

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2025 Legislative Session

Reference No.: CR-080-2025

Draft No.: 2

Committee: COMMITTEE OF THE WHOLE

Date: 07/08/2025

Action: FAVORABLE WITH
AMENDMENTS

REPORT: Committee Vote: Favorably with amendments 10-0 (In favor: Chair Burroughs, Council Members Adams-Stafford, Blegay, Dernoga, Fisher, Hawkins, Ivey, Olson, Oriadha, and Watson)

The Prince George's County Council convened as the Committee of the Whole (COW) on July 1, 2025, to consider CR-080-2025. The Planning, Housing and Economic Development Director gave an overview of the Resolution. CR-080-2025 is a Resolution for the purpose of temporarily suspending the current police response time calculations of the Adequate Public Safety Test.

During the Thursday, July 1, 2025, COW meeting, Mr. Devan Martin, County Executive Deputy Chief of Staff, requested that the bill be amended to use the police response times calculations effective from October 2023. As drafted, the police response time calculations discussed in the Resolution are based on data from January 2025 for the previous year. Mr. Martin explained that different sets of data are sent out every year. He requested that the Prince George's County Chief of Police, Mr. George Nader, discuss the data and explain how it is gathered and presented monthly to the Planning Department. Additionally, Mr. Martin mentioned that during the County Council recess, a group of individuals would form a work group to discuss how to address public safety adequacy related to police facilities. Mr. Martin explained that police officers do not work inside facilities, but rather work in their vehicles and patrol the community.

Chief Nader explained he would like to pull all the police response time data to ensure the methodology is consistent and accurately reflects the correct police response times. The response time data has been provided monthly to the Planning Department as required by the law. The Police Department is examining who retrieves the data; currently, the data is entered by the Public Safety Division through the dispatch system. Chief Nader explained that there had been a change in the methodology used to retrieve the data. It needs to be determined whether the response time data is captured at the time the Police Department receives a call or at the time of dispatch. Additionally, there needs to be an examination of whether the Police Department accurately captures the time police officers arrive at the scene of a call, and whether this is a standard process and practice within the department.

Mr. Martin requested that the Planning Director, Ms. Lakisha Hull, speak with the County Council. Director Hull explained that there are two steps in the police response time mitigation process that impact the Planning Department's review of applications relating to residential projects. One step is under a resolution, and the other step is under the Subdivision Regulations. The Planning Director is required to coordinate with the Police Chief on police response time data that is provided to the Planning Department. Director Hull explained that moving forward, she would like to ensure that she and Chief Nader are on the same page regarding the correct data and methodology for determining police response times.

Council Member Olson asked Director Hull if there are any residential projects that are not meeting the police response times test, and if so, where they are located. Director Hull explained that she does not have the current list available at this time, but noted that the Planning Department does have current projects that must meet mitigation requirements under current law. Director Hull explained that the Planning Department is working with applicants to determine whether they want to continue their cases as permitted under the code or if the case has reached a point where the applicant needs to move forward in the development review process. Additionally, Director Hull mentioned that there are two projects that must meet mitigation requirements based on the existing data and will be presented to the Planning Board for a decision.

Council Member Olson asked if the projects required to meet mitigation are located inside or outside the beltway, or are they transit-oriented development projects? Director Hull explained that it is based on response time data from each police district and is not broken down by location (inside or outside the beltway) or development type.

Chair Burroughs explained that the Resolution will be held in committee based on the amendments requested by the Administration, and the committee will discuss the Resolution again on July 8, 2025.

Council Member Blegay explained that citizens' concerns regarding response times have been tied to the belief that no new development should occur until the County secures the resources to lower police response times. She explained there is a larger issue than police response times, data, and development. Over 60 percent of the crime in the County occurs on the border with the District of Columbia. It is not new development; there is a need to fill 300 police officer positions. Council Member Blegay requests that staffing numbers be evaluated because that is the genuine concern. Additionally, she asked that a focus be placed on informing citizens about police response data, rather than confusing them.

Council Member Dernoga agreed with Council Member Blegay that the key concern is the lack of staffing resources. He expressed concerns about sprawl projects and the change in methodology used to determine the response time test. Council Member Dernoga explained that, as enacted under CB-89-2004 (DR-3), there is a twelve-month rolling average. Every month, a new rolling average is calculated, and if a project fails, a three-month hold is placed on the

project. The law states that the response time is the length of time from the call for service until the arrival of Police personnel on the scene or other police response, as appropriate.

