

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2022, Legislative Day No. 8

Bill No. 24-22

Mr. Julian E. Jones Jr., Chairman
By Request of the County Executive

By the County Council, April 4, 2022

A BILL
ENTITLED

AN ACT concerning

County Code - Police Accountability Board, Administrative Charging Committee, and
Trial Boards

FOR the purpose of establishing a Police Accountability Board, an Administrative Charging
Committee, and a Trial Board process to receive complaints of police misconduct filed by
members of the public, conduct investigations, recommend administrative charges for
substantiated misconduct, and adjudicate certain charges in accordance with the
Maryland Police Accountability Act of 2021, as amended; defining certain terms;
providing for the composition and terms of members of the Board, Charging Committee,
and Trial Boards; setting forth the qualifications for members and method of
appointment; providing for a chair of the Board; establishing the duties of the Board,
Charging Committee, and Trial Boards; requiring annual reports by the Board; requiring
members of the Board, Charging Committee, and Trial Boards to file financial disclosure

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

statements; providing for the application of the Act; and generally relating to police accountability in Baltimore County.

BY adding

Sections 3-3-2601 through 3-3-2606
Article 3 – Administration
Title 3 – Boards, Commissions, Committees, Panels, and Foundations
SUBTITLE 26 – POLICE ACCOUNTABILITY BOARD
Baltimore County Code, 2015

BY adding

Sections 3-3-2701 through 3-3-2708
Article 3 – Administration
Title 3 – Boards, Commissions, Committees, Panels, and Foundations
SUBTITLE 27 – ADMINISTRATIVE CHARGING COMMITTEE AND TRIAL
BOARDS
Baltimore County Code, 2015

BY repealing and re-enacting, with amendments

Section 7-1-401(a)
Article 7 – Public Ethics and Open Government
Title 1 – Public Ethics
Subtitle 4 – Financial disclosure
Baltimore County Code, 2015

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3

4 ARTICLE 3 – ADMINISTRATION

5 TITLE 3 – BOARDS, COMMISSIONS, COMMITTEES, PANELS,

6 AND FOUNDATIONS

7 SUBTITLE 26 – POLICE ACCOUNTABILITY BOARD

8

9 § 3-3-2601. ESTABLISHED; DEFINITIONS.

10 (A) THERE IS A POLICE ACCOUNTABILITY BOARD.

1 (B) IN THIS SUBTITLE, "POLICE OFFICER" SHALL HAVE THE MEANING SET
2 FORTH IN § 3-201 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF
3 MARYLAND.

4
5 § 3-3-2602. MEMBERSHIP; APPOINTMENT OF CHAIR.

6 (A) (1) THE BOARD CONSISTS OF 9 MEMBERS, INCLUDING THE CHAIR,
7 ~~APPOINTED~~ NOMINATED BY THE COUNTY EXECUTIVE AND CONFIRMED BY THE
8 COUNTY COUNCIL.

9 (2) SEVEN MEMBERS SHALL RESIDE IN EACH OF THE COUNTY'S 7
10 COUNCILMANIC DISTRICTS.

11 (3) TWO MEMBERS SHALL BE AT-LARGE REPRESENTATIVES OF THE
12 RESIDENTS OF THE COUNTY.

13 (4) (I) THE COUNTY ADMINISTRATIVE OFFICER SHALL NOTIFY
14 THE COUNCIL SECRETARY IN WRITING OF ANY VACANCY ON THE BOARD,
15 OTHER THAN AN AT-LARGE REPRESENTATIVE.

16 (II) PRIOR TO ANY NOMINATION BY THE COUNTY EXECUTIVE
17 TO FILL A VACANCY, FOR A PERIOD OF 21 DAYS FOLLOWING SUCH
18 NOTIFICATION UNDER THIS PARAGRAPH, A MEMBER OF THE COUNTY COUNCIL
19 IN WHOSE DISTRICT THE VACANCY EXISTS MAY RECOMMEND TO THE COUNTY
20 EXECUTIVE UP TO 3 QUALIFIED PERSONS FROM THE COUNCILMEMBER'S
21 DISTRICT FOR POTENTIAL APPOINTMENT TO THE BOARD.

