

PRINCE GEORGE'S COUNTY COUNCIL
COMMITTEE REPORT
2022 Legislative Session

Reference No.: CB-021-2022

Draft No.: 2

Committee: COMMITTEE OF THE WHOLE

Date: 06/06/2022

Action: FAV (A)

REPORT: Favorable as Amended 10-1: Council Members Hawkins, Dernoga, Franklin, Glaros, Harrison Ivey, Medlock, Streeter, Taveras, and Turner. Unfavorable: Burroughs

The Prince George's County Council convened on June 6, 2022, to consider CB-021-2022 DRAFT 2. CB-021-2022 is an Act Concerning Law Enforcement Accountability and would establish the following required boards and committees: the Police Accountability Board (PAB), the Administrative Charging Committee (ACC), and the Trial Boards. The proposed legislation also covers other general provisions and incorporates state mandates for law enforcement. The goal is to improve policing in the community. The PAB would also receive police misconduct complaints, review disciplinary outcomes and make recommendations for policy changes to improve police accountability. As noted in the Budget, Policy, and Fiscal Analysis Statement, the FY 2023 proposed budget includes resources and operating expenses necessary to fully fund the PAB and ACC, consisting of increased expenditures of approximately \$1,420,500 for compensation and operating costs.

CB-021-2022 was presented to the Council on April 5, 2022, and it was referred to the Committee of the Whole (COW) which was held on April 26, 2022. This legislation was discussed again by the COW on May 9, 2022, but it was held in Committee after clarifying questions about the July 1, 2022, deadline.

On May 31, 2022, Mr. Barry Stanton, DCAO, Public Safety, and Ms. Rhonda Weaver, County Attorney, provided an overview of the process for creating the legislation, the amendments to date, and where the legislation differs from state law. After consideration of comments from members of the public and stakeholders, the Committee held the legislation to continue the review of recently proposed amendments.

During the Committee of the Whole meeting on June 6, 2022, community members provided testimony about the legislation, and amendments were discussed. After discussion, the Prince George's County Council, sitting as the Committee of the Whole, voted CB-021-2022 Draft 2 out favorably as amended, 10-1.

Amendments:

1. The proposed budget will come from the general fund and will be equal to at least one percent (1%) \$3.7 million of the Police Department's general fund budget to include staff costs, independent legal counsel, and compensation for the Board will be one-third (1/3) and Administrative Charging Commission will be two-thirds (2/3).
2. The proposed budget will include staff costs, independent legal counsel and compensation for the Police Accountability Board and the Administrative Charging Committee.
3. 5 members from CE subject to Council confirmation and 5 from Council. The CE will nominate the Board Chair subject to Council confirmation.
4. (c) To the extent practicable, the members of the Board shall reflect the racial, gender and

cultural diversity of the County and should be required to include members with a range of professional or lived experiences in areas including, but not limited to, mental health disabilities, substance use disorders, immigration, criminal justice, re-entering citizens, and living below the poverty guideline for the County.

(ethnic and geographic should be added)

5. Board members shall not be excluded from consideration or disqualified based on their immigration status or criminal history.
6. (d)Be entitled access to all evidence considered by the law enforcement agency and the Administrative Charging Committee. A law enforcement agency must respond to a request for additional information within 10 business days.
(e)Issue subpoenas, interview witnesses and employ any other investigative powers necessary to complete their obligation to review outcomes of disciplinary matters as considered by the Administrative Charging Committee.

The language in d, e and subject to refinement will be added to e.

(a) The Board shall:

1. Attend law enforcement agency trainings at the County's expense;
2. Attend relevant local, regional and national trainings at the County's expense;
3. Seek community feedback on policing and provide information about policing matters to the community.