Lastly, Council Member Dernoga expressed that he would like to determine why the test has not been administered accurately. Mr. Martin explained that the Administration will respond to all of Council Member Dernoga's questions. He also explained that no other jurisdiction in the nation has adopted the model used in Prince George's County. It is also unclear to the Administration what standard the response times of 10 minutes for emergency calls and 25 minutes for non-emergency calls are based on, as the current standards were enacted into law by the County Council 20 years ago. Traffic patterns are very different today. He also explained that whenever you have a subset of numbers, there must be a way to determine if certain circumstances exist, for example, if a response time is based on a response call from the police station, or if police are responding to a call-in beats, sectors, or neighborhoods of development projects. The Administration is committed to finding an actual adequacy test.

Council Member Harrison stated that in Clinton Police District V, there is only one sector and asked if police districts typically have two sectors. Chief Nader explained that Oxon Hill Police District Four is the only district with two sectors. Council Member Harrison stated that Prince George's County is the 16th largest jurisdiction in the United States, and Council District Nine encompasses 40 percent of the County's landmass. Driving from Eagle Harbor to the Town of Upper Marlboro takes approximately 40 minutes. Council Member Harrison explained that the one response time standard for the entire County, and the fact that the response time test has not changed in 20 years, is a part of the concern and is very confusing. He explained that it is essential for the County to develop a formula and understanding to meet response times adequately. The boundaries of the police districts may need to be examined.

Vice Chair Oriadha thanked the new Administration and explained that there are problems with the current police response time calculations. There is no intention that every development project needs to fail the adequacy test. Still, the Council is committed to ensuring that the proper infrastructure exists and that no further gaps are created, and that all public safety officials have the necessary resources. Vice Chair Oriadha requested information on how many projects failed and needed mitigation versus how many projects would not be able to move forward. She also requested information regarding the police response time calculations for different years.

Council Member Adams-Stafford asked if the police response times data also included information on municipal police response times. Chief Nader explained that response times from municipalities are not included in the current data. Council Member Adams-Stafford asked if there is a way to obtain police response time data from municipalities. Prince George's County police and municipal police are both responding to citizen calls. There was also a question on how that data would impact the current police response time data. Council Member Adams-Stafford asked what factors are considered in determining methodology for police response times. She explained that other jurisdictions consider factors such as weather, road conditions, traffic, and pedestrian safety, and asked if we could incorporate those factors into our calculations.

Chief Nader explained that those factors are not part of the methodology used to calculate response times. Instead, the call classification type system is currently employed, and he wants to examine the entire calculation methodology. Council Member Adams-Stafford expressed a desire to see a more comprehensive examination of the methods used to determine police response times.

Mr. Matthew Tedesco, with McNamee Hosea, explained that he has been dealing with concerns about police response times since 2008. He thanked the Vice Chair Oriadha and the Administration for introducing CR-80-2025.

Mr. Tedesco explained that the question is not whether specific development projects are failing or which data is correct, but rather whether the police response test is constitutional. He believes the test is unconstitutional and encouraged the Council to examine how to redesign the test or determine if the test is necessary.

Mr. Edward Gibbs, with Gibbs and Haller, explained that because many police districts in the County are failing to meet the current response time requirements, a study is needed. He also thanked the County Council and the Administration for introducing the Resolution. Lastly, he thanked County Executive Braveboy for requesting the suspension of the use of the 2025 response time data. Mr. Gibbs explained that the 2023 police response time data should be used when there was a total passing rate.

Mr. Norman Rivera, with the Offices of Norman Rivera, stated that this is a highly complex issue. He requested the suspension of the response time requirements and the use of the 2023 response time data, as there has been a 20-year problem.

Council Member Dernoga, in response to testimony given by various public speakers, asked Director Hull how often different police districts in the County have failed the police response time test, and if there has been a problem for a long time. He explained that there are three levels to the test: pass, pass with mitigation, and fail. Director Hull responded that she would provide the data. She also explained that she wants to work with Chief Nader because the calculations are based on a rolling average, and each month something could happen to affect resources; therefore, there should not be a one-size-fits-all approach to the process. Council Member Dernoga explained that a 12-month rolling average evens out anomalies if there is a weather or traffic concern, that call receives a high number, but the other numbers even out with the average. If there is a problem one month, the concern could be dissipated the next month. Additionally, Council Member Dernoga explained that the ten-minute response time number may have originated from the late Senator Douglas J.J. Peters.