1 (B) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE BOARD
2 SHALL REFLECT THE RACIAL, GENDER, POLITICAL, AND CULTURAL DIVERSITY
3 OF BALTIMORE COUNTY.

4 (C) MEMBERS OF THE BOARD SHALL BE AN ADULT AND A RESIDENT OF
5 BALTIMORE COUNTY.

6 (D) (1) MEMBERS SHALL BE SUBJECT TO A CRIMINAL BACKGROUND
7 INVESTIGATION BEFORE BEGINNING TO SERVE.

8 (2) A PERSON MAY NOT BE NOMINATED AS A BOARD MEMBER IF
9 THE PERSON HAS BEEN CONVICTED OF A FELONY OR A MISDEMEANOR WITH A
10 STATUTORY PENALTY OF MORE THAN 2 YEARS OR IMPRISONED FOR SUCH A
11 CONVICTION WITHIN 10 YEARS OF THE NOMINATION.

12 (2) (3) MEMBERS WHO ARE CONVICTED OF A FELONY OR A
13 MISDEMEANOR WITH A STATUTORY PENALTY OF MORE THAN 2 YEARS DURING
14 THEIR TERM AS A MEMBER SHALL REPORT THE SAME TO THE COUNTY
15 EXECUTIVE AND SHALL BE REMOVED.

16 (E) AN INDIVIDUAL MAY NOT BE A MEMBER OF THE BOARD IF THEY ARE
17 AN ACTIVE POLICE OFFICER.

18 (F) (1) EACH BOARD MEMBER SHALL, UNLESS OTHERWISE SPECIFIED,
19 AS SOON AS PRACTICABLE AFTER APPOINTMENT SUCCESSFULLY COMPLETE:

20 (I) A CONDENSED PROGRAM OF THE BALTIMORE COUNTY
21 CITIZENS' POLICE ACADEMY; AND

1 (II) A RIDE-ALONG TO SPEND A SHIFT IN THE PASSENGER
2 SEAT OF AN EMERGENCY VEHICLE AND OBSERVE THE WORK DAY OF A POLICE
3 OFFICER.

4 (2) A BOARD MEMBER WHO RETIRED AS A POLICE OFFICER LESS
5 THAN 5 YEARS PRIOR TO THEIR APPOINTMENT IS NOT REQUIRED TO COMPLETE
6 THE TRAINING AS SET FORTH IN PARAGRAPH (1) OF THIS SUBSECTION.

7 ~~(F)~~ (G) (1) THE COUNTY EXECUTIVE SHALL APPOINT A MEMBER OF THE
8 BOARD TO SERVE AS CHAIR WHO SHALL HAVE EXPERIENCE RELEVANT TO THE
9 POSITION.

10 (2) THE TERM OF THE CHAIR IS TWO YEARS.

11 ~~(G)~~ (H) (1) THE TERM OF A MEMBER OF THE BOARD IS THREE YEARS AND
12 BEGINS ON JULY 1.

13 (2) THE TERMS OF THE INITIAL MEMBERS OF THE BOARD ARE
14 STAGGERED SO THAT NOT MORE THAN 3 MEMBERS' TERMS SHALL EXPIRE IN
15 ANY ONE YEAR. INITIALLY, 3 MEMBERS SHALL SERVE FOR A TERM OF 1 YEAR; 3
16 MEMBERS SHALL SERVE FOR A TERM OF 2 YEARS; AND 3 MEMBERS SHALL
17 SERVE FOR A TERM OF 3 YEARS.

18
19 § 3-3-2603. BUDGET; STAFF; COUNSEL.

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

1 (B) THE COUNTY SHALL ASSIGN STAFF AS NEEDED TO THE BOARD, WHICH
2 SHALL INCLUDE AN EXECUTIVE SECRETARY.

3 (C) THE COUNTY ATTORNEY SHALL BE THE LEGAL ADVISOR OF THE
4 BOARD AND, IN THE EVENT OF A CONFLICT, THE BOARD MAY REQUEST THAT
5 THE COUNTY ENGAGE OUTSIDE COUNSEL.

6
7 § 3-3-2604. RECORDS; CONFIDENTIALITY.

