



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

## Office of Audits and Investigations

April 22, 2022

### FISCAL AND POLICY NOTE

TO: Robert J. Williams, Jr.  
Council Administrator

William M. Hunt  
Deputy Council Administrator

THRU: Josh Hamlin   
Director of Budget and Policy Analysis

FROM: Cassandra Fields   
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement  
CB-022-2022, Dissolution of the Citizen Complaint Oversight Panel (CCOP)

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**CB-022-2022** (*Proposed and presented by:* The Chair of the Council at the request of the County Executive)

Assigned to the Committee of the Whole

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**AN ACT** repealing the Citizen Complaint Oversight Panel (CCOP) Section of the County Code as part of the new County laws being enacted in accordance with the State of Maryland Police Accountability Act of 2021.

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### Fiscal Summary

**Direct Impact:**

*Expenditures:* Reduction of General Fund expenditures of approximately \$404,000.

*Revenues:* None.

**Indirect Impact:**

None anticipated.

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**Legislative Summary:**

CB-022-2022, proposed by Chair Hawkins at the request of the County Executive, was presented to the Council on April 5, 2022, and referred to the Committee of the Whole (COW). CB-022-2022 repeals Subtitle 18. *Police, Division 5. Police Department, Subdivision 3. Citizen Complaint Oversight Panel* from the Code. The Maryland Police Accountability Act of 2021, which was enacted during the 2021 General Assembly, required the establishment of local police accountability boards, charging committees and trial boards to develop a more comprehensive and uniform process governing police accountability and discipline procedures. These State law requirements are the subject of CB-021-2022,<sup>1</sup> and retaining the existing Panel would result in a redundancy of services.

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**Current Law/Background:**

*State Law*

During the 2021 Session, the Maryland General Assembly enacted a number of laws which sought to establish uniform standards for police department operations, accountability and transparency throughout the State. One such bill, House Bill 670 (HB 670), the Maryland Police Accountability Act of 2021<sup>2</sup>, created procedure governing police accountability and discipline. Among the Bill's several provisions, it requires each county to establish a Police Accountability Board (PAB) and an Administrative Charging Committee (ACC) to receive and review complaints of police misconduct from members of the public relating to alleged incidents occurring within the County. The Act also required the creation of a three (3) member trial board to oversee hearings requested by the officer involved in the investigation. The officer is afforded the opportunity to challenge the decision of the ACC's filing of disciplinary charges against the officer, and recommendation of the penalty based on the disciplinary matrix. Under the new law, the matrix is established by the Maryland Police Training and Standards Commission (MPTSC)<sup>3</sup>.

*County Law*

Subtitle 18, Division 5, Subdivision 3 of the County Code created the Citizen Complaint Oversight Panel (CCOP). The CCOP reviews complaints received and investigates incidents that occur in regard to an officer discharging a firearm, use of force matters, and/or complaints surrounding the conduct of a law enforcement officer. The CCOP is tasked with assuring the agency's internal

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<sup>1</sup> [CB-021-2022](#)

<sup>2</sup> [https://mgaleg.maryland.gov/2021RS/Chapters\\_noln/CH\\_59\\_hb0670e.pdf](https://mgaleg.maryland.gov/2021RS/Chapters_noln/CH_59_hb0670e.pdf)

<sup>3</sup> SB 389 is currently under review and would alter some of the language governing the requirements and terminology of the Maryland Police Training and Standards Commission.

investigation was “complete, thorough, and impartial” and that the subsequent report and recommendations for action are reasonable and appropriate, given the totality of circumstances<sup>4</sup>. The CCOP reports comments and conclusions to the Chief Administrative Officer upon final disposition of each case and issues an annual report to the public. Additionally, the CCOP has the authority to conduct its own investigation if the collective body deems that substantive issues have not been adequately addressed by the Internal Affairs Division.

The Panel consists of seven (7) members who shall be appointed by the County Executive and confirmed by the County Council. Appointments shall be for four (4) year terms and no member shall be appointed for more than two (2) consecutive full terms. Members may be reimbursed for reasonable expenses incurred in the performance of their duties and shall be compensated at the rate of Fifty Dollars (\$50) per hour for meetings, but no member shall receive more than Fifteen Thousand Dollars (\$15,000) in any twelve (12) month period. The County Executive designates a member to serve as Chairperson of the Panel and provides appropriate staff, including an Administrator who is attorney admitted to the practice of law in the State of Maryland. The Administrator is compensated as provided in the annual budget.

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**Resource Personnel:**

- Barry Stanton, Deputy Chief Administrative Office for Public Safety and Homeland Security
- Rhonda L. Weaver, County Attorney

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**Discussion/Policy Analysis:**

The purpose of this Bill is to repeal provisions in the County Code relating to the Citizen Complaint Oversight Panel, in furtherance of the new provisions required by the Maryland Police Accountability Act of 2021 that would be established under CB-021-2022. As such, the enactment of CB-022-2022 presumes the concurrent enactment of CB-021-2022, and vice-versa.

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**Fiscal Impact:**

*Direct Impact:* Enactment of CB-022-2022 will result in a reduction in the General Fund expenditures by approximately \$404,000, which reflects the amount associated with the CCOP annual operating budget. This reduction will be offset by expenditures related to the new bodies established under CB-021-2022.

*Indirect Impact:* None anticipated.

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<sup>4</sup> Subtitle 18, Division 5, Subdivision 3. Citizen Complaint Oversight Panel

*Appropriated in the Current Fiscal Year Budget:*  
Yes.

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**Effective Date of Proposed Legislation**

The proposed Act shall take effect July 1, 2022.

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If you require additional information, or have questions about this fiscal impact statement, please call me.