



Angela D. Alsobrooks
County Executive

PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF MANAGEMENT AND BUDGET

MEMORANDUM

DATE: March 27, 2023

TO: Josh Hamlin
Director of Budget and Policy Analysis Division

THRU: Stanley A. Earley Director *SAE*
Office of Management and Budget

FROM: L. Denise Hall, Program Administrator
Police Accountability Board (PAD)

RE: First Round FY 2024 Proposed Budget Responses

In an effort to facilitate an efficient and effective budget review and reporting process, we are submitting a request for budgetary information. Please respond to the questions and complete the following tables with the appropriate information. In some cases, we have populated the tables with available known data. In instances where the tables need to be re-sized or modified to accommodate additional information, please feel free to do so.

COMPENSATION

Staffing

- Please provide an update as to status of filling the following positions:
 - Administrative Aide 1G - Filled
 - Community Developer 1G - Filled
- Please provide a breakdown of how proposed FY 2024 compensation was derived by completing the following reconciliation.

General Fund Compensation	
Description	Amount
FY 2023 Approved Compensation	\$ 251,500
Annualization of FY 2023 Salary Adjustments (+)	\$ 12,200
Adjustment to base compensation to account for current incumbents	\$ 31,200
Funding for FY 2024 COLA (+)	\$ 6,600
Funding for FY 2024 Merits (+)	\$ 4,400

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3. For each vacant position, please complete the following table by identifying the position title, position number, grade, salary information, date the vacancy or creation of position occurred, organizational assignment, the status of recruitment efforts, and funding source (General Fund (GF), Internal Service (IS), Enterprise Fund (EF), or Grants) proposed for FY 2024.

The PAB does not have vacant positions.

4. Have all of the members of the board been appointed? Please outline the process and timeline for filling the vacancies to the board.

All members of the PAB have been appointed.

5. Have all of the members attended and successfully completed the requisite training to serve on the board?

PAB members are not required to attend the requisite training. Additionally, PAB chair also serves on the Administrative Charging Committee, and he have completed that required training.

6. Are there any unanticipated costs associated with training? If so, please describe. Are they a one-time expense or a recurring cost?

No.

7. Please provide the stipends for the Board President/Chair, Vice President/Vice Chair, and other Board members.

Board members are paid an hourly stipend rate of \$60 for meeting attendance and participation in other events and activities, as approved by the chair. The hourly stipend rate is the same for all board members, regardless of position.

8. What is the maximum stipend payment that can be made per person and the per hour stipend rate?

An individual maximum per person was not set by State or County legislation. The stipend hourly rate is \$60.

9. How often is the PAB expected to meet in FY 2024?

Based on our current meeting schedule and plans, we plan to conduct an estimate of 24 regular meetings, four (4) quarterly meetings with the heads of law enforcement agencies (LEAs), and two (2) or more community meetings. This does not include plans to attend existing community and stakeholder events.

OPERATING EXPENSES

10. Pursuant to CB-21-2022, effective July 1, 2023, beginning Fiscal Year 2024, the proposed budget will come from the general fund and will be equal to at least one percent (1%) of the Police Department’s general fund budget to include staff costs, independent legal counsel, and compensation for the Board and the Administrative Charging Committee. Is the full 1% budgeted within the PAB?

No, the full amount is not allocated to the PAB.

a. If not, is it split equally between the PAB and ACC?

No.

b. If not fully expended by the end of FY 2024, does the money revert back fully to the general fund, or is it set aside in a separate fund for the sole purpose of executing the functions and duties of the PAB/ACC?

All unspent funds at the end of FY 2024 will revert to the general fund.

11. Please complete the chart below regarding the FY 2024 proposed operating budgets. Please add operating categories, as needed, to ensure the total operating budget is presented.