8 (A) RECORDS OF THE BOARD SHALL BE MAINTAINED BY THE EXECUTIVE
9 SECRETARY.

10 (B) THE COUNTY RECORDS MANAGEMENT OFFICER SHALL ESTABLISH A
11 RECORD RETENTION SCHEDULE FOR THE RECORDS OF THE BOARD.

12 (C) THE BOARD AND ITS STAFF SHALL KEEP CONFIDENTIAL ANY
13 RECORDS PROHIBITED FROM DISCLOSURE UNDER THE MARYLAND PUBLIC
14 INFORMATION ACT AND MUST SIGN AN AFFIDAVIT OF CONFIDENTIALITY.

15
16 § 3-3-2605. DUTIES OF THE BOARD.

17 THE BOARD SHALL:

18 (A) HOLD QUARTERLY MEETINGS WITH HEADS OF LAW
19 ENFORCEMENT AGENCIES AND OTHERWISE WORK WITH LAW ENFORCEMENT
20 AGENCIES WITH JURISDICTION IN THE COUNTY AND COUNTY GOVERNMENT TO
21 IMPROVE MATTERS OF POLICING;

22 (B) APPOINT CIVILIAN MEMBERS TO CHARGING COMMITTEES AND
23 TRIAL BOARDS;

1 (C) RECEIVE COMPLAINTS OF POLICE MISCONDUCT FILED BY
2 MEMBERS OF THE PUBLIC;

3 (D) FORWARD EACH COMPLAINT OF POLICE MISCONDUCT FILED
4 WITH THE BOARD TO THE APPROPRIATE LAW ENFORCEMENT AGENCY WITHIN 3
5 DAYS AFTER RECEIPT;

6 (E) ON A QUARTERLY BASIS, REVIEW OUTCOMES OF DISCIPLINARY
7 MATTERS CONSIDERED BY CHARGING COMMITTEES; AND

8 (F) ON OR BEFORE DECEMBER 31 EACH YEAR, SUBMIT A REPORT TO
9 THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL, TO BE POSTED ON THE
10 COUNTY'S WEBSITE, THAT:

11 (1) IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS
12 OF POLICE OFFICERS IN THE COUNTY; AND

13 (2) MAKES RECOMMENDATIONS ON CHANGES TO POLICY
14 THAT WOULD IMPROVE POLICE ACCOUNTABILITY IN THE COUNTY.

15
16 § 3-3-2606. CONTENTS OF COMPLAINTS.

17 (A) A COMPLAINT OF POLICE MISCONDUCT FILED WITH THE BOARD
18 SHALL INCLUDE:

19 (1) THE NAME OF THE POLICE OFFICER ACCUSED OF MISCONDUCT;

20 (2) A DESCRIPTION OF THE FACTS ON WHICH THE COMPLAINT IS
21 BASED; AND

22 (3) CONTACT INFORMATION OF THE COMPLAINANT OR A PERSON
23 FILING ON BEHALF OF THE COMPLAINANT FOR INVESTIGATIVE FOLLOW-UP.

1 (B) A COMPLAINT NEED NOT BE NOTARIZED.

2
3 SUBTITLE 27 – ADMINISTRATIVE CHARGING COMMITTEE AND TRIAL BOARDS

4
5 § 3-3-2701. DEFINITIONS.

6 (A) IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS
7 INDICATED:

8 (1) “ADMINISTRATIVELY CHARGED” MEANS THAT A POLICE
9 OFFICER HAS BEEN FORMALLY ACCUSED OF MISCONDUCT IN AN
10 ADMINISTRATIVE PROCEEDING.

11 (2) “DISCIPLINARY MATRIX” MEANS A WRITTEN, CONSISTENT,
12 PROGRESSIVE, AND TRANSPARENT TOOL OR RUBRIC THAT PROVIDES RANGES
13 OF DISCIPLINARY ACTIONS FOR DIFFERENT TYPES OF MISCONDUCT.

14 (3) “EXONERATED” MEANS THAT A POLICE OFFICER ACTED IN
15 ACCORDANCE WITH THE LAW AND AGENCY POLICY.

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

21 (5) “NOT ADMINISTRATIVELY CHARGED” MEANS THAT A
22 DETERMINATION HAS BEEN MADE NOT TO ADMINISTRATIVELY CHARGE A
23 POLICE OFFICER IN CONNECTION WITH ALLEGED MISCONDUCT.

