



June 14, 2023

FISCAL AND POLICY NOTE

TO: Jennifer A. Jenkins
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamlin *JH*
Director of Budget and Policy Analysis

FROM: David Williams *D.W.*
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-056-2023 Community Policing: Data and Reports

CB-056-2023 (*Proposed and presented by:* Council Members Burroughs, Blegay, Oriadha, Dernoga, and Olson)

Assigned to the Government Operations and Fiscal Policy Committee

AN ACT CONCERNING COMMUNITY POLICING: DATA AND REPORTS for the purpose of requiring Prince George's County Police Departments to make certain data and/or reports available to the County Council and the general public regarding police activities. The reporting requirements will provide certain information, including but not limited to the demographics of the Prince George's County Police Department, the number of instances alleging use of force, and complaints regarding police officers.

Fiscal Summary

Direct Impact

Expenditures: Additional expenditures may be required for administrative costs related to compiling reports.

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Revenues: No anticipated impact.

Indirect Impact

Potentially favorable.

Legislative Summary:

CB-056-2023, proposed and sponsored by Council Members Burroughs, Blegay, Oriadha, Dernoga, and Olson, was presented on May 9, 2023 and referred to the Government Operations and Fiscal Policy (GOPF) Committee. This Bill will require the Prince George's County Police Department to create a more inclusive and open relationship with community stakeholders and submit a comprehensive annual report to the Prince George's County Council for the purposes of review and public comment. Recommendations from the Police Executive Research Forum advise the Department to create cultural competency by emphasizing recruitment of candidates that reside within Prince George's County, increase community outreach events, provide comprehensive de-escalation training, new youth, and mental health initiatives, and dispatch a community liaison to every population that is found to be disproportionately impacted by policing inequities. Additionally, the Department must create a comprehensive annual report that provides internal information on staffing composition, use of force, calls for service, and civilian complaints and their disposition within the Department.

Background/Current Law:

Prince George's County does not currently have direct Countywide legislation governing public accessibility to internal law enforcement records. Public access to law enforcement records is currently dictated by State law and there are still some barriers to access under certain circumstances. Many states have restricted and/or closed policies toward public access of police misconduct records.¹ In 1970, Maryland enacted the Public Information Act², which grants the public access to public records in order to increase the accountability of public officials. This act comes with certain restrictions and still prioritizes government interests and the individual privacy of citizens.

Similar law in other jurisdictions

Montgomery County enacted Bill 45-20 on November 15, 2021, which outlines Community policing and data reporting requirements in that jurisdiction and is substantively identical to CB-

¹ Associated Press- [Analysis of Police Misconduct Record Laws in all 50 States](#)

² Department of Public Safety & Correctional Services- [MPIA](#)

056-2023.³ Bill 45-20, as enacted, mandates that the county's Police Department submit an annual compilation of statistics on use-of-force incidents, civilian complaints, suspended officers, stop and search, officer violations, and the facilitation of an annual survey. Each of the primary reporting categories requires separate accounting of race, ethnicity, gender, age, and any other demographic information provided by the civilian and/or officer involved. The annual survey will be anonymous and published online for public review and critique. This community policing data will be compiled into an annual report for the County Council and County Executive.

Resource Personnel

- Pleshette Monroe, Chief of Staff / Legislative Aide, District 8
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Discussion/Policy Analysis

CB-056-2023

CB-056-2023 would amend Subtitle 2. *Administration* by adding *Division 48. Community Policing: Data and Reporting*. §2-543. *Community Policing*. These editions outline empirical findings by the Department of Justice supporting the need to foster cohesion between law enforcement and the community at large. This Bill would charge the Prince George's County Police Department with promoting diversity and reinforcing public trust by making the following efforts:

- Emphasize recruiting candidates that reside within the County
- Create community outreach initiatives
- Designate a community liaison to communities impacted by inequities
- Provide adequate and/or updated de-escalation training
- Incorporate more mental health and youth development initiatives
- Partner with community-based organizations

This Bill also mandates that the Prince George's County Police Department create a comprehensive annual report for the County Council containing the following data:

- The total number of officers within the department sorted by race, ethnicity, and sex
- Number of officers that reside inside and outside of Prince George's County
- Number of recruiting events that the Department has created or sponsored
- Number of use of force events that have resulted in injury due to an officer's direct actions

³³ Montgomery County Bill [45-20](#)

- Number of violations of use of force policy and the number of offenders within the department
- Number of civilian complaints of discrimination and harassment
- Data on citizens that have been stopped, searched, cited, arrested, or subject to the use of force. (Include those that have just been stopped and none of the following outcomes occurred)
- Data on citizens subjected to a field interview sorted by race, ethnicity, gender, location, and age (include any other voluntary information offered by the interviewee)
- A description of the Department's community policing efforts
- Number of youths guided to intervention programs
- Specific data on calls for service
-

This report is due on the 1st of February every year to the County Council and the County Executive for the previous calendar year.

The objective of this Bill is to enhance the quality of law enforcement service delivery and promote community partnerships with the County Police Department. An analysis of Bill 45-20 highlights two critical components that encompass the purpose of that legislation.⁴ The first is “constitutional policing” which is the administration of law enforcement services with strict adherence to federal and state constitutions as well as established federal and state legal precedent. The second is “community policing” which is the administration of law enforcement services with a special emphasis on community involvement and coordination. These two elements represent the primary objectives of CB-056-2023.

Economic Evaluation

This Bill will likely have an adverse impact on the County's expenditures. The language within the Bill mandates some duplication of efforts on the part of the Police Department, but additional expenses will be incurred to the extent that the Bill's mandates go beyond this duplication. The Department's annual report contains descriptions of the Department's community outreach efforts via the Office of Community First, as shown in Figure 1.⁵

⁴ The Office of Legislative Oversight Report which was the basis for Montgomery County's legislation includes a great deal of information on pages 30-45 of the pdf found [here](#).

⁵ Prince George's County Police Department- [Annual Report](#)

Office of Community First



Captain Michael Nolle
Commander

The Office of Community First was established in 2021 and is comprised of a Youth Engagement Section and the newly created Faith-Based Liaison. Their mission is to initiate and strengthen relationships and connections with all segments of the community through long-term engagement projects and large-scale events.

Some of their programs and projects include the Police Athletic League (PAL), the Cora Rice Christmas Party, the United States Marine Corps Toys for Tots Program, and the Faith and Blue Weekend.

Police Athletic League

The Prince George's County Police Athletic League (PAL) is a juvenile crime prevention program that uses mentoring, educational, athletic, and recreational activities to create trust and understanding between law enforcement and youth. This program assists our youth in developing character, integrity, and leadership skills, as well as respect for themselves and others under the supervision of law enforcement professionals.

PAL builds a bridge between police officers and our community's youth. Mentorship programs, community service projects, and numerous recreational camps (e.g.: tennis, baseball, martial arts, white-water rafting, and the Young Entrepreneurs Program) were hosted to promote a healthy environment for youth.



Cora Rice Christmas Party and Toys for Tots Program



Each year, the Office of Community First, along with numerous community partners, hosts the Annual Cora Rice Christmas Party for over 500 deserving children.



The Department also partners with the United States Marine Corps Toys for Tots program during the holiday season for the annual Toys for Tots toy drive, collecting and distributing thousands of toys to local children, and fulfilling the mission to help provide gifts underneath every tree.

Figure 1, Source: Prince George's County Police Department 2021 Annual Report Page 19

Other efforts include the Police Athletic League for juvenile prevention, Toys for Tots, and specific faith-based initiatives which has a departmental liaison attached. The following reporting requirements are included within the Department's annual report:

- Use of Force with firearms sorted by civilian and non-civilian involvement (See Figure 2)

- Internal Affairs cases sorted by status, disposition and divided between Internal Affairs and Special Investigation Response Team (See Figure 2)
- Citizen complaints sorted by race and sex of both the officer and citizen, allegation type, years of service of the officer accused, and the officer’s assignment (See Figure 3)

Internal Affairs Division



Major Corey Truxon
 Commander

The Internal Affairs Division (IAD) oversees investigations concerning the integrity of Departmental employees. These investigations include, but are not limited to, allegations of corruption and serious misconduct.

IAD has authority and control over all complaints regarding the conduct of Departmental employees. The Division also oversees the coordination of the Early Identification System.

Uses of Force with Firearms

Shootings (Citizen Involved)	2017	2018	2019	2020	2021	2020-2021 % Diff
Non-Contact Shooting	1	2	3	3	2	-33.3%
Contact Shooting	1	2	0	2	1	-50.0%
Fatal Shooting	0	5	1	2	1	-50.0%
Totals	2	9	4	7	4	-42.9%

Discharges (No Citizen Involved)	2017	2018	2019	2020	2021	2020-2021 % Diff
Accidental Discharge	1	3	2	3	3	0.0%
Discharge of Firearm- Vicious Dog	2	1	6	2	3	50.0%
Totals	3	4	8	5	6	20.0%

Internal Affairs Cases

Case Status	Internal Affairs			Special Investigative Response Team			Total IA & SIRT		
	2020	2021	% Diff	2020	2021	% Diff	2020	2021	%Diff
Open	29	41	41.4%	65	54	-16.9%	94	95	1.1%
Closed	37	2	-94.6%	15	0	-100.0%	52	2	-96.2%
Totals	66	43	-34.8%	80	54	-32.5%	146	97	-33.6%

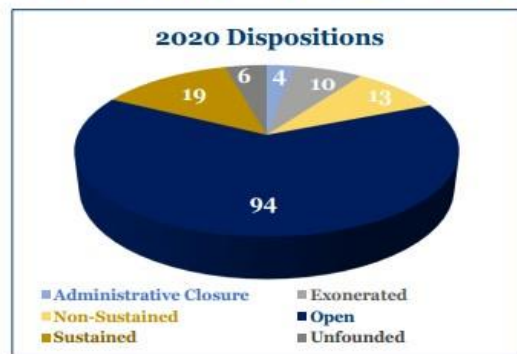
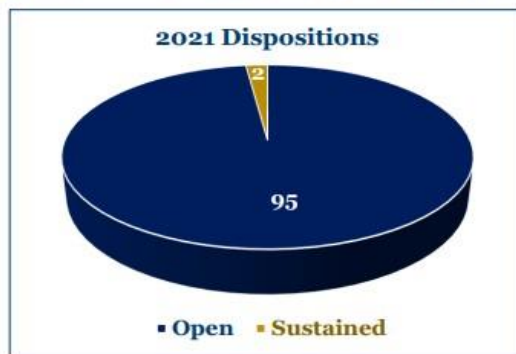


Figure 2, Source: Prince George’s County Police Department 2021 Annual Report Page 21

Citizen Complaints



Use of force, abusive language, harassment, and criminal misconduct complaints must be investigated by the Internal Affairs Division. Complaints not investigated by the Internal Affairs Division are handled at the lowest appropriate level of supervision. The Commander of the Internal Affairs Division screens all complaints received to determine investigative responsibility. Allegations of a less serious nature will usually be referred to the employee's Commander/Manager as a field investigation along with the original complaint form.

All complaints will be thoroughly investigated. At the conclusion of the investigation, and once the investigative finding has been determined, a closure letter will be sent to the complainant within 72 hours, informing them of the findings. If the complainant is not satisfied with the process or the outcome of the investigation, they may contact the Commander of the Internal Affairs Division.

Citizen Complaint Demographics

Citizen Race			
Race	2020	2021	% Diff
Black	231	76	-67.1%
Hispanic	37	19	-48.6%
White	6	26	333.3%
Not Identified	97	83	-14.4%
Total*	371	204	-45.0%

Officer Race			
Race	2020	2021	% Diff
Asian	11	1	-90.9%
Black	132	89	-32.6%
Hispanic	28	9	-67.9%
White	132	72	-45.5%
Not Identified	2	0	-100.0%
Total	305	171	-43.9%

Citizen Sex			
Sex	2020	2021	% Diff
Male	197	77	-60.9%
Female	87	44	-49.4%
Not Identified	87	83	-4.6%
Total*	371	204	-45.0%

Officer Sex			
Sex	2020	2021	% Diff
Male	287	158	-44.9%
Female	17	13	-23.5%
Not Identified	1	0	-100.0%
Total	305	171	-43.9%