General Fund					
Account	Operating Objects	FY 2023 Budget	FY 2024 Proposed	\$ Change	% Change
5101	Telephone	\$ 3,000	\$ 1,500	\$ (1,500)	-50.0%
5103	Printing	1,600	1,600	-	0.0%
5107	Office Automation	54,700	31,900	(22,800)	-41.7%
5108	Training	5,000	5,000	-	0.0%
5111	Membership Fees	500	500	-	0.0%
5117	General & Administrative Contracts	170,000	162,800	(7,200)	-4.2%
5118	General Office Supplies and Medical	3,000	3,000	-	0.0%
TOTAL		\$ 237,800	\$ 206,300	\$ (31,500)	-13.2%

* Please provide a breakdown of any G&A Contract

The FY24 Legal Service Contract amount \$30,000 and the stipends for PAB members is \$132,800.

12. FY 2024 Contracts: Please provide the information requested in the table below for all of the board’s planned contracts for FY 2024.

Contracts, FY 2024				
Vendor/Contractor Name	1 = MBE 2 = CBB 3 = CBSB 4 = CLB Unknown	Summary of Contract Services	FY 2024	
			FY 2024 Proposed Contract Amount	Funding Source: General Fund (GF), Grants (GR), Other Fund (OF)
Marva Jo Camp	1	Legal Services	\$ 30,000	GF
11 PAB Members	UNK	Panel Stipends	\$ 132,800	GF
Total			\$ 162,800	

13. Has the County engaged a firm/consultant to provide a contract for legal counsel to the board? If so, what are the terms of the contract?

Yes. We have engaged Attorney Marva Jo Camp to provide legal services to the PAB. The FY23 contract is for \$20,000 for the period November 14, 2022, through June 20, 2023. This amount was based on the legal services contract amount for the former CCOP attorney. However, given the boarder scope of work being performed by the PAB contract attorney, the FY24 budget for this service has been increased to \$30,000.

ORGANIZATIONAL AND PROGRAM TRENDS:

14. What are the board’s most important FY 2024 programs goals and objectives? Please identify any critical issues or decisions that the board will face or confront over the next few years.

The Board recently began its strategic planning process to develop goals and objectives and plans that will inform its operations and decision-making in FY24 and beyond.

15. Since the Citizen Complaint Oversight Panel (CCOP) was dissolved in FY 2023, many of the responsibilities of the panel were assumed by the Police Accountability Board (PAB). Please delineate the breakout of what core services are now being handled by this board that were originally handled by CCOP?

Among the former CCOP’s core functions were:

- 1. Conducting reviews of investigations of police misconduct and making recommendations regarding dispositions.**
- 2. Reviewing disciplinary actions.**
- 3. Making policy, training, and best practice recommendation.**
- 4. The CCOP also had investigative and subpoena powers.**

The PAB assumed the responsibility:

1. To review investigation and disciplinary results
2. Identify and analyze trends; and make recommendations for policy, training, and best practices.
3. Issue subpoena and conduct investigations that are subsequent to ACC completing its review.

16. Outline the adopted recommendations from the Police Reform Work Group that are specific to the focus of this newly formed agency. How will they operationally and/or fiscally impact the PAB upon full implementation? Does the FY 2024 budget include funding for any of these recommendations related to this Board?

A. Internal Policies and County Regulations Subcommittee Recommendations

The adopted recommendations of the Police Reform Work Group were specific to fortifying the community's trust in the Prince George's Police Department. Most of these recommendations were incorporated in HB670/CB-021-2022, which established a more robust and equitable police accountability process in Prince George's County. The recommendations of importance to the PAB are listed below. Except for the recommendations related to the creation of a database, initial fiscal and operational impacts related to the PAB have already been realized and included in the FY24 budget.

Recommendation 1: Establish the Office of Integrity and Compliance where the Inspector General will serve as the Director. This office is now the Office of Integrity and Compliance and Police Accountability (OICPA). Operationally, the PAB reports to this office.

Recommendation 2: Establish a more robust and equitable Citizen Complaint Oversight Panel (CCOP). The passage of CB-021-2022 created a new process and replaced the CCOP with the PAB and ACC.

