

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

1 AN ORDINANCE concerning: Police Accountability Board

2
3 FOR the purpose of establishing a Police Accountability Board; defining certain terms;
4 providing for the composition and terms and removal of members of the Police
5 Accountability Board; providing for a chair of the Police Accountability Board;
6 providing for the meeting standards, training, budget and staff, compensation of
7 members, and recordkeeping standards of the Police Accountability Board;
8 establishing the duties of the Police Accountability Board; requiring annual reports by
9 the Police Accountability Board; providing for the compensation, staffing, powers,
10 duties, and appointment of members of Administrative Charging ~~Committees~~
11 Committee and ~~Trial~~ Hearing Boards; requiring voting members of Police
12 Accountability Board to file financial disclosure statements; and generally relating to
13 boards, commissions, and similar bodies and public ethics.
14

15 BY adding: §§ 3-7A-101 through ~~3-7A-111~~ 3-7A-112 to be under the new title “Title 7A.
16 Police Accountability Board”
17 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

3-7A-101. Definitions.

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.

~~(1)~~ (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.

~~(2)~~ (3) “POLICE MISCONDUCT” MEANS A PATTERN, PRACTICE, OR CONDUCT BY A POLICE OFFICER OR LAW ENFORCEMENT AGENCY THAT INCLUDES:

(1) 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.

~~(3)~~ (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.

(3) TO THE EXTENT PRACTICABLE, THE VOTING MEMBERSHIP OF THE POLICE ACCOUNTABILITY BOARD SHALL REFLECT THE RACIAL, GENDER, GENDER-IDENTITY, SEXUAL ORIENTATION, AND CULTURAL DIVERSITY OF THE COUNTY.

(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;

- 1 (IV) CRIMINAL LAW;
2
3 (V) BEHAVIORAL HEALTH;
4
5 (VI) FAITH-BASED LEADERSHIP;
6
7 (VII) COMMUNITY POLICING;
8
9 (VIII) POLICING STANDARDS;
10
11 (IX) SOCIOLOGY;
12
13 (X) EDUCATION;
14
15 (XI) SOCIAL WORK;
16
17 (XII) CRIMINOLOGY;
18
19 (XIII) PERSONNEL MANAGEMENT AND DISCIPLINE; AND
20
21 (XIV) JUVENILE SERVICES; OR
22
23 (XV) OTHER LIFE EXPERIENCE THAT MAY BE VALUABLE TO THE BOARD.

24
25 (6) (I) VOTING MEMBERS SHALL BE SUBJECT TO A CRIMINAL BACKGROUND
26 INVESTIGATION BEFORE BEGINNING TO SERVE.

27
28 (II) A PERSON MAY NOT BE APPOINTED AS A VOTING MEMBER OF THE BOARD
29 IF THE PERSON HAS BEEN CONVICTED OF, PLED GUILTY TO, OR RECEIVED PROBATION
30 BEFORE JUDGEMENT FOR THE FOLLOWING:

31
32 1. A CRIME OF VIOLENCE, AS DEFINED IN ~~§ 14-401~~ § 14-101 OF THE CRIMINAL
33 LAW ARTICLE OF THE STATE CODE;

34
35 2. DOMESTIC VIOLENCE;

36
37 3. A FELONY IN MARYLAND;

38
39 4. A CRIME THAT IS A FELONY IN ANOTHER STATE OR IN A FEDERAL
40 PROCEEDING THAT WOULD BE A FELONY IN MARYLAND; OR

41
42 5. ~~OF~~ THEFT, DISHONESTY, FRAUD, OR ANOTHER CRIME OF MORAL
43 TURPITUDE.

44
45 (III) A PERSON WHO HAS BEEN CONVICTED OF CRIMES OTHER THAN AS SET
46 FORTH IN PARAGRAPH (6)(II) MAY BE APPOINTED TO SERVE AS A VOTING MEMBER OF THE
47 BOARD SUBJECT TO THE APPOINTMENT PROCEDURES IN THIS TITLE.

