSISTANCE TO THE BOARD.

(3) **Other staff and contractual services.** THE BOARD MAY BE ASSIGNED ADDITIONAL STAFF AND PROVIDED WITH CONTRACTUAL SERVICES AS NEEDED AND AS PROVIDED FOR IN THE ANNUAL BUDGET.


(A) **Compensation.** VOTING MEMBERS OF THE BOARD MAY BE COMPENSATED FOR THEIR SERVICES AS PROVIDED FOR IN THE ANNUAL BUDGET.

(B) **Expenses.** NON-VOTING MEMBERS OF THE BOARD MAY BE REIMBURSED FOR EXPENSES INCURRED RELATED TO THEIR DUTIES AT THE DISCRETION OF THE EXECUTIVE DIRECTOR AND SUBJECT TO APPROPRIATION AND AVAILABILITY OF FUNDS IN THE ANNUAL BUDGET. SUCH EXPENSES MAY INCLUDE THE COST OF CHILD CARE AND TRANSPORTATION NECESSARY TO ATTEND A SCHEDULED MEETING OF THE BOARD.

(C) **Administrative Charging Committees Committee and Trial Hearing Boards.**

(1) MEMBERS OF ANY ADMINISTRATIVE CHARGING COMMITTEES COMMITTEE AND TRIAL HEARING BOARDS REQUIRED BY STATE LAW MAY BE COMPENSATED AS PROVIDED FOR IN THE ANNUAL BUDGET.

(2) ADMINISTRATIVE CHARGING COMMITTEES COMMITTEE AND TRIAL HEARING BOARDS MAY BE ASSIGNED ADDITIONAL STAFF AND PROVIDED WITH CONTRACTUAL SERVICES AS NEEDED AND AS PROVIDED FOR IN THE ANNUAL BUDGET.
(3) THE COUNTY EXECUTIVE SHALL ADVERTISE TO SOLICIT APPLICATIONS FOR
THE APPOINTEES TO THE ADMINISTRATIVE CHARGING COMMITTEE AT LEAST 30 DAYS
PRIOR TO ANY APPOINTMENT.

3-7A-110. Duties.

(A) Meetings with law enforcement. THE BOARD SHALL HOLD AT LEAST QUARTERLY
MEETINGS WITH HEADS OF LAW ENFORCEMENT AGENCIES AND OTHERWISE WORK WITH
LAW ENFORCEMENT AGENCIES AND OTHER COUNTY AGENCIES TO IMPROVE MATTERS OF
POLICING.

(B) Appointments. THE BOARD SHALL APPOINT MEMBERS TO THE ADMINISTRATIVE
CHARGING COMMITTEE AND TRIAL HEARING BOARDS AS PROVIDED FOR IN
TITLE 3, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE OF THE STATE CODE AND THIS CODE.

(C) Complaints.

(1) THE BOARD SHALL RECEIVE COMPLAINTS OF POLICE MISCONDUCT FROM
MEMBERS OF THE PUBLIC.

(2) COMPLAINTS OF POLICE MISCONDUCT MAY BE FILED USING AN ONLINE
PORTAL.

(3) COMPLAINTS OF POLICE MISCONDUCT FILED WITH THE BOARD MUST BE IN
WRITING AND SHALL INCLUDE:

(I) THE NAME OF THE POLICE OFFICER ACCUSED OF MISCONDUCT;

(II) A DESCRIPTION OF THE FACTS ON WHICH THE COMPLAINT IS BASED; AND

(III) CONTACT INFORMATION FOR THE COMPLAINANT OR A PERSON FILING ON
BEHALF OF THE COMPLAINANT FOR INVESTIGATIVE FOLLOW-UP; AND

(IV) A STATEMENT THAT THE COMPLAINANT AFFIRMS UNDER PENALTY OF
PERJURY THAT THE CONTENTS OF THE COMPLAINT ARE TRUE TO THE BEST OF THEIR
KNOWLEDGE, INFORMATION, AND BELIEF.

(4) COMPLAINTS OF POLICE MISCONDUCT NEED NOT BE NOTARIZED.

(5) COMPLAINTS OF POLICE MISCONDUCT FILED WITH THE BOARD SHALL BE
FORWARDED TO THE APPROPRIATE LAW ENFORCEMENT AGENCY WITHIN THREE DAYS
AFTER RECEIPT BY THE BOARD.

(6) COMPLAINTS OF POLICE MISCONDUCT FILED WITH A LAW ENFORCEMENT
AGENCY SHALL BE FORWARDED TO THE POLICE ACCOUNTABILITY BOARD WITHIN THREE
DAYS AFTER RECEIPT BY THE LAW ENFORCEMENT AGENCY.

(D) Reporting.

(1) ON A QUARTERLY BASIS, THE BOARD SHALL REVIEW OUTCOMES OF
DISCIPLINARY MATTERS CONSIDERED BY THE ADMINISTRATIVE CHARGING COMMITTEE
REQUIRED BY § 3-104 OF THE PUBLIC SAFETY ARTICLE OF THE STATE CODE.

(2) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE BOARD SHALL SUBMIT A
REPORT TO THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL THAT:

(I) IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS OF POLICE
OFFICERS IN THE COUNTY; AND
(II) MAKES RECOMMENDATIONS ON CHANGES TO POLICY THAT WOULD IMPROVE POLICE OFFICER ACCOUNTABILITY IN THE COUNTY.

(3) ANNUAL REPORTS AND ANY OTHER REPORTS CREATED BY THE POLICE ACCOUNTABILITY BOARD MUST BE SHARED IN A TIMELY MANNER WITH THE COUNTY EXECUTIVE AND COUNTY COUNCIL AND BE AVAILABLE FOR PUBLIC VIEW AT ALL ANNE ARUNDEL COUNTY PUBLIC LIBRARIES.

3-7A-111. Recordkeeping.

(A) Maintenance. The executive director of the board shall keep and maintain records of the board.

(B) Retention. The board shall formulate a retention schedule for the records of the board that is consistent with state and county law.

(C) Production. Records and other information shall be produced as permitted and required by the Maryland Public Information Act. Any records or information that is not permitted to be produced to the public shall be kept confidential by all members and staff of the board.

3-7A-112. Administrative Charging Committee and Trial Hearing Boards.

The administrative charging committee and trial boards shall have the composition, powers, and duties set forth in Title 3, Subtitle 1 of the Public Safety Article of the State Code.

(A) Administrative Charging Committee.

(1) The administrative charging committee shall have the composition, powers, and duties as set forth in Title 3, Subtitle 1 of the Public Safety Article of the State Code.

(2) The administrative charging committee shall:

(i) Review the findings of a law enforcement agency’s investigation conducted and forwarded in accordance with § 3-104 the Public Safety Article of State Code;

(ii) Make a determination that the police officer who is subject to investigation shall be:

1. administratively charged; or

2. not administratively charged;

(III) If the police officer is charged, recommend discipline in accordance with the law enforcement agency’s disciplinary matrix established in accordance with § 3-105 of the Public Safety Article of State Code;

(iv) Review any body camera footage that may be relevant to the matters covered in the complaint of misconduct;

(v) Authorize a police officer called to appear before an administrative charging committee to be accompanied by a representative;
(VI) ISSUE A WRITTEN OPINION THAT DESCRIBES IN DETAIL ITS FINDINGS, DETERMINATIONS, AND RECOMMENDATIONS;


(3) IN EXECUTING ITS DUTIES, THE ADMINISTRATIVE CHARGING COMMITTEE MAY:

(I) REQUEST INFORMATION OR ACTION FROM THE LAW ENFORCEMENT AGENCY THAT CONDUCTED THE INVESTIGATION, INCLUDING REQUIRING ADDITIONAL INVESTIGATION AND THE ISSUANCE OF SUBPOENAS;

(II) IF THE POLICE OFFICER IS NOT ADMINISTRATIVELY CHARGED, MAKE A DETERMINATION THAT:

1. THE ALLEGATIONS AGAINST THE POLICE OFFICER ARE UNFOUNDED; OR

2. THE POLICE OFFICER IS EXONERATED; AND

(III) RECORD, IN WRITING, ANY FAILURE OF SUPERVISION THAT CAUSED OR CONTRIBUTED TO A POLICE OFFICER’S MISCONDUCT.

(4) THE ADMINISTRATIVE CHARGING COMMITTEE SHALL MEET ONCE PER MONTH OR AS NEEDED.

(5) A MEMBER OF THE ADMINISTRATIVE CHARGING COMMITTEE SHALL MAINTAIN CONFIDENTIALITY RELATING TO A MATTER BEING CONSIDERED BY THE ADMINISTRATIVE CHARGING COMMITTEE UNTIL FINAL DISPOSITION OF THE MATTER.

(6) THE COUNTY EXECUTIVE SHALL ADVERTISE TO SOLICIT APPLICATIONS FOR THE APPOINTEES TO THE ADMINISTRATIVE CHARGING COMMITTEE AT LEAST 30 DAYS PRIOR TO ANY APPOINTMENT.

(B) Hearing Boards. THE HEARING BOARDS SHALL HAVE THE COMPOSITION, POWERS, AND DUTIES AS SET FORTH IN TITLE 3, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE OF THE STATE CODE.

(C) Compensation and staff.

(1) MEMBERS OF ANY ADMINISTRATIVE CHARGING COMMITTEE AND HEARING BOARDS REQUIRED BY STATE LAW MAY BE COMPENSATED AS PROVIDED FOR IN THE ANNUAL BUDGET.

(2) ADMINISTRATIVE CHARGING COMMITTEE AND HEARING BOARDS MAY BE ASSIGNED ADDITIONAL STAFF AND PROVIDED WITH CONTRACTUAL SERVICES AS NEEDED AND AS PROVIDED FOR IN THE ANNUAL BUDGET.

ARTICLE 7. PUBLIC ETHICS

TITLE 6. FINANCIAL DISCLOSURE

7-6-101. Persons required to file statements.

(a) Generally. Each of the following and each candidate for the County Executive or the County Council shall file with the Ethics Commission the statements provided for in this title:
(98) EACH VOTING MEMBER OF THE POLICE ACCOUNTABILITY BOARD;

SECTION 3. And be it further enacted, That this Ordinance shall take effect 45 days from the date it becomes law.

AMENDMENTS ADOPTED: March 7 and 21, April 4 and 18, 2022

READ AND PASSED this 18th day of April, 2022

By Order:

Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 19th day of April, 2022

Laura Corby
Administrative Officer

APPROVED AND ENACTED this 29th day of April, 2022

Stuart Pittman
County Executive

EFFECTIVE DATE: June 13, 2022

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO. 16-22 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES OF THE COUNTY COUNCIL.

Laura Corby
Administrative Officer