Recommendation 6: Codify the new discipline matrix under review by the Chief of Police. With the passage of HB 670, the Maryland Police Training and Standard Commission developed a disciplinary matrix that will inform the PAB's review of the ACC's disciplinary decisions.

Recommendations 7: Improve the public complaint process to ensure more access, oversight, and accountability in PGPD. This recommendation called for a civilian position to collect complaints against officers and the establishment of an online complaint portal. These are now in place for complaints that are submitted via the PAB.

Recommendation 9: Research and adopt a new internal data collection software system for PGPD. This recommendation addressed researching and adopting an effective data software system; providing analytical and staff support for the system and aligning the system with municipalities. While the recommendation specifically addressed the PGPD, there is an overwhelming need for a one-stop database and a software system to consolidate information for all misconduct investigations, from complaint intake through PAB review, inclusive of AHB trials. This will have a fiscal impact, if implemented.

Recommendation 10: Develop a user-friendly data dashboard for transparency in PGPD.

Create an interactive online platform for data transparency. This recommendation addressed developing an interactive website that allows the public to easily view and understand statistics about the PGPD. The system, as proposed in Recommendation 9 above, could be expanded to include various data points, such as use of force statistics, traffic stop data; all police incidents involving shootings or death; etc. This database would be maintained and hosted online for use and reporting by all law enforcement agencies.

B. Internal Policies and County Regulations Subcommittee Recommendations

Recommendation 5: Improve access and operations of all PGPD cameras (e.g., body-worn cameras, interrogation room cameras, dash cameras, and in-car cameras). This is noted here because County legislation provides that the PAB can view body cam footage.

17. Please outline the responsibilities and requirements that were delineated in the Maryland Police Accountability Act of 2021, specific to this board. Have all requirements been met thus far? If not, please provide an explanation and timeline to compliance.

1. Hold quarterly meetings with heads of law enforcement agencies and otherwise work with law enforcement agencies and the county government to improve matters of policing.

1st meeting was on February 28, 2023. A second meeting is currently being planned.

2. Receive complaints of police misconduct filed by members of the public and forward complaints of police misconduct to the appropriate law enforcement agency within three (3) business days after receipt by the Board.

Ongoing, with 100% compliance.

3. Review outcomes of disciplinary matters considered by charging committees on a quarterly basis.

To date, PAB has received 3 disciplinary matters from ACC that are pending review.

4. The Board appoints civilian members to the Administrative Charging Committee.

Completed, two (2) members were appointed and have completed the requisite training.

5. The Board also appoint civilian members to the Administrative Hearing Board. This appointee shall be a civilian who is not a member of an Administrative Charging Committee.

Completed. Two (2) members have been appointed and scheduled for training.

6. At least once per year, on or by December 31st, submit an annual report the Prince George’s County Council that identifies any trends in the disciplinary process of police officers in the county and makes recommendations on changes to policy that would improve police accountability in the County.

The 2022 report was submitted by the due date. However, this report did not include trends or recommendations. It provided a review of the Board’s structure, member appointment process, and activities conducted by the Board during November (when the board first met) and December 2022. The ACC and AHB had not begun their work as a body and data regarding the disciplinary outcomes for police officers in the County was not available for trends analysis by the PAB.

7. Maintain confidentiality relating to all matters before the Board.

Confidentiality Agreements have been signed by all PAB members.

18. Please identify and quantify any known or anticipated operational or fiscal impacts that the proposed Maryland State budget, or other actions taken or being considered by the Maryland General Assembly, may have on the Board’s programs and operations, to include, but not be limited to:

HB 518/SB 409 - Police Accountability Boards and Administrative Charging Boards – Municipal Corporations - Authorizing a municipal corporation in the State to have a police accountability board to receive complaints of police misconduct from the public; requiring the board to submit an annual report to the governing body of the municipal corporation identifying trends in the disciplinary process of police officers and recommending changes to improve police accountability; and authorizing a municipal corporation to establish an administrative charging board to serve law enforcement agencies in the municipal corporation.

HB 518/SB 409 would create a hybrid system where there is a County-run ACC/PAB and multiple municipal ACCs and PABs operating simultaneously but independently. The operational structure would need to be assessed carefully. In addition, there should be clear and, possibly, codified delineation of the boundaries, roles, responsibilities, and liabilities for each entity. Questions about this hybrid system include, but are not limited to:

- Will this process be confusing for citizens?
- Will the services provided under a hybrid system be fair and equitable across the County.
- Will there be one repository for reporting and sharing results of ALL investigations conducted and reviewed in the County, including those conducted by municipalities with their own ACC and PAB?
- Who will be responsible for maintaining any repository and its reporting?
- Will the County PAB and ACC handle all matters for those municipalities that do not have an ACC or PAB?
- What happens if a municipal creates an ACC or a PAB, but not both? Is this an option?
- Will the County still be responsible for providing municipalities that have their own ACC and PAB with AHB support?

HB 582/SB 571 - Public Safety - Police Accountability - Time Limit for Filing Administrative Charges - Requiring a law enforcement agency to file any administrative charges arising out of an investigation of alleged police officer misconduct that is not required to be reviewed by an administrative charging board within 1 year and 1 day from the date of the incident that led to the investigation.

No obvious operations impact on the PAB.

HB 585 – Public Safety – Use of Force Incident Reports - Altering the reporting requirement applicable to a law enforcement officer or police officer involved in a use of force incident in the line of duty to include the law enforcement officer's justification for the use of force; and requiring a local law enforcement agency to publish on its website by January 1, 2024 and every 3 months thereafter, certain information regarding the use of force incidents reported for the preceding 3 months.

No obvious operational impact on the PAB.

SB 285 – County Police Accountability Boards – Investigation of Complaints of Police Misconduct - Authorizing the local governing body of a county, including Baltimore City, to authorize its police accountability board to exercise investigatory and subpoena powers; and authorizing a police accountability board to conduct an investigation of police misconduct concurrently with a law enforcement agency investigating the complaint.

SB285 will have direct fiscal and operational impacts on the PAB:

1. The PAB will need more staff, to include a paralegal, investigator(s), and possibly, a policy analyst.
2. The current PAB office space may not be sufficient for expanding staff at this level.
3. More meeting hours will be required for PAB members and legal consultant.
4. More money will be needed for the budget.
5. PAB members will perform functions like those of the ACC members and may need to attend the requisite 40-hour MPTSC training. Even if the training is conducted at no cost to the County, the 11 board members would still earn their \$60 per hour stipends (for a total of \$26,400), and possibly per diem and mileage reimbursements.

Questions about SB 285 include, but are not limited to:

- a. Currently, we only have access to those complaints that come through the PAB office. The current enrolled bills do not require law enforcement agencies to route the complaints they receive through or to the PAB. If this is not changed, how will the PAB get complaints from the PGPD, Sheriff, municipalities, etc., to conduct concurrent investigations?
- b. What weight will the PAB investigation have?
- c. What happens if the PAB's investigation and the ACC's results differ. Which finding will prevail?
- d. How will the AHB handle records coming from both the ACC and PAB?
- e. What are the logistical and operational problems associated with conducting concurrent investigations?
- f. Given the role of the PAB, is there a conflict of interest in allowing the PAB to review and analyze the results of investigations it also conducted, and for which it possibly rendered or recommended discipline?
- g. Are there inherent legal issues for PAB and the officers being investigated?

WORKLOAD AND PERFORMANCE TRENDS:

19. Has the PAB encountered issues relating to reports/packets/complaint processes not being uniform throughout the County that hinders and/or creates an undue hardship on the PAB’s ability to investigate a complaint thoroughly? If so, please describe in detail.

No.

20. The table below outlines the CCOP’s workload in prior years.

Category	CY 2020		CY 2021		CY 2022 (6 Months)	
	Reviewed	Incoming	Reviewed	Incoming	Reviewed	Incoming
Special Investigations (SI) - Complaints that allege a criminal act or could result in a criminal charge or investigation, such as domestic violence, DWI/DUI, theft, unauthorized access to a criminal database, use of force that results in injury and all discharges of firearms.	78	84	60	65	78	All cases were reviewed and closed out by the CCOP
Internal Affairs Investigations (IA) - Complaints alleging use of abusive, derogatory or inappropriate language, most uses of force that do not result in injury, and certain types of misconduct.	90	95	90	97	68	
Field Cases Investigations (FC) - Complaints alleging offenses such as unbecoming conduct, unreported misconduct, process violations, minor uses of force, and failure to attend to duty.	0	0	0	0	0	
Total Cases Reviewed	168	179	136	162	146*	
Total No. of Allegations Reviewed in Above Cases	450	485	508	565	538	
Police Supervisory Investigations (PS) - Complaints initiated by police supervisory staff regarding an officer's performance of or failure to perform his/her assigned duties.	These case were no longer tracked by the CCOP					
<i>YTD as of: June 30, 2022</i>						

* As the CCOP and PGPD reconciled cases in the six-month period prior to the June 30, 2022 sunset date for the CCOP, the number of cases closed by the CCOP increased significantly.

a. Are you aware of any backlog of cases that needs to be absorbed or addressed by the PAB?

The CCOP completed its review of all cases in its office by June 30, 2022. Any cases not referred to the CCOP by this date could not be processed or absorbed by the PAB. Per the legislation, the PAB can only review matters for investigations of incidents that occurred on or after July 1, 2022. Any cases still in the investigative process after June 30, 2022, were handled by the Office of the Inspector General.

b. If so, what is the extent and plan of action to resolve it within FY 2024?

See response above. Please refer this question to the Office of the Inspector General.

21. Please provide an outline of the police misconduct complaint process, from the initial report from a member of the public, through the final outcome at the PAB, ACC and trial board levels.

Please see Attachment 1 for the flow chart.

22. Please provide a detailed breakdown of the PAB case submissions by County agencies and all municipal law enforcement agencies.

Case submissions by County agencies and all municipal law enforcement agencies are submitted to the ACC for review. As of this response, the PAB has received outcomes from the ACC for 3 cases.

23. What issues have you encountered as the PAB has begun to review misconduct complaints? Are the municipal law enforcement agencies sharing all of the information and reports of complaints?

The PAB does not review complaints. The PAB recently requested reports of complaints from all law enforcement agencies. To date, a response has not been received from all requested.

24. What are the most common causes of incomplete investigative packets?

The PAB does not receive investigative packets, we review the results of the ACC outcomes.

- a. Missing recorded/written witness statements
- b. Missing Involved Officer(s) recorded/written statements
- c. Missing Complainant Statements
- d. Follow-up questions from the Investigator
- e. Duress Statements
- f. Missing video footage
- g. Missing BWC footage
- h. Missing Report of Investigations
- i. Missing Closure Memos
- j. Missing evidence (CAD reports/photos/etc.)
- k. Other-please describe

25. How does the PAB even become aware of a complaint(s) that was filed with the local agency?

Legislation does not address law enforcement agencies routing the complaints they receive to the PAB. This is not a specific requirement. On a quarterly basis, we request information on complaints sent directly to these agencies. Some agencies have responded positively to our request. Others have questioned the request as a duplication of their efforts, as they are only required to send their completed cases to the ACC and are of the opinion that the PAB can extract the data it needs then. Others have not responded to the PAB's requests.

26. How does the PAB participate in/engage in a complaint investigation based on complaint(s) submitted by officers from the same agency against another officer? What is the role of PAB in regard to these types of complaints?

Currently, the PAB has no legislative role regarding complaint processing. The PAB is only required to forward the complaints it receives to the involved law enforcement agencies, within 3 business day of receipt. The PAB does record and track these complaints through the process.

27. If the PAB begins conducting independent investigations simultaneously with the law enforcement agencies, what staff resources are available to do so effectively?
- a. Will additional personnel be necessary to support this function?

Yes. See response to Question 18 above.

- b. Is there anything that precludes the ability of the PAB to utilize existing investigative staff resources from the ACC?

At this time, the PAB is unaware of anything that would preclude using ACC investigators for this purpose. If this is done, however, we will need to assure that the investigator conducting the PAB investigation does not also play a role in the ACC's review of the same case.

28. A key function of the PAB is to develop strategies and recommendations to improve matters of policing and implement independent oversight of police policies and practices. The annual requisite reporting includes recommendations identifying trends in law enforcement to enhance and bolster accountability. Does an existing position serve in the role of analyst, to include:

- reviewing public safety policy, programs, legislation, and research studies
- assisting in the obtaining and analyzing of data, documents, and testimony from the all the various agencies
- providing research and logistical support for oversight investigations and hearings
- developing and preparing reports, policy proposals, administrative rules, and legislation.

The PAB does not have a policy analyst.

- a. If so, which position?

Currently, the Program Administrator and Contract Attorney are designated to perform the functions of an analyst.

- b. If not, does the agency contemplate requesting additional staff support to serve in these roles? If so, how many positions and what is the proposed salary for the position?

The agency is contemplating requesting additional funding for a policy analyst in the future.

29. What training will the Board members receive in FY 2024?

Yes, the exact type of training will be determined as part of the board strategic planning process.

30. Is there mandatory annual training for the staff assigned the PAB? If so, please detail the course and any/all costs associated with the training.

Currently, there is no mandatory training for PAB members.

EQUIPMENT & INFORMATION TECHNOLOGY (IT)

31. Please complete the chart below and identify the Board's key IT initiatives, including the project name, summary for the purposes and benefits associated with each project, initiation year, estimated completion date, total project cost, amount of funding spent to date, and proposed FY 2024 funding amount.

There are no key IT initiatives proposed in the FY24 budget.

32. The CCOP reported last year that technology is in place to conduct a review of files electronically. Are there any additional technology costs associated with the PAB staff and members to have the capability to do so as well?

None, that the PAB is aware of currently.

33. Are there are additional IT projects that are needed but not funded in FY 2024? Please identify them, providing a summary of why they are important, estimating the level of investment that would be necessary to implement them, and estimating when the projects might be formally pursued.

Yes. There is a need for one database and software used by all law enforcement agencies to receive complaints and track them from receipt through referral of ACC results to the PAB. This is inclusive of the AHB process. This database should also allow complainants to obtain a status of their complaints, as well as provide the public with information on various data points key to police accountability and transparency, like uses of force, in custody deaths, traffic stops, etc. There is a need for the system to also support analysis and reporting.

The PAB is uncertain of the level of investment. Several decisions must be made before cost is determined:

- a) **Does IT have the capability and capacity to design software/database that can be used by all local law enforcement agencies and access by the public?**
- b) **Can the PGDP reasonably modify its RMS system for this purpose?**
- c) **What are the security concerns regarding the above two items**
- d) **Are there canned software/database packages suitable for this purpose?**
- e) **Will there be a cost passed on to the municipalities?**

34. Does a uniform data collection tool need to be created or already exist to allow for the detailed tracking of all complaints from each agency through the full process of review by PAB, ACC, and/or trial board?