48
49 (7) VOTING MEMBERS SHALL FILE FINANCIAL DISCLOSURE FORMS AS REQUIRED
50 BY § 7-6-101 OF THIS CODE, AND SHALL ~~BE SUBJECT TO ALL OTHER PROVISIONS OF~~
51 ~~ARTICLE 7 OF THIS CODE THAT ARE APPLICABLE TO COUNTY EMPLOYEES, INCLUDING ALL~~
52 ~~PROVISIONS RELATING TO~~ RECUSE THEMSELVES IN THE CASE OF CONFLICTS OF INTEREST.
53

54 ~~(B) Ex officio members. THE FOLLOWING SHALL SERVE AS NON VOTING EX OFFICIO~~
55 ~~MEMBERS OF THE BOARD;~~

56
57 ~~(1) THE CHIEF OF THE ANNE ARUNDEL COUNTY POLICE DEPARTMENT OR THE~~
58 ~~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.~~

~~(C)~~ **(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 THEN SEVEN DAYS AFTER ITS DATE OF INTRODUCTION AND SHALL RECEIVE A PUBLIC HEARING.

~~(D)~~ **(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

1 CRIME, ~~IMMORAL CONDUCT~~, OR ABSENCE FROM 25% OR MORE OF THE SCHEDULED
2 MEETINGS DURING ANY 12-MONTH PERIOD.

3
4 (II) WITHIN 10 DAYS, THE COUNTY EXECUTIVE SHALL SEND WRITTEN NOTICE
5 OF THE REMOVAL THAT INCLUDES THE REASONS FOR THE REMOVAL AND THE EFFECTIVE
6 DATE TO THE CHAIR AND VICE-CHAIR OF THE BOARD AND TO THE COUNTY COUNCIL.

7
8 (2) THE CHAIR OF THE BOARD SHALL:

9
10 (I) NOTIFY THE COUNTY EXECUTIVE OF ANY MEMBER WHO IS ABSENT FROM
11 25% OR MORE OF THE SCHEDULED MEETINGS OF THE BOARD DURING ANY 12-MONTH
12 PERIOD;

13
14 (II) INCLUDE IN THE NOTIFICATION ANY KNOWN EXTENUATING
15 CIRCUMSTANCES; AND

16
17 (III) SEND A COPY OF THE NOTIFICATION TO EACH MEMBER OF THE BOARD.

18
19 (3) THE COUNTY EXECUTIVE MAY EXCUSE ABSENCES FOR GOOD CAUSE SUCH AS
20 ILLNESS, EMERGENCY SITUATIONS, OR OTHER EXTENUATING CIRCUMSTANCES.

21
22 (4) WITHIN TWO BUSINESS MEETINGS AFTER RECEIPT OF A NOTICE OF REMOVAL,
23 THE COUNTY COUNCIL MAY REINSTATE THE REMOVED MEMBER OF THE BOARD BY A
24 RESOLUTION ADOPTED BY THE AFFIRMATIVE VOTE OF FIVE MEMBERS.

25
26 **3-7A-106. Quorum; meetings.**

27
28 (A) **Quorum.** FIVE VOTING MEMBERS OF THE BOARD IS A QUORUM. AN AFFIRMATIVE
29 VOTE OF A MAJORITY OF THE VOTING MEMBERS PRESENT AT ANY MEETING AT WHICH
30 THERE IS A QUORUM SHALL BE SUFFICIENT FOR ANY ACTION OF THE BOARD.

31
32 (B) **Meetings.** THE BOARD SHALL MEET AT THE CALL OF THE CHAIR OR AT THE
33 REQUEST OF FIVE MEMBERS AS FREQUENTLY AS REQUIRED TO PERFORM THE DUTIES OF
34 THE BOARD, BUT NO LESS THAN QUARTERLY. ALL MEETINGS SHALL COMPLY WITH THE
35 MARYLAND OPEN MEETINGS ACT AND THIS CODE AND SHALL PROVIDE AN OPPORTUNITY
36 FOR PUBLIC COMMENT.

37
38 **3-7A-107. Training.**

39
40 AS SOON AS PRACTICABLE AFTER APPOINTMENT AND AT THE INTERVALS SPECIFIED,
41 EACH VOTING MEMBER OF THE BOARD SHALL COMPLETE THE FOLLOWING TRAINING:

42
43 ~~(A)~~ (1) ETHICS TRAINING ANNUALLY;

44
45 ~~(B)~~ (2) IMPLICIT BIAS TRAINING ANNUALLY;

46
47 ~~(C)~~ (3) THE CITIZEN'S POLICE ACADEMY ONE TIME PER TERM; ~~AND~~

48
49 (4) A RIDE-ALONG ANNUALLY, THAT INCLUDES, WHENEVER POSSIBLE, RIDING
50 ALONG WITH DIFFERENT COUNTY POLICE DISTRICTS OR DIVISIONS OR OTHER COUNTY OR
51 STATE AGENCIES IN EACH SUBSEQUENT YEAR TO FACILITATE BROAD TRAINING
52 EXPOSURE; AND

53
54 ~~(D)~~ (5) ANY OTHER TRAINING SPECIFIED BY THE STATE, THE COUNTY EXECUTIVE,
55 OR MAJORITY VOTE OF THE BOARD.

