

HOUSE BILL 1184

E4

2lr2193

By: **Delegates Thiam, Anderton, Buckel, Hartman, Mautz, McComas, McKay, Rose, Shoemaker, Szeliga, and Wivell**

Introduced and read first time: February 11, 2022

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Police Accountability Boards and Administrative Charging Committees –**
3 **Municipal Corporations**

4 FOR the purpose of authorizing each municipal corporation in the State to have a certain
5 police accountability board; authorizing each municipal corporation in the State to
6 establish an administrative charging committee to serve certain law enforcement
7 agencies; and generally relating to police accountability boards and administrative
8 charging committees in municipal corporations.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 3–102 and 3–104(a)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2021 Supplement)
14 (As enacted by Chapter 59 of the Acts of the General Assembly of 2021)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Public Safety**

18 3–102.

19 (a) Each county shall have a police accountability board to:

20 (1) hold quarterly meetings with heads of law enforcement agencies and
21 otherwise work with law enforcement agencies and the county government to improve
22 matters of policing;

23 (2) appoint civilian members to charging committees and trial boards;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) receive complaints of police misconduct filed by members of the public;
2 and

3 (4) (i) on a quarterly basis, review outcomes of disciplinary matters
4 considered by charging committees; and

5 (ii) on or before December 31 each year, submit a report to the
6 governing body of the county that:

7 1. identifies any trends in the disciplinary process of police
8 officers in the county; and

9 2. makes recommendations on changes to policy that would
10 improve police accountability in the county.

11 (b) (1) (i) Subject to subparagraph (ii) of this paragraph, the local
12 governing body shall:

13 1. establish the membership of a police accountability board;

14 2. establish the budget and staff for a police accountability
15 board;

16 3. appoint a chair of the police accountability board who has
17 relevant experience to the position; and

18 4. establish the procedures for record keeping by a police
19 accountability board.

20 (ii) An active police officer may not be a member of a police
21 accountability board.

22 (2) To the extent practicable, the membership of a police accountability
23 board shall reflect the racial, gender, and cultural diversity of the county.

24 (c) (1) A complaint of police misconduct filed with a police accountability board
25 shall include:

26 (i) the name of the police officer accused of misconduct;

27 (ii) a description of the facts on which the complaint is based; and

28 (iii) contact information of the complainant or a person filing on
29 behalf of the complainant for investigative follow-up.

30 (2) A complaint need not be notarized.

1 [(d)] (3) A complaint [of police misconduct filed with a police accountability
2 board] shall be forwarded to the appropriate law enforcement agency within 3 days after
3 receipt by the board.

4 (D) (1) EACH MUNICIPAL CORPORATION IN THE STATE MAY HAVE A
5 POLICE ACCOUNTABILITY BOARD TO:

6 (I) HOLD QUARTERLY MEETINGS WITH REPRESENTATIVES OF
7 LOCAL GOVERNMENT AGENCIES IN THE MUNICIPAL CORPORATION AND HEADS OF
8 LAW ENFORCEMENT AGENCIES WITH JURISDICTION IN THE MUNICIPAL
9 CORPORATION TO IMPROVE POLICING IN THE MUNICIPAL CORPORATION;

10 (II) APPOINT CIVILIAN MEMBERS OF THE CHARGING
11 COMMITTEE ESTABLISHED UNDER § 3-104(A)(2) OF THIS SUBTITLE; AND

12 (III) RECEIVE COMPLAINTS OF POLICE MISCONDUCT FILED BY
13 MEMBERS OF THE PUBLIC.

14 (2) THE MUNICIPAL CORPORATION SHALL DETERMINE THE
15 COMPOSITION AND SELECT THE MEMBERS OF THE ACCOUNTABILITY BOARD
16 ESTABLISHED UNDER THIS SUBSECTION.

17 3-104.

18 (a) (1) (I) Each county shall have one administrative charging committee
19 to serve countywide law enforcement agencies and local law enforcement agencies within
20 the county.

21 [(2)] (II) A county administrative charging committee shall be composed
22 of:

23 [(i)] 1. the chair of the county's police accountability board, or
24 another member of the accountability board designated by the chair of the accountability
25 board;

26 [(ii)] 2. two civilian members selected by the county's police
27 accountability board; and

28 [(iii)] 3. two civilian members selected by the chief executive officer
29 of the county.

30 (2) (I) EACH MUNICIPAL CORPORATION IN THE STATE MAY
31 ESTABