




April 24, 2024

MEMORANDUM

TO: Wanika B. Fisher, Chair
Health, Human Services and Public Safety (HHSPS) Committee

THRU: Joseph R. Hamlin 
Director of Budget and Policy Analysis

FROM: Malcolm Moody - *mm*
Legislative Budget and Policy Analyst

RE: Police Accountability Board (PAB)
Fiscal Year 2025 Budget Review

Budget Overview

- The FY 2025 Proposed Budget for the Police Accountability Board is \$785,500. This reflects a -33.4% decrease under the FY 2024 approved budget. A significant portion of this decrease is due to the reduction of operating costs due to the reallocation of stipend funding for Trial Board Judges and Administrative Hearing Board civilians to the Administrative Charging Committee (-\$374,000) and a decrease in general operating contracts for panel stipends to align with projected costs (-\$42,800).
- The creation of the Police Accountability Board (PAB) was a mandate imposed by the Maryland Police Accountability Act of 2021. The PAB was charged with reviewing decisions of the ACC and AHB to identify trends, develop strategies, and propose recommendations to improve matters of policing particularly in regard to best practices and transparency. The PAB's expenditures are funded entirely by the General Fund.
- Effective July 1, 2023, beginning Fiscal Year 2024, the proposed budgets of both the PAB and ACC will be equal to at least one percent (1%) of the Police Department's general fund budget to include staff costs, independent legal counsel, and compensation for the members of all three boards/committees.

Budget Comparison - General Fund

Proposed FY 2025

Category	FY 2023 Actual	FY 2024 Approved	FY 2024 Estimated	FY 2025 Proposed	Change Amount	% Change
Compensation	\$ 286,806	\$ 450,900	\$ 330,800	\$ 456,100	\$ 5,200	1.2%
Fringe Benefits	92,595	147,900	104,000	151,900	4,000	2.7%
Operating Expenses	130,177	580,700	333,300	177,500	(403,200)	-69.4%
Subtotal	<u>\$ 509,578</u>	<u>\$ 1,179,500</u>	<u>\$ 768,100</u>	<u>\$ 785,500</u>	<u>\$ (394,000)</u>	<u>-33.4%</u>

Staffing Changes and Compensation

Authorized Staffing Count - General Fund

	FY 2024 Approved	FY 2025 Proposed	Change Amount	Percentage Change
Full-Time	5	5	0	0.0%
Part-Time	0	0	0	0.0%
Total	5	5	0	0.0%

- The General Fund provides funding for five (5) full-time positions:
 - Administrative Specialist 1G
 - Administrative Aide 3G
 - Policy Analyst G24 / Administrative Assistant 3G
 - General Clerk 2G
 - Community Developer 1G

There are no vacancies currently.

- The FY 2025 General Fund compensation is proposed at \$456,100 which represents a 1.2% increase over the FY 2024 budget. This includes \$5,200 for annualization of FY 2024 salary adjustments.

Fringe Benefits

- Fringe Benefit expenditures are proposed at \$151,900. This reflects an 2.7% increase over the FY 2024 budget and a 33.3% rate of compensation.

Operating Expenses

- The budget includes funding for \$90,000 for stipends for all board members, budgeted at \$60/hour. There is no maximum each member can earn.

- The total operating expenses are proposed at \$177,500 and are comprised of the following:

Operating Objects	FY 2024 Budget	FY 2025 Proposed	FY 2024 - FY 2025	
			\$ Change	% Change
Telephone	\$ 1,500	\$ 700	\$ (800)	-53.3%
Printing	1,600	600	(1,000)	-62.5%
Office Automation	31,900	32,800	900	2.8%
Training	5,000	18,000	13,000	260.0%
Membership Fees	500	500	-	0.0%
Mileage Reimbursement	-	500	500	N/A
General & Administrative Contracts	537,200	120,000	(417,200)	-77.7%
General Office Equipment	3,000	4,400	1,400	46.7%
TOTAL	\$580,700	\$177,500	\$ (403,200)	-69.4%

- The breakout for FY 2024 Contracts is as follows:

Service Category	Term	FY 2024 Budget	FY 2025 Budget	FY 2024-2025 \$ Change	FY 2024-2025 % Change
Legal Services	FY 25	\$ 30,000	\$ 30,000	\$ -	0.0%
Totals		\$ 30,000	\$ 30,000	\$ -	0.0%

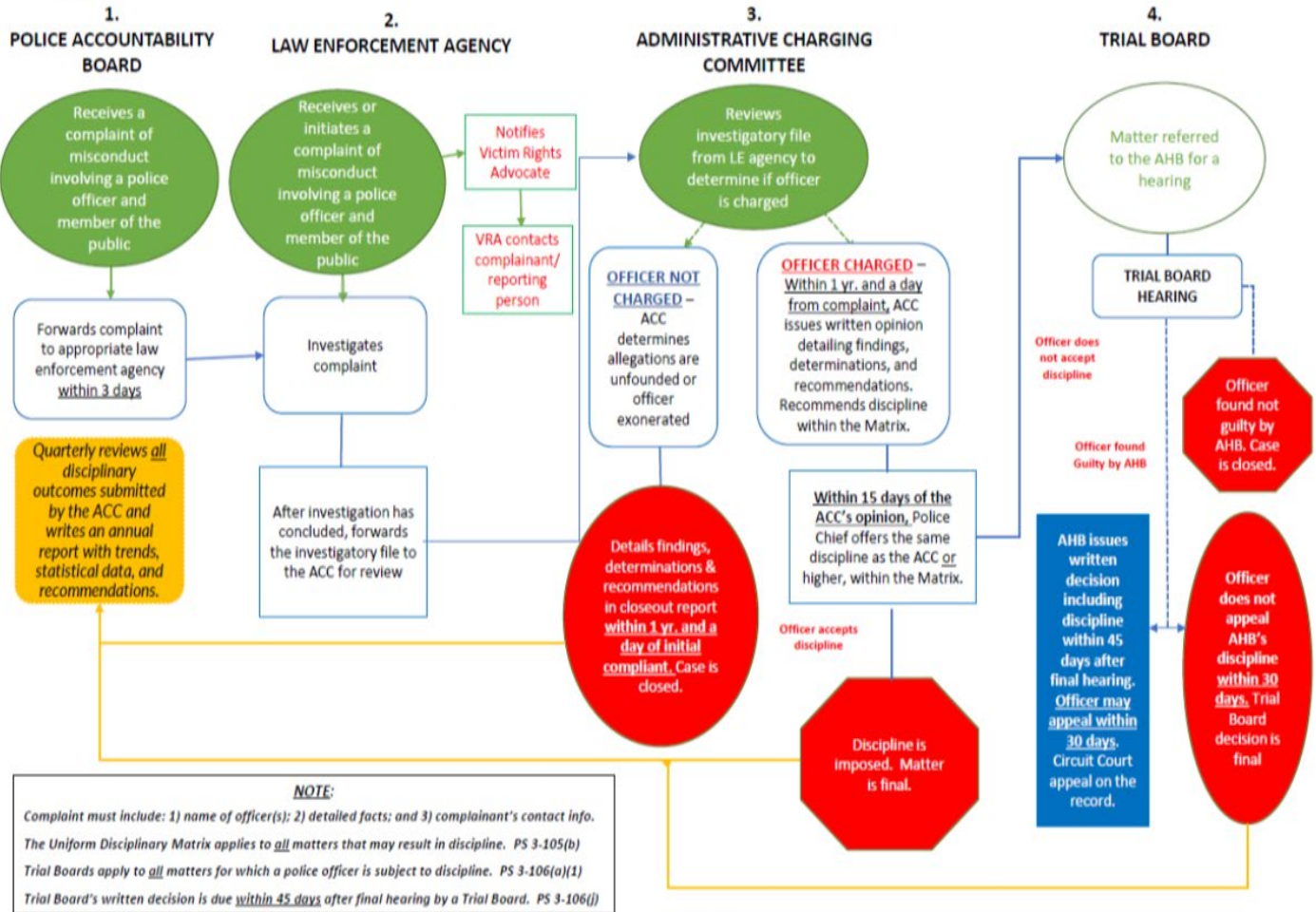
Workload

- The PAB is responsible for ensuring public accountability and transparency over the powers exercised by law enforcement agencies. To accomplish this, the PAB is responsible for evaluating law enforcement agencies' disciplinary processes regarding complaints of police misconduct that involve a law enforcement officer and member of the public. There are approximately twenty-eight (28) law enforcement agencies within the County that are governed by State and County legislation. The PAB serves to identify any trends within policing, and recommend the creation of new, or modification of existing policies and procedures that will bolster relationships between law enforcement and the community.

