

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2022 Legislative Session**

Amendment Introduced by \_\_\_\_\_

Bill No. \_\_\_\_\_ CB- 21 -2022

Amendment No. \_\_\_\_\_

Amendment Introduced by Council on \_\_\_\_\_

**PROPOSED AMENDMENTS**

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*1. Page 2 Line 19*

**Sec. 2-530. Budget and Staff.**

The County Executive shall propose a budget for the Board, Administrative Charging Committee and the Trial Board(s), to the extent the Trial Board is utilized by the law enforcement agency of a County department or office, that shall be included in the Annual Budget and Appropriations Ordinance for consideration and adoption by the County Council. ~~The proposed budget will include staff costs.~~ The proposed budget will come from the general fund and will be equal to at least a half percent (0.5%) of the Police Department's general fund budget to include staff costs, independent legal counsel, and compensation for the Board will be one-third (1/3) and Administrative Charging Commission will be two-thirds (2/3).

**Sec. 2-530. Budget and Staff.**

The County Executive shall propose a budget for the Board, Administrative Charging Committee and the Trial Board(s), to the extent the Trial Board is utilized by the law enforcement agency of a County department or office, that shall be included in the Annual Budget and Appropriations Ordinance for consideration and adoption by the County Council. The proposed budget will include staff costs, independent legal counsel and compensation for the Police Accountability Board and the Administrative Charging Committee.

*2. Page 2 Line 31*

**Sec. 2-533 Composition of the Board; Residency; Terms of Office.**

(a) The Board shall consist of eleven (11) members nominated by the County Executive,

1 subject to confirmation by the Council.

2 1. Each Council Member shall submit a list of three names to the County Executive;

3 2. The County Executive must select for appointment one of the three names  
4 submitted by each Council Member; and

5 3. There must be a public engagement process.

6 (b) ~~The County Executive shall nominate, for approval by the Council, the Chair of the~~  
7 ~~Board who has relevant experience to the position such as working with a criminal~~  
8 ~~justice agency and/or community service organization.~~

9 Page 3, line 1

10 The Chair of the Board shall be selected by the members of the Board.

11 (c) ~~To the extent practicable, the members of the Board shall reflect the racial, gender and~~  
12 ~~cultural diversity of the County.~~ The members of the Board and Committee shall reflect  
13 the racial, gender, gender-identity, sexual orientation, and cultural diversity of the  
14 County and should be required to include members with a range of professional or lived  
15 experiences in areas including, but not limited to, mental health disabilities,  
16 homelessness, substance use disorders, immigration, criminal justice, re-entering  
17 citizens, and living below the poverty guideline for the County.

18 (d)

19 (e) An individual may not be a member of the Board if they are:

20 1. An active or former police officer

21 2. Employee of the Prince George’s County government

22 3. Employee of the Office of the Sheriff of Prince George’s County

23 4. Employee of a municipality located within Prince George’s County

24 5. Employee of Maryland State government, or

25 6. An elected official or candidate for political office within County government,  
26 State government or municipality within Prince George’s County; or

27 7. An active or former police officer on the “do not call” list or that the State’s  
28 Attorney will not call as a witness because the active or former police officer is  
29 deemed unreliable.

30 (f) No more than one former law enforcement officer can serve on the Board.

31 (fg) Appointments to the Board shall be for four (4) year terms except that the terms of the  
32 initial Board members shall be staggered. In the event that a Board member does not

1 complete a term, the vacancy shall be filled in the same manner as set forth in  
 2 subparagraph (a) of this Section. No member shall be appointed for more than two (2)  
 3 consecutive full terms.

4 (h) Candidates for the Board membership shall not be excluded from consideration or  
 5 disqualified on the basis of their immigration or criminal history.

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 7 3. *Page 4. Line 1*

8 **Sec. 2-534. Duties of the Police Accountability Board.**

9 (c) Receive complaints of police misconduct filed by members of the public that include: the  
 10 name of the police officer accused of misconduct, a description of the facts on which the  
 11 complaint is based and contact information of the complainant or a person filing on  
 12 behalf of the complainant for investigative follow-up. A complaint need not be  
 13 notarized;

14 (d) Be entitled access to all evidence considered by the law enforcement agency and the  
 15 Administrative Charging Committee. A law enforcement agency must respond to a  
 16 request for additional information within 10 business days.

17 (e) Issue subpoenas, interview witnesses and employ any other investigative powers  
 18 necessary to complete their obligation to review outcomes of disciplinary matters as  
 19 considered by the Administrative Charging Committee.

20 (f) Exercise explicit independent investigatory powers and recommend discipline to the  
 21 Administrative Charging Committee.

22 (g) Review Body Worn Camera matters resulting from both internal and external  
 23 complaints;

24 (h) Forward complaints of police misconduct to the appropriate law enforcement agency  
 25 within three (3) business days after receipt by the Board;

26 (i) On a quarterly basis review disciplinary outcomes of disciplinary matters resulting from  
 27 complaints of police misconduct involving a member of the public and a police officer,  
 28 regardless of whether the complaint originated from within the law enforcement agency  
 29 or from an external source;

30 (j) On or before December 31 each year, submit a report to the County Executive and  
 31 County Council that:

- 32 1. Identifies any trends in the disciplinary process of police officers in Prince

George’s County; and

- 2. Make recommendations on changes to policy that would improve police accountability in Prince George’s County.

(k) The Board shall meet at least quarterly monthly to carry out its duties or more often as needed.

(l) Develop rules of procedure not inconsistent with State or County law.

(m) The Board shall:

- 1. Attend law enforcement agency trainings;
- 2. Attend relevant local, regional and national trainings at the County’s expense;
- 3. Obtain internal reports and non-publicly available data from law enforcement agencies; and
- 4. Seek community feedback on policing and provide information about policing matters to the community.

(n) Recordkeeping. The staff assigned to the Board shall maintain its records and shall establish a record retention schedule in accordance with State law. The Board shall abide by the provisions of the Maryland Public Information Act.

4. *Page 5, Line 5*

**SUBDIVISION 3: ADMINISTRATIVE CHARGING COMMITTEE**

**Sec. 2-536. Composition of ACC.**

(c) Prior to serving, all members of the ACC must complete the training required by the Maryland Police Training and Standards Commission. Members must also complete other training as may be required to include law enforcement agency trainings and relevant local, regional and national trainings at County expense.

(d) The members of the Administrative Charging Committee shall reflect the racial, gender, gender-identity, sexual orientation, and cultural diversity of the County and should be required to include members with a range of professional or lived experiences in areas including, but not limited to, mental health disabilities, homelessness, substance use disorders, immigration, criminal justice, re-entering citizens, and living below the poverty guideline for the County.

(e) Candidates for the Administrative Charging Committee membership shall not be excluded from consideration or disqualified on the basis of their immigration or criminal history.

1 5. Page 6 Line 3

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3 **Sec. 2-537. Mandatory Responsibilities of ACC.**

4 (m) Meet once per month or as needed.

5 (n) Hold explicit independent investigatory powers and authority to recommend  
6 discipline to the Administrative Charging Committee at their discretion

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8 6. Page 6 Line 25

9 **SUBDIVISION 4. TRIAL BOARDS.**

10 **Sec. 2-540. Composition of Trial Boards.**

11 A trial board for each law enforcement agency shall:

12 (a) Consist of three (3) members to include:

13 1. An actively serving or retired administrative law judge or a retired judge of the  
14 District Court or a circuit court appointed by the County Executive pursuant to the  
15 process described below in subparagraph (b) of this section;

16 2. A civilian appointed by the Board, who is not a member of the ACC or the Board;  
17 and

18 3. A police officer of equal rank to the police officer accused of misconduct  
19 appointed by the chief of the law enforcement agency for which the accused  
20 police officer was employed at the time of the alleged misconduct, pursuant to the  
21 process described below in subparagraph (c) of this section.

22 A. A representative selected by the head of the law enforcement agency and  
23 the accused officer shall meet prior to the scheduling of the trial board to  
24 select the officer of equal rank and 4 alternate officers of equal rank by  
25 using an Excel spreadsheet with a randomization function or the agencies  
26 current computer randomized selection process.

27 B. The accused officer may strike 1 officer of equal rank for any reason,  
28 any other strikes requested by the accused officer must be for just cause,  
29 to be determined by the representative selected by the head of the law  
30 enforcement agency, who may also strike an officer of equal rank for just  
31 cause.

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C. The officer of equal rank chosen by this method shall serve as the pick of the head of the law enforcement agency for the trial board of the accused officer.

D. The alternate officers are to be used, in order of pick, as the replacement pick of the head of the law enforcement agency in the event that the officer of equal rank or any of the previous alternates are unable to serve on the trial board due to documented injury, illness, work schedule conflict, or other valid reason that is determined to be excusable by the head of the law enforcement agency.