Officer Years of Service			
Years of Service	2020	2021	% Diff
<3 Years	35	15	-57.1%
3-5 Years	73	35	-52.1%
6-10 Years	90	47	-47.8%
11-15 Years	67	41	-38.8%
16-20 Years	9	14	55.6%
21-25 Years	17	13	-23.5%
26-30 Years	7	4	-42.9%
>30 Years	1	2	100.0%
Unknown	1	0	-100.0%
Other Agency	5	0	-100.0%
Total	305	171	-43.9%

*Citizen totals are higher due to complaints involving multiple citizens

Figure 3, Source: Prince George's County Police Department 2021 Annual Report Page 22

The total staffing composition can be ascertained via the annual budget provided by the Department which can be found within the Prince George's County Proposed Operating Budget.⁶ Some additional administrative costs may be borne by the County due to the efforts required to compile the required data into a package for presentation to the County Council and Executive. If

⁶ Prince George's County- [Proposed Operating Budget](#)

this Bill is passed in its current iteration County expenditures are not likely to be excessive, as most of the reporting requirements are already satisfied within the Department's current procedures. However, additional efforts may have to be undertaken to acquire data on the composition of the Department with respect to race, sex, and residency in Prince George's County.

Equity Evaluation

This Bill is equitable and if implemented stands to allow the public to have adequate access to data in a single, digestible, document that is available for public review and critique. Despite the majority of the reporting requirements already being satisfied, they must be gathered via a variety of sources. Assembling this data in the form of one supplementary report for the Council, Executive, and the public will add transparency and greater community awareness of law enforcement performance.

Administrative Evaluation

This Bill will involve a duplication of efforts on behalf of the County Police Department. Most of the costs of data collection may be absorbed within the Department's existing operations. Any additional administrative costs will be due to gathering department data regarding total staff composition sorted by race and sex, specific data on calls for service involving substance abuse, mental health emergencies, and homeless individuals, and youth participation in intervention programs. These costs are not anticipated to be excessive.

Efficacy Evaluation

This Bill would create a countywide data reporting standard on community policing and police department performance. Public access to information for assessment and critique is imperative to accomplish effective community policing standards. This Bill prioritizes improving the relationship between the County police department and creating a comprehensive primary source reference document that can be used to direct legislative efforts, enhancements for service delivery, and improved quality of departmental study and analysis.

Process Values

This Bill was drafted with sound process values. Community cohesion with law enforcement is an important asset when trying to reduce crime rates and foster public trust. Emphasizing that officers have an active role within and familiarity with the community can reduce use of force incidents and improve the public morale on law enforcement issues. Additionally, public access to a comprehensive assessment on law enforcement performance can aid in identifying key areas of improvement and reassuring stakeholders that their goals and desires are being considered in the policy process.

Fiscal Impact

Direct Impact

Enactment of CB-056-2023 will have an adverse impact on County expenditures. The impact will be mitigated somewhat due to the duplication of efforts cited within this impact statement. Many of the reporting requirements are already satisfied through other sources and only require compiling for the purposes of this report. The administrative cost of assembling the remaining data and conducting community outreach events will most likely not be substantial. The collection of additional data to fulfill the Bill's requirements may require additional staff hours and/or personnel, but additional expenditures required are not likely to exceed \$250,000 per year.⁷

Indirect Impact

Enactment of CB-056-2023 may have a favorable indirect fiscal impact. An annual report will provide a good frame of reference for the state of the County's law enforcement service delivery for both the Council, the Executive, and County residents. This report will be a great source of information for policy study and improvements. Furthermore, the County may even realize some positive fiscal impact via savings generated by a reduction in police misconduct lawsuits with the implementation of this Bill.

Appropriated in the Current Fiscal Year

No.

Effective Date of Proposed Legislation

The Act shall take effect forty-five days (45) after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please reach out to me via phone or email.

⁷ For comparison purposes, Montgomery County's Office of Management and Budget estimated that compliance with their Bill 45-20 would require the addition of a program specialist position and a senior IT specialist position, with costs of \$90,389 and \$119,894 respectively. Both positions also call for \$5,000 in technology expenses. Total year one cost was estimated at \$ 225,283 and an estimated total of \$1,382,441 over the span of six years.