1 **3-7A-108. Budget and staff.**

2
3 (A) **Budget.** THE COUNTY EXECUTIVE SHALL PROPOSE A BUDGET FOR THE BOARD TO
4 BE INCLUDED IN THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE ADOPTED BY
5 THE COUNTY COUNCIL.
6

7 ~~(B) **Executive Director.** THERE SHALL BE AN EXECUTIVE DIRECTOR TO THE BOARD~~
8 ~~AND AN ADMINISTRATIVE SECRETARY TO THE EXECUTIVE DIRECTOR, WHICH SHALL BE~~
9 ~~IN THE EXEMPT SERVICE, TO PROVIDE SUPPORT AND ASSISTANCE TO THE BOARD.~~
10

11 ~~(C) **Other staff and contractual services.** THE BOARD MAY BE ASSIGNED ADDITIONAL~~
12 ~~STAFF AND PROVIDED WITH CONTRACTUAL SERVICES AS NEEDED AND AS PROVIDED FOR~~
13 ~~IN THE ANNUAL BUDGET.~~
14

15 **(B) Staff.**

16
17 (1) **Executive Director.** THERE SHALL BE AN EXECUTIVE DIRECTOR TO THE BOARD
18 WHO IS APPOINTED BY THE COUNTY EXECUTIVE AND CONFIRMED BY RESOLUTION OF THE
19 COUNTY COUNCIL. THE EXECUTIVE DIRECTOR SHALL BE AN ATTORNEY IN GOOD
20 STANDING OF THE STATE OF MARYLAND AND SHALL POSSESS AT LEAST THREE YEARS OF
21 RELEVANT EXPERIENCE. THE EXECUTIVE DIRECTOR SHALL SUPERVISE STAFF ASSIGNED
22 TO THE BOARD AND MANAGE CONTRACTUAL SERVICES AS NEEDED. THE EXECUTIVE
23 DIRECTOR MAY BE REMOVED BY THE COUNTY EXECUTIVE, UNLESS THE COUNTY
24 COUNCIL, BY RESOLUTION ON THE AFFIRMATIVE VOTE OF NOT LESS THAN FIVE MEMBERS,
25 VOTES TO PREVENT THE REMOVAL OF AN EXECUTIVE DIRECTOR APPOINTED BY THE
26 COUNTY EXECUTIVE.
27

28 (2) **Administrative Secretary.** THERE SHALL BE, IN THE EXEMPT SERVICE, AN
29 ADMINISTRATIVE SECRETARY TO THE EXECUTIVE DIRECTOR TO PROVIDE SUPPORT AND
30 ASSISTANCE TO THE BOARD.
31

32 (3) **Other staff and contractual services.** THE BOARD MAY BE ASSIGNED
33 ADDITIONAL STAFF AND PROVIDED WITH CONTRACTUAL SERVICES AS NEEDED AND AS
34 PROVIDED FOR IN THE ANNUAL BUDGET.
35

36 **3-7A-109. Compensation and expenses.**

37
38 (A) **Compensation.** VOTING MEMBERS OF THE BOARD MAY BE COMPENSATED FOR
39 THEIR SERVICES AS PROVIDED FOR IN THE ANNUAL BUDGET.
40

41 (B) **Expenses.** ~~NON-VOTING~~ VOTING MEMBERS OF THE BOARD MAY BE REIMBURSED
42 FOR EXPENSES INCURRED RELATED TO THEIR DUTIES AT THE DISCRETION OF THE
43 EXECUTIVE DIRECTOR AND SUBJECT TO APPROPRIATION AND AVAILABILITY OF FUNDS IN
44 THE ANNUAL BUDGET. SUCH EXPENSES MAY INCLUDE THE COST OF CHILD CARE AND
45 TRANSPORTATION NECESSARY TO ATTEND A SCHEDULED MEETING OF THE BOARD.
46