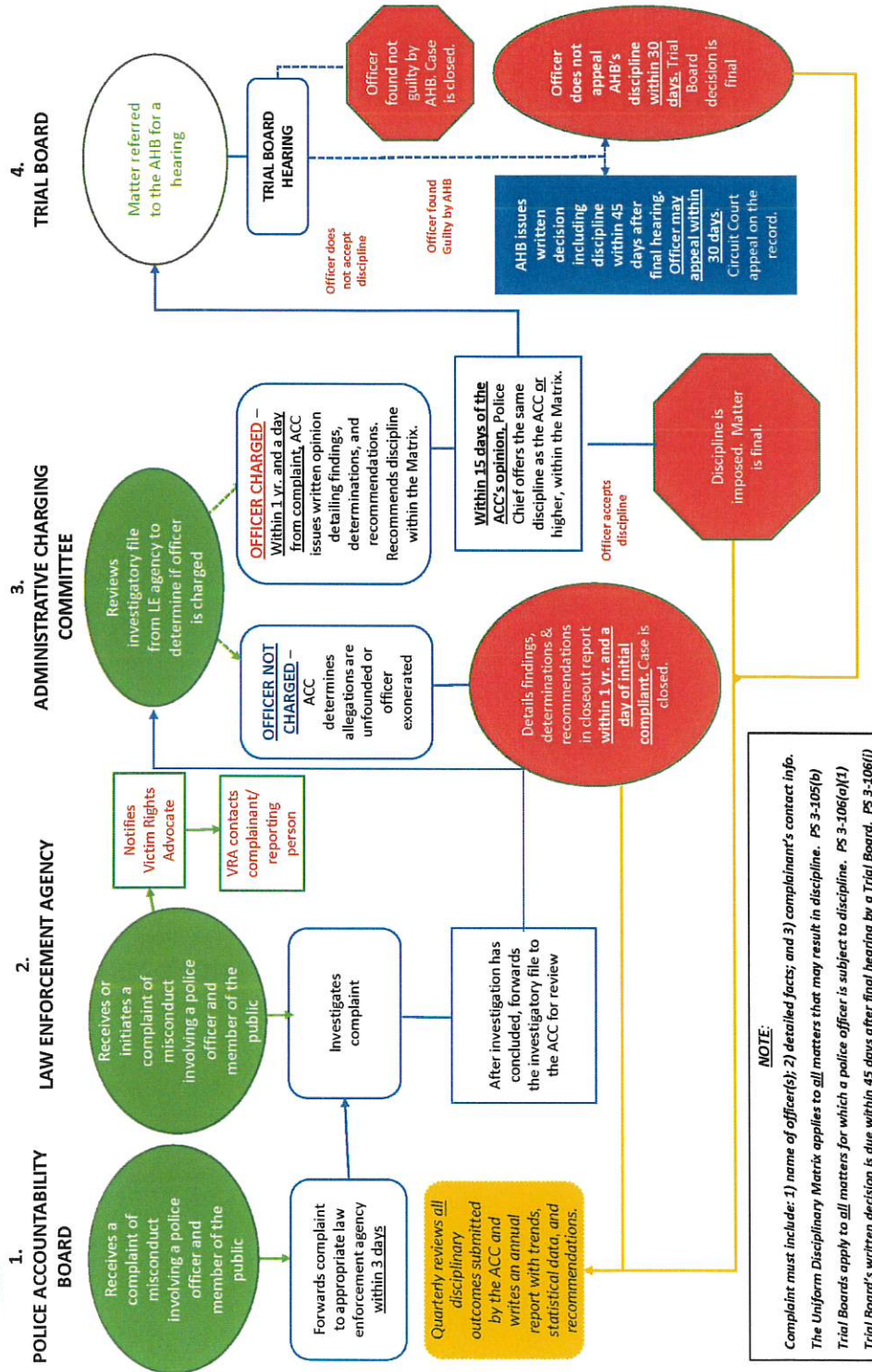
No

35. Does the County have a complaint portal/universal database for all complaints surrounding police conduct? If not, what is currently being used for tracking purposes? What system exists to allow for checks and balances, to ensure that all complaints are being received and forwarded appropriately for additional review?

Currently, there is no universal portal or database system for this purpose. Each agency, including the ACC and PAB, is using their own methods for recording, and tracking the data it uses. The PAB does have a complaint portal on its webpage where complaints can be submitted directly to the PAB.



Tracking a Complaint Through The PAB Process



NOTE:
 Complaint must include: 1) name of officer(s); 2) detailed facts; and 3) complainant's contact info.
 The Uniform Disciplinary Matrix applies to all matters that may result in discipline. PS 3-105(b)
 Trial Boards apply to all matters for which a police officer is subject to discipline. PS 3-106(a)(1)
 Trial Board's written decision is due within 45 days after final hearing by a Trial Board. PS 3-106(f)