Chair Burroughs requested that Council Member Dernoga work with Vice Chair Oriadha, Council Member Fisher, Mr. Martin appoint liaisons from the Administration and the Maryland National Capital Park and Planning Commission (M-NCPPC) to form a work group to develop a balance not to halt every project, while still allowing the citizens of the County to determine the development not special interest, a balance.

Council Member Adams-Stafford suggested enlisting academic institutions, like those in other jurisdictions, to create a mathematical formula that considers all the different factors impacting police response times. She suggested contacting Bowie State University or the University of Maryland would be helpful. Chair Burroughs appointed Council Member Adams-Stafford to the workgroup.

The Office of Law found CR-080-2025 (DR-1) to be in proper legislative form with no legal impediments to its adoption.

On motion of Chair Burroughs, seconded by Vice Chair Oriadha, the Council COW voted 8-0 to hold the Resolution until Tuesday, July 8, 2025.

On Tuesday, July 8, 2025, the Council COW convened to continue discussing CR-080-2025. Chair Burroughs gave a brief description of the bill. Ms. Rana Hightower, Director of the Planning, Housing, and Economic Committee, discussed the amendments to the Resolution. The amendments are as follows:

On page 3, lines 3 through 6, add “BE IT FURTHER RESOLVED that the County Council may by resolution upon a recommendation by the County Executive waive fully or partially any Public Safety Mitigation Fee as set forth in the guidelines to implement the police APF test and mitigation procedures for failure to meet level of service for police response times, pursuant to Section 24-4508(b)(1).”

Lines 7 through 10, add “BE IT FURTHER RESOLVED that the County Executive shall work with the Prince George’s County Planning Department in consultation with the County Council to develop best practices and guidelines within fifteen days to determine a mitigation fee schedule to improve police response times.”

Lines 11 through 12, add “BE IT FURTHER RESOLVED that payment of mitigation fees shall be paid upon issuance of a building permit.”

Lines 13 through 15, add “BE IT FURTHER RESOLVED that for multifamily developments, the mitigation fee shall be fifty percent of the fee paid upon issuance of a building permit, and fifty percent shall be paid upon issuance of a use and occupancy permit.”

Chair Burroughs thanked the Administration and County Council members for the collaboration on the development of amendments to the Resolution. Mr. Martin expressed thanks on behalf of County Executive Braveboy and explained that there are concerns with the police response time data and the standard used for the test. The Administration does not believe that police response time data can be justified by the number of police facilities, police patrol in cars, not in buildings. Mr. Martin explained they are committed to working with the County Council, the Planning Board, members of the zoning and land use bar, and other stakeholders to develop an adequacy standard that works and is based on best practices to improve police response times.

Chair Burroughs explained that he will appoint a small workgroup to collaborate with County Executive staff and M-NCPPC staff, as required by the Resolution, to develop best practices and guidelines within fifteen days. The workgroup will aim to determine a mitigation fee schedule to improve police response times.

Vice Chair Oriadha thanked the Administration and Chair Burroughs for all the work on the Resolution. In addition, she expressed that the County Council wants to ensure public safety officials have the necessary resources, and it is essential not to hinder development arbitrarily, but rather to develop a fair and transparent system.

On motion of Vice Chair Oriadha, seconded by Council Member Blegay, voted 10-0 in favor of the amendments to the Resolution.

Council Member Fisher thanked Vice Chair Oriadha and Council Member Dernoga for their work on the Resolution, but explained that the Resolution is not precisely where she would like to see it. Encouraging development during this difficult economic time is important, and ensuring that arbitrary factors do not impede progress is crucial.

Council Member Hawkins asked Council Member Fisher if the proposed Resolution includes obstacles to development. Council Member Fisher replied that the Resolution is not precisely where she would like it to be, but the County is facing hard times and there is a need to be in partnership with the development community; the Resolution is attempting to accomplish that goal. Still, additional work needs to be done to meet the standard she would like to see.

On a motion of Vice Chair Oriadha, seconded by Council Member Fisher, the County Council Committee voted 10-0 in favor of CR-080-2025 with amendments.