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

48
49 ~~(1) MEMBERS OF ANY ADMINISTRATIVE CHARGING COMMITTEES COMMITTEE AND~~
50 ~~TRIAL HEARING BOARDS REQUIRED BY STATE LAW MAY BE COMPENSATED AS PROVIDED~~
51 ~~FOR IN THE ANNUAL BUDGET.~~
52

53 ~~(2) ADMINISTRATIVE CHARGING COMMITTEES COMMITTEE AND TRIAL HEARING~~
54 ~~BOARDS MAY BE ASSIGNED ADDITIONAL STAFF AND PROVIDED WITH CONTRACTUAL~~
55 ~~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 ~~COMMITTEES~~ 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;

1 (VI) ISSUE A WRITTEN OPINION THAT DESCRIBES IN DETAIL ITS FINDINGS,
2 DETERMINATIONS, AND RECOMMENDATIONS;

3
4 (VII) FORWARD THE WRITTEN OPINION TO THE CHIEF OF THE LAW
5 ENFORCEMENT AGENCY, THE POLICE OFFICER, AND THE COMPLAINANT.

6
7 (3) IN EXECUTING ITS DUTIES, THE ADMINISTRATIVE CHARGING COMMITTEE MAY:

8
9 (I) REQUEST INFORMATION OR ACTION FROM THE LAW ENFORCEMENT
10 AGENCY THAT CONDUCTED THE INVESTIGATION, INCLUDING REQUIRING ADDITIONAL
11 INVESTIGATION AND THE ISSUANCE OF SUBPOENAS;

12
13 (II) IF THE POLICE OFFICER IS NOT ADMINISTRATIVELY CHARGED, MAKE A
14 DETERMINATION THAT:

15
16 1. THE ALLEGATIONS AGAINST THE POLICE OFFICER ARE UNFOUNDED; OR

17
18 2. THE POLICE OFFICER IS EXONERATED; AND

19
20 (III) RECORD, IN WRITING, ANY FAILURE OF SUPERVISION THAT CAUSED OR
21 CONTRIBUTED TO A POLICE OFFICER'S MISCONDUCT.

22
23 (4) THE ADMINISTRATIVE CHARGING COMMITTEE SHALL MEET ONCE PER MONTH
24 OR AS NEEDED.

25
26 (5) A MEMBER OF THE ADMINISTRATIVE CHARGING COMMITTEE SHALL MAINTAIN
27 CONFIDENTIALITY RELATING TO A MATTER BEING CONSIDERED BY THE ADMINISTRATIVE
28 CHARGING COMMITTEE UNTIL FINAL DISPOSITION OF THE MATTER.

29
30 (6) THE COUNTY EXECUTIVE SHALL ADVERTISE TO SOLICIT APPLICATIONS FOR
31 THE APPOINTEES TO THE ADMINISTRATIVE CHARGING COMMITTEE AT LEAST 30 DAYS
32 PRIOR TO ANY APPOINTMENT.

33
34 (B) **Hearing Boards.** THE HEARING BOARDS SHALL HAVE THE COMPOSITION, POWERS,
35 AND DUTIES AS SET FORTH IN TITLE 3, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE OF THE
36 STATE CODE.

37
38 (C) **Compensation and staff.**

39
40 (1) MEMBERS OF ANY ADMINISTRATIVE CHARGING COMMITTEE AND HEARING
41 BOARDS REQUIRED BY STATE LAW MAY BE COMPENSATED AS PROVIDED FOR IN THE
42 ANNUAL BUDGET.

43
44 (2) ADMINISTRATIVE CHARGING COMMITTEE AND HEARING BOARDS MAY BE
45 ASSIGNED ADDITIONAL STAFF AND PROVIDED WITH CONTRACTUAL SERVICES AS NEEDED
46 AND AS PROVIDED FOR IN THE ANNUAL BUDGET.

47
48 **ARTICLE 7. PUBLIC ETHICS**

49
50 **TITLE 6. FINANCIAL DISCLOSURE**

51
52 **7-6-101. Persons required to file statements.**

53
54 (a) **Generally.** Each of the following and each candidate for the County Executive or
55 the County Council shall file with the Ethics Commission the statements provided for in
56 this title:

1 (98) EACH VOTING MEMBER OF THE POLICE ACCOUNTABILITY BOARD;
2

3 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days
4 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

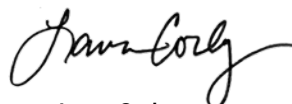

Laura Corby
Administrative Officer

APPROVED AND ENACTED this 29th day of April, 2022


Steuart 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