

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/3/2012
Reference No.: CR-048-2012
Draft No.: 2
Proposer(s): County Executive
Sponsor(s): Harrison, Campos, Davis, Franklin, Lehman, Olson, Patterson, Turner, Toles
Item Title: A Resolution approving regulations promulgated by the Chief of Police governing the implementation and administration of the gun offender registration program established in Section 14-189 of the County Code

Drafter: LaKeecia Allen, Associate County Attorney
Resource Personnel: Mark A. Magaw, Chief of Police
Craig A. Howard, Deputy Chief of Police

LEGISLATIVE HISTORY:

Date Presented:		Executive Action:
Committee Referral:	6/19/2012 - PSFM	Effective Date:
Committee Action:	6/21/2012 - FAV(A)	
Date Introduced:	6/19/2012	
Public Hearing:		
Council Action (1)	7/3/2012 - ADOPTED	
Council Votes:	WC:A, DLD:A, MRF:A, AH:A, ML:-, EO:A, OP:A, IT:-, KT:A	
Pass/Fail:	P	
Remarks:		

AFFECTED CODE SECTIONS:

COMMITTEE REPORTS:

Public Safety and Fiscal Management

Date 6/21/2012

REPORT: COMMITTEE VOTE: Favorable as amended 4-0 (In Favor: Council Members Campos, Turner, Davis and Lehman)

This resolution approves rules and regulations, promulgated by the Chief of Police, which shall govern the implementation and administration of the Gun Offender Registration Program. The rules and regulations are required by CB-14-2012, a bill enacted by the Council on June 5, 2012.

The Committee convened on June 21, 2012 to discuss the resolution. Staff gave an overview of the procedures which covers in detail the standard operating procedures of the Gun Offender Registry Unit of the County Police Department. Staff also suggested minor technical amendments to the procedures. Major Sesker from the Police Department spoke in support of the legislation and answered any questions pertaining to the procedures. The Committee discussed a letter from the Attorney General's Office to Delegate Pena-Melnyk dated June 11, 2012, concerning the gun offender registry created by CB-14-2012 and whether the registry would be a public document subject to inspection under the Maryland Public Information Act ("MPIA"). The letter expressed that the gun

offender registry is subject to inspection and copying under the MPIA.

The Office of Law has reviewed this legislation and finds it to be in proper legislative form with no legal impediments to its adoption.

The legislation was amended as follows:

- On page 4, 1st bullet after “Gun” should insert “Offender”
- On page 6, in title after “Gun” insert “Offender”
- On page 7, 4th bullet, suggest it read “County Code Section 14-189” so there is a reference and also in 5th bullet it should read “County Code Section 14-189”
- On page 8, 6th bullet, the reference to the Code is suggested to read “ Prince George’s Code, Subtitle 14, Division 18”
- On page 9, 1st bullet “for questioning” is listed twice

There may be a negative or adverse fiscal impact on the County as a result of additional operating costs. The fiscal impact on the County cannot be determined at this time.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This resolution approves rules and regulations, promulgated by the Chief of Police, which shall govern the implementation and administration of the gun offender registration program, as required by Section 14-189(f) of the County Code.

CODE INDEX TOPICS:

INCLUSION FILES:

I-CR-48-2012 Attachment A.pdf
