

PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY

Meeting Date: 5/2/2000

Reference No.: CR-12-2000

Proposer: Gourdine

Draft No.: 2

Sponsors: Gourdine

Item Title: A Resolution providing that the Chief of Police and the State's Attorney cooperate to provide for the prompt investigation of each incident when deadly force is used by a police officer

Drafter: Ralph E. Grutzmacher
Legislative Officer

Resource Marilyn Bland
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: __/__/__

Executive Action: __/__/__

Committee Referral: 4/11/2000 PSFM

Effective Date: __/__/__

Committee Action: 4/20/2000 FAV(A)

Date Introduced: 4/11/2000

Public Hearing: __/__/__ :__ __

Council Action: 5/2/2000 ADOPTED

Council Votes: DB:A, JE:A, IG:A, TH:A, WM:A, RVR:A, AS:A, PS:A, MW:A

Pass/Fail: P

Remarks: _____

PUBLIC SAFETY & FISCAL MANAGEMENT COMMITTEE REPORT Date: 4/20/00

Committee Vote: Favorable as amended, 3-0-1, (In favor: Councilmembers Wilson, Maloney and Russell. Abstained: Estep).

This resolution will provide that the Chief of Police and the State's Attorney cooperate to provide for the prompt investigation of each incident when deadly force is used by a police officer.

The Office of Law supports Draft 2 of the resolution and finds it to be in proper legislative form with no legal impediments to its adoption.

The State's Attorney said he supports the idea behind the resolution.

The legislation was amended as follows:

1. On page 1, line 22, delete the word "shall" and insert "is encouraged to"
2. On page 2, delete lines 4-7.

There should not be any negative fiscal impact on the County as a result of adopting CR-12-2000.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

The State's Attorney is obligated to investigate the use of deadly force by police officers and bring criminal charges when appropriate. In order to conduct a proper investigation, the State's Attorney needs to be informed of and involved in the investigation of such incidents as promptly as possible after the incident takes place. According to Police Department records, the following reported incidents involving the discharge of weapons occurred in the last 4 years.

Year	Accidental Discharges	Intentional Discharges	Total Discharges
1996	13	51	64
1997	13	27	40
1998	14	23	37
1999	15	33	48