Below is a chart detailing the process a complaint goes through once it is submitted to the PAB:

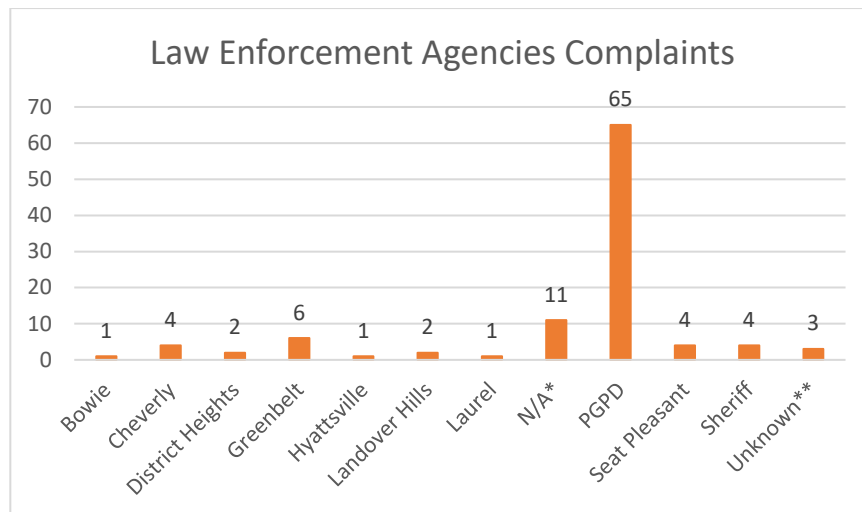
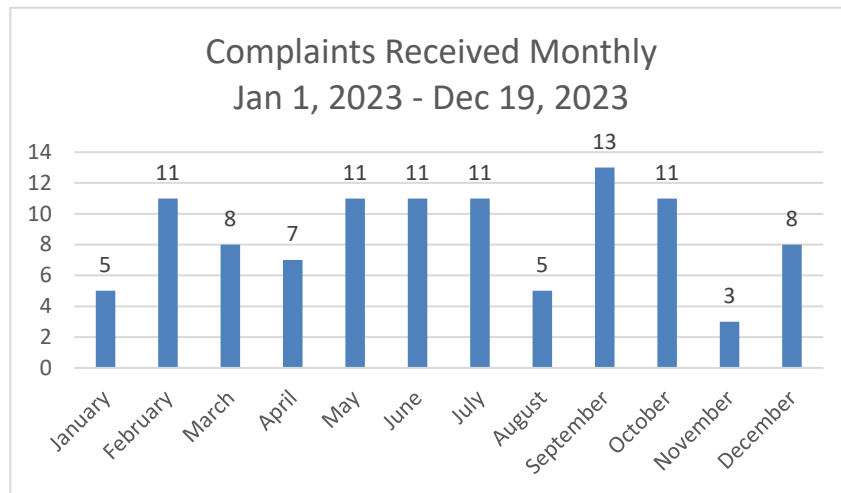


Tracking a Complaint Through The PAB Process



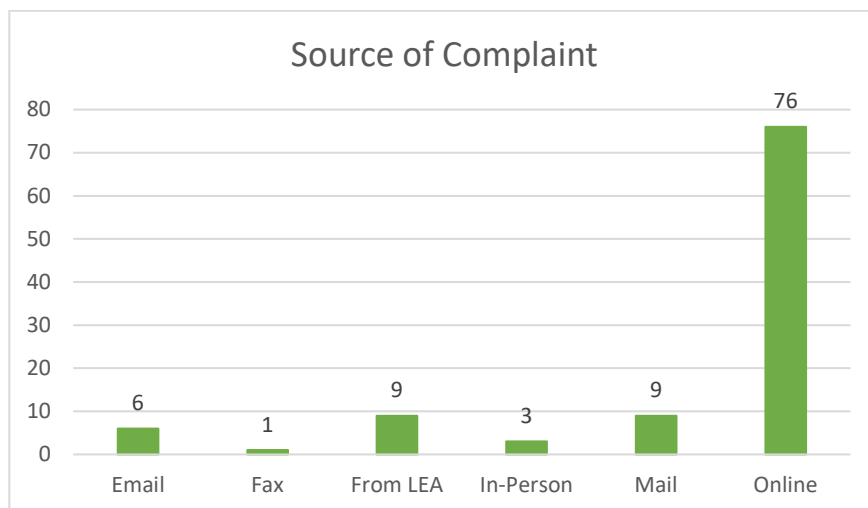
Drafted April 2022

Below are charts on complaints received by month, by Law Enforcement Agency, and the Source of the complaint:



*N/A refers to complaints that do not directly involve LEAs

**Unknown refers to instances when the LEA may have been unknown at the time



Board Membership:

- Pursuant to Sec. 2-533 of the County Code entitled, *Composition of Board*, the PAB shall consist of eleven (11) members. They must be residents of the County, at least twenty-one (21) years of age, may not be employed with any law enforcement agency or Maryland State, County, or local government within the County, or be an elected official or candidate for any political office within State or local government. Six (6) members, including the Chair, shall be appointed by the County Executive, with confirmation by the County Council, and five (5) members shall be appointed directed by the County Council, with public input on each appointment. The members shall serve four (4) year staggered terms, a member cannot be appointed for more than two (2) consecutive terms.

<u>Appointment</u>	<u>Term End</u>
Orlando D. Barnes	6/30/2026
Shelia F. Bryant, Esq.	6/30/2025
Dr. Andrea Coleman	6/30/2024
Kelvin D. Davall, Chair	6/30/2026
Keenon James	6/30/2025
Daniel Jones	6/30/2024
Lafayette D. Melton	6/30/2025
Earl O’Neal	6/30/2024
Marsha A. Ridley	6/30/2025
Carlo Sanchez, Vice Chair	6/30/2026
Tamika Springs, Esq.	6/30/2025
Daniel C. Vergamini	6/30/2024

Agency Identified Issues

- While the entire department (ACC, PAB, OICPA) has acquired an interim case management system (Legal Files). There remains a need to establish a permanent case management system that tracks cases from when a complaint is filed through the final disposition.
- A user-friendly data dashboard, with interactive capabilities that allows the public to easily view and understand data points, such as use-of-force statistics, traffic stop data, police incidents involving shootings or death, etc. Ideally the database would be maintained and hosted online for use and reporting by all law enforcement agencies.
- The PAB (and ACC) does not have knowledge of the complaints that are filed by citizens to the various law enforcement agencies throughout the County. They only become aware of the cases once received. They lack enforcement power to compel agencies to submit citizen complaints of police misconduct. The PAB has conducted outreach to encourage the LEAs to share complaint data.

Administrative Hearing Board

- The Agency continues to work with the Office of the County Executive Appointments Liaison to find and hire local judges to fill Administrative Law Judge positions. Currently the Agency has the required amount of supplied through an agreement with the State of Maryland Office of Administrative Hearings.
- The Agency difficulties with finding local judges to fill roles on the Administrative Hearing Board due to an opinion by the State Judicial Ethics Committee¹. The Agency continues to advertise for judges.

Background/Highlights

- The PAB was created by legislation (CB-021-2022)² as required by the Maryland Police Accountability Act of 2021³.
- The former core functions of the Citizen Complaint Oversight Panel (CCOP) included:
 - Conducting reviews of investigations of police misconduct and making recommendations regarding dispositions
 - Reviewing disciplinary actions
 - Making policy, training, and best practice recommendations
 - Possessed investigative and subpoena powers.
- The PAB assumed the following responsibilities:
 - Review investigation and disciplinary results
 - Identify and analyze trends, and make recommendations for policy, training, and best practices.
 - Issue subpoenas and conduct investigations that are subsequent to the ACC completing its review of cases.
- The Board shall consist of eleven (11) members. The County Executive and County Council share the responsibility of appointing members. CB-21-2022 also implemented a public engagement process for the appointments. Appointments to the Board shall be for four (4) year terms except that the terms of the initial Board members shall be staggered. No member shall be appointed for more than two (2) consecutive full terms.
- Ten (10) members were sworn in on November 2, 2022, and the Chair convened the first meeting of the Board on November 14, 2022. The last member was appointed by the County Executive on March 7, 2023.
- The proposed FY 2025 budget includes funding in the amount of \$90,000 in stipends for Board members. Each member is to be paid \$60 per hour.

¹ [Maryland Judicial Ethics Committee - Opinion Number 2022-26](#)

² [Prince George's County Council - CB-021-2022](#)

³ [Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures](#)

- The Board's top priorities for the balance of FY 2025 include:
 - The education of the public on the latest police reform measures that have been put into place since the ratification of HB670. The reasoning behind this goal is the belief that more complaints will be received and processed as the public gains a better understanding of the current compliant process.
 - Work to secure a mandated database that will be used by LEAs to capture and track complaints that are registered.
 - Improving matters of policing by ensuring accessible, transparent, and engaging public accountability oversight of law enforcement agencies.
 - Work to build a diverse portfolio of communication across channels; including web-based, in-person events, press releases, toolkits, social media, and printed material to facilitate transparent, trusted, and credible relationships with the community and our law enforcement agencies.
 - Improving the PAB's ability to capture and leverage data necessary to develop policy recommendations that are evidence-based and accessible to external stakeholders.
 - Securing a robust case management system for use across police accountability agencies.
 - Finalizing PAB's policy for securing judges and assigning civilian members to Administrative Hearing Boards.
- The PAB is required to submit an annual report outlining summaries of complaints received, disciplinary trend analysis, and policy recommendations that would improve police accountability.⁴

⁴ [Police Accountability Board Reports](#)