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

4 (I) DEPRIVING PERSONS OF RIGHTS PROTECTED BY THE
5 CONSTITUTION OR LAWS OF THE STATE OR THE UNITED STATES;

6 (II) A VIOLATION OF A CRIMINAL STATUTE; AND

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

9 (7) “POLICE OFFICER” SHALL HAVE THE MEANING SET FORTH IN § 3-
10 201 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

11
12 § 3-3-2702. ESTABLISHED.

13 THERE IS AN ADMINISTRATIVE CHARGING COMMITTEE.

14
15 § 3-3-2703. MEMBERSHIP.

16 (A) THE ADMINISTRATIVE CHARGING COMMITTEE SHALL BE COMPOSED
17 OF:

18 (1) THE CHAIR OF THE POLICE ACCOUNTABILITY BOARD, OR
19 ANOTHER MEMBER OF THE POLICE ACCOUNTABILITY BOARD DESIGNATED BY
20 THE CHAIR OF THE POLICE ACCOUNTABILITY BOARD;

21 (2) TWO CIVILIAN MEMBERS SELECTED BY THE POLICE
22 ACCOUNTABILITY BOARD; AND

1 (3) TWO CIVILIAN MEMBERS SELECTED BY THE COUNTY
2 EXECUTIVE.

3 (B) BEFORE SERVING AS A MEMBER OF THE ADMINISTRATIVE CHARGING
4 COMMITTEE, AN INDIVIDUAL SHALL RECEIVE TRAINING ON MATTERS RELATING
5 TO POLICE PROCEDURES FROM THE MARYLAND POLICE TRAINING AND
6 STANDARDS COMMISSION.

7 (C) EACH MEMBER SHALL BE AN ADULT AND A RESIDENT OF BALTIMORE
8 COUNTY.

9 (D) ANY ADDITIONAL MEMBERSHIP REQUIREMENTS SHALL BE AS SET
10 FORTH IN TITLE 3, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE OF THE
11 ANNOTATED CODE OF MARYLAND OR REGULATIONS ADOPTED PURSUANT
12 THERE TO BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION.

13
14 § 3-3-2704. LAW ENFORCEMENT AGENCY DUTIES.

15 ON COMPLETION OF AN INVESTIGATION OF A COMPLAINT OF POLICE
16 MISCONDUCT INVOLVING A MEMBER OF THE PUBLIC AND A POLICE OFFICER,
17 REGARDLESS OF WHETHER THE COMPLAINT ORIGINATED FROM WITHIN THE
18 LAW ENFORCEMENT AGENCY OR FROM AN EXTERNAL SOURCE, THE LAW
19 ENFORCEMENT AGENCY SHALL FORWARD TO THE APPROPRIATE
20 ADMINISTRATIVE CHARGING COMMITTEE THE INVESTIGATORY FILES AND ANY
21 CHARGING RECOMMENDATIONS FOR THE MATTER.

22
23 § 3-3-2705. COMMITTEE DUTIES.

1 (A) THE ADMINISTRATIVE CHARGING COMMITTEE SHALL:

2 (1) REVIEW THE FINDINGS OF A LAW ENFORCEMENT AGENCY'S
3 INVESTIGATION CONDUCTED AND ANY CHARGES RECOMMENDED AND
4 FORWARDED IN ACCORDANCE WITH § 3-3-2704 OF THIS SUBTITLE;

5 (2) MAKE A DETERMINATION THAT THE POLICE OFFICER WHO IS
6 SUBJECT TO INVESTIGATION SHALL BE:

7 (I) ADMINISTRATIVELY CHARGED; OR

8 (II) NOT ADMINISTRATIVELY CHARGED;

9 (3) IF THE POLICE OFFICER IS CHARGED, RECOMMEND DISCIPLINE
10 IN ACCORDANCE WITH THE LAW ENFORCEMENT AGENCY'S DISCIPLINARY
11 MATRIX ESTABLISHED IN ACCORDANCE WITH § 3-105 OF THE PUBLIC SAFETY
12 ARTICLE OF THE ANNOTATED CODE OF MARYLAND;

