

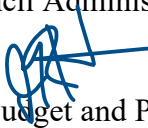


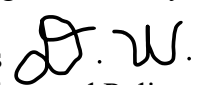
October 1, 2024

FISCAL AND POLICY NOTE

TO: Jennifer A. Jenkins
Council Administrator

Colette R. Gresham, Esq.
Deputy Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: David Williams 
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-076-2024 Transparency in Law Enforcement Accountability

CB-076-2024 (*Proposed and introduced by:* The Chair of the Council at the request of the County Executive)

Assigned to the Health, Human Services, and Public Safety (HHSPS) Committee

AN ACT CONCERNING TRANSPARENCY IN LAW ENFORCEMENT ACCOUNTABILITY for the purpose of delineating the current practices and understandings utilized to implement Section 2-537 and to ensure a consistent interpretation and clarifying that the law applies to both on-duty and off-duty conduct, aligning with the law enforcement general order.

Fiscal Summary

Direct Impact

Expenditures: No anticipated expenditure impact.

Revenues: No anticipated revenue impact.

Indirect Impact

No indirect impact likely.

Legislative Summary:

CB-076-2024¹, proposed by the Chair of the County Council at the request of the County Executive. This bill was presented on September 10, 2024, and referred to the Health, Human Services, and Public Safety Committee. CB-076-2024 seeks to clarify the scope of the Administrative Charging Committee's jurisdiction and to better align the County legislation with the existing law enforcement order.

Background/Current Law:

In 2021, the Maryland state legislature passed HB670 titled the Maryland Police Accountability Act of 2021 (overriding a gubernatorial veto) and it took effect on July 1, 2022.² This bill requires each county in the state to have a police accountability board and administrative charging committee to handle police misconduct matters. These organizations are empowered to review police misconduct from external complaints and make determinations on whether they should or should not be administratively charged. The County enacted CB-021-2022 to implement the Maryland Police Accountability Act of 2021 at the County level, mandating the creation of the County's police accountability board, administrative charging committee, and trial board that are applicable to all municipalities within the County's jurisdiction.³

Resource Personnel:

- Barry Stanton, DCAO for Public Safety and Homeland Security
 - Anthony C. Bennett, Inspector General and Director, Office of Integrity, Compliance, and Police Accountability
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Discussion/Policy Analysis:

The purpose of CB-076-2024 is to clarify the scope of the County's Administrative Charging Committee's jurisdiction for the review of police misconduct. This Bill repeals and reenacts with amendments Section 2-537 under Subtitle 2. Administration. Division 47. Law Enforcement Initiatives. Subdivision 3. Administrative Charging Committee. This section dictates that the ACC is responsible for reviewing complaints from misconduct allegations that occur *on or off duty and*

¹ [Prince George's County Council - Reference No. CB-076-2024 \(legistar.com\)](#)

² Maryland General Assembly- [HB670](#)

³ Prince George's County- [CB-021-2022](#)

were not initiated by an involved citizen. This amendment rectifies a previous statutory misinterpretation by stating that the ACC can review misconduct allegations that are initiated by involved citizens related to on or off-duty actions. This Bill aligns the current County legislation with its State equivalent.

Fiscal Impact:

- *Direct Impact*

Enactment of CB-076-2024 will not have a direct fiscal impact on the County. This legislation slightly expands the scope of the ACC's work but should not result in a noticeable workload impact.

- *Indirect Impact*

Enactment of CB-076-2024 may result in an increase in the ACC's administrative workload due to the adjustment of scope within the legislation. The legislative language may lead to additional case referrals to the ACC.

Appropriated in the Current Fiscal Year

N/A.

Effective Date of the Proposed Legislation:

The Act shall take effect forty-five (45) days 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.