13 (4) REVIEW ANY BODY CAMERA FOOTAGE THAT MAY BE
14 RELEVANT TO THE MATTERS COVERED IN THE COMPLAINT OF POLICE
15 MISCONDUCT;

16 (5) AUTHORIZE A POLICE OFFICER CALLED TO APPEAR BEFORE THE
17 ADMINISTRATIVE CHARGING COMMITTEE TO BE ACCOMPANIED BY A
18 REPRESENTATIVE;

19 (6) ISSUE A WRITTEN OPINION THAT DESCRIBES IN DETAIL ITS
20 FINDINGS, DETERMINATIONS, AND RECOMMENDATIONS; AND

21 (7) FORWARD THE WRITTEN OPINION TO THE CHIEF OF THE LAW
22 ENFORCEMENT AGENCY, THE POLICE OFFICER, AND THE COMPLAINANT.

1 (B) IN EXECUTING ITS DUTIES IN ACCORDANCE WITH SUBSECTION (A) OF
2 THIS SECTION, THE ADMINISTRATIVE CHARGING COMMITTEE MAY:

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

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

8 (I) THE ALLEGATIONS AGAINST THE POLICE OFFICER ARE
9 UNFOUNDED; OR

10 (II) THE POLICE OFFICER IS EXONERATED; AND

11 (3) RECORD, IN WRITING, ANY FAILURE OF SUPERVISION THAT
12 CAUSED OR CONTRIBUTED TO A POLICE OFFICER'S MISCONDUCT.

13
14 § 3-3-2706. COMMITTEE MEETINGS; CONFIDENTIALITY.

15 (A) THE ADMINISTRATIVE CHARGING COMMITTEE SHALL MEET ONCE PER
16 MONTH OR AS NEEDED.

17 (B) A MEMBER OF THE ADMINISTRATIVE CHARGING COMMITTEE SHALL
18 MAINTAIN CONFIDENTIALITY RELATING TO A MATTER BEING CONSIDERED BY
19 THE ADMINISTRATIVE CHARGING COMMITTEE UNTIL FINAL DISPOSITION OF
20 THE MATTER.

21 (C) THE ADMINISTRATIVE CHARGING COMMITTEE SHALL ADOPT RULES
22 OF PROCEDURE AND CONDUCT FOR MEETINGS THAT PROVIDE PROCEDURAL
23 AND SUBSTANTIVE DUE PROCESS, WHICH MAY BE AMENDED FROM TIME TO

1 TIME AS A MAJORITY OF THE COMMITTEE MAY DEEM NECESSARY AND
2 APPROPRIATE.

3
4 § 3-3-2707. TRIAL BOARDS.

5 (A) EACH LAW ENFORCEMENT AGENCY IN THE COUNTY SHALL
6 ESTABLISH A TRIAL BOARD PROCESS IN ACCORDANCE WITH THIS SECTION AND
7 IN ACCORDANCE WITH TITLE 3, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE OF
8 THE ANNOTATED CODE OF MARYLAND TO ADJUDICATE ALL MATTERS FOR
9 WHICH A POLICE OFFICER IS SUBJECT TO DISCIPLINE.

10 (B) A TRIAL BOARD SHALL BE COMPOSED OF:

11 (1) AN ACTIVELY SERVING OR RETIRED ADMINISTRATIVE LAW
12 JUDGE OR A RETIRED JUDGE OF THE DISTRICT COURT OR A CIRCUIT COURT,
13 APPOINTED BY THE COUNTY EXECUTIVE;

14 (2) A CIVILIAN WHO IS NOT A MEMBER OF THE ADMINISTRATIVE
15 CHARGING COMMITTEE APPOINTED BY THE POLICE ACCOUNTABILITY BOARD;
16 AND

17 (3) A POLICE OFFICER OF EQUAL RANK TO THE POLICE OFFICER
18 WHO IS ACCUSED OF MISCONDUCT APPOINTED BY THE HEAD OF THE LAW
19 ENFORCEMENT AGENCY.

20 (C) THE ACTIVELY SERVING OR RETIRED ADMINISTRATIVE LAW JUDGE
21 OR THE RETIRED JUDGE OF THE DISTRICT COURT OR A CIRCUIT COURT SHALL:

22 (1) BE THE CHAIR OF THE TRIAL BOARD;

1 (2) BE RESPONSIBLE FOR RULING ON ALL MOTIONS BEFORE THE
2 TRIAL BOARD; AND

3 (3) PREPARE THE WRITTEN DECISION OF THE TRIAL BOARD,
4 INCLUDING THE FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS OF THE
5 TRIAL BOARD.

6 (D) (1) THE POLICE OFFICER ACCUSED OF MISCONDUCT AND THE HEAD
7 OF THE LAW ENFORCEMENT AGENCY SHALL EACH BE ENTITLED TO ONE
8 OPPORTUNITY TO EXCUSE ONE MEMBER OF THE TRIAL BOARD FOR CAUSE,
9 EXCLUDING THE CHAIRPERSON, WITHIN THE FIRST 5 WORKING DAYS OF THE
10 ACCUSED POLICE OFFICER AND THE HEAD OF THE LAW ENFORCEMENT AGENCY
11 BEING ADVISED IN WRITING OF THE BOARD’S APPOINTMENT.

12 (2) A REPLACEMENT TRIAL BOARD MEMBER SHALL BE APPOINTED
13 IN THE SAME MANNER AS THE ORIGINAL BOARD MEMBER.

14 (E) BEFORE SERVING AS A MEMBER OF A TRIAL BOARD, AN INDIVIDUAL
15 SHALL RECEIVE TRAINING ON MATTERS RELATING TO POLICE PROCEDURES
16 FROM THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION.

17 (F) PROCEEDINGS OF A TRIAL BOARD SHALL BE OPEN TO THE PUBLIC,
18 EXCEPT TO PROTECT:

19 (1) A VICTIM'S IDENTITY;

20 (2) THE PERSONAL PRIVACY OF AN INDIVIDUAL;

21 (3) A CHILD WITNESS;

22 (4) MEDICAL RECORDS;

23 (5) THE IDENTITY OF A CONFIDENTIAL SOURCE;

1 (6) AN INVESTIGATIVE TECHNIQUE OR PROCEDURE; OR

2 (7) THE LIFE OR PHYSICAL SAFETY OF AN INDIVIDUAL.

3 (G) A TRIAL BOARD MAY ADMINISTER OATHS AND ISSUE SUBPOENAS AS
4 NECESSARY TO COMPLETE ITS WORK.

5 (H) A COMPLAINANT HAS THE RIGHT TO BE NOTIFIED OF A TRIAL BOARD
6 HEARING AND, EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, THE
7 RIGHT TO ATTEND A TRIAL BOARD HEARING.

8 (I) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A LAW
9 ENFORCEMENT AGENCY HAS THE BURDEN OF PROOF BY A PREPONDERANCE OF
10 THE EVIDENCE IN ANY PROCEEDING UNDER THIS SUBTITLE.

11 (J) A POLICE OFFICER MAY BE DISCIPLINED ONLY FOR CAUSE.

12 (K) WITHIN 45 DAYS AFTER THE FINAL HEARING BY A TRIAL BOARD, THE
13 TRIAL BOARD SHALL ISSUE A WRITTEN DECISION REFLECTING THE FINDINGS,
14 CONCLUSIONS, AND RECOMMENDATIONS OF A MAJORITY OF THE TRIAL BOARD.

15 (L) (1) WITHIN 30 DAYS AFTER THE DATE OF ISSUANCE OF A DECISION
16 OF A TRIAL BOARD, THE DECISION MAY BE APPEALED BY THE POLICE OFFICER
17 TO THE CIRCUIT COURT FOR BALTIMORE COUNTY.

18 (2) AN APPEAL TAKEN UNDER THIS SUBSECTION SHALL BE ON THE
19 RECORD.

20 (M) A TRIAL BOARD DECISION IS FINAL UNLESS APPEALED BY A POLICE
21 OFFICER UNDER SUBSECTION (L) OF THIS SECTION.

1 (N) (1) A LAW ENFORCEMENT AGENCY MAY NOT NEGATE OR ALTER
2 ANY OF THE REQUIREMENTS OF THIS SUBTITLE THROUGH COLLECTIVE
3 BARGAINING.

4 (2) COLLECTIVE BARGAINING MAY NOT BE USED TO ESTABLISH OR
5 ALTER ANY ASPECT OF THE PROCESS FOR DISCIPLINING A POLICE OFFICER.

6
7 § 3-3-2708. BUDGET; RECORDS; STAFF; COUNSEL.

8 (A) THE COUNTY EXECUTIVE SHALL PROPOSE A BUDGET FOR THE
9 ADMINISTRATIVE CHARGING COMMITTEE AND ANY TRIAL BOARDS TO BE
10 INCLUDED IN THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE ADOPTED
11 BY THE COUNTY COUNCIL.

12 (B) THE COUNTY RECORDS MANAGEMENT OFFICER SHALL ESTABLISH A
13 RECORD RETENTION SCHEDULE FOR THE RECORDS OF THE ADMINISTRATIVE
14 CHARGING COMMITTEE AND TRIAL BOARDS.

15 (C) THE COUNTY SHALL ASSIGN STAFF AS NEEDED TO THE
16 ADMINISTRATIVE CHARGING COMMITTEE AND TRIAL BOARDS.

17 (D) THE COUNTY ATTORNEY SHALL BE THE LEGAL ADVISOR OF THE
18 COMMITTEE AND, IN THE EVENT OF A CONFLICT, THE COMMITTEE MAY
19 REQUEST THAT THE COUNTY ENGAGE OUTSIDE COUNSEL.

20
21 ARTICLE 7 – PUBLIC ETHICS AND OPEN GOVERNMENT

22 TITLE 1 – PUBLIC ETHICS

23 SUBTITLE 4 – FINANCIAL DISCLOSURE

§ 7-1-401. Filing of Financial Disclosure Statements Required - In General.

(a) The following public officials shall file the financial disclosure statements required under this subtitle:

(1) Each public official required to complete the training required under § 7-1-203 of this title;

(2) The chairman and members of the County Council;

(3) The County Attorney, the Deputy County Attorney, and an Acting County Attorney or Acting Deputy County Attorney;

(4) The administrative assistant to the County Council;

(5) The Administrative Law Judges of the Office of Administrative Hearings;

(6) Deputy department heads, and acting department heads and deputy department heads;

(7) Deputy office heads, and acting office heads and deputies;

(8) The chairman and members of the Board of Recreation and Parks;

(9) The chairman and members of the Electrical Administrative Board;

(10) The chairman and members of the Plumbing Board;

(11) The chairman and members of the Board of Health;

(12) The chairman and members of the Board of Library Trustees;

(13) The Inspector General and staff of the Office of the Inspector General;

(14) The paid and unpaid members of boards of all state agencies funded in whole or in part by the county;

1 (15) The chairman and members of the Agricultural Land Preservation Advisory
2 Board;

3 (16) The chairman and members of the Workforce Development Council;

4 (17) The chairman and members of the Telecommunications Advisory Panel;
5 [and]

6 (18) Subject to subsection (f)(2) of this section, the chairman and members of the
7 Board of Trustees of the Community College of Baltimore County[.]; ~~AND~~

8 (19) THE CHAIR AND MEMBERS OF THE POLICE ACCOUNTABILITY
9 BOARD; AND

10 (20) MEMBERS OF THE ADMINISTRATIVE CHARGING COMMITTEE
11 AND CIVILIAN MEMBERS OF ANY TRIAL BOARD.

12
13 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
14 the affirmative vote of five members of the County Council, shall take effect 15 days after its
15 enactment. It shall apply to complaints of police misconduct filed by members of the public
16 based on any incident occurring on or after July 1, 2022.

17
18 SECTION 3. AND BE IT FURTHER ENACTED, that Title 3, Subtitle 27 of Article 3
19 of the County Code pertaining to the Administrative Charging Committee and Trial Boards as
20 enacted by this Act, shall be applied only prospectively and may not be applied or interpreted to
21 have any effect on or application to any bona fide collective bargaining agreement entered into
22 on or before June 30, 2022, for the duration of the contract term, excluding any extensions,
23 options to extend, or renewals of the term of the original contract.



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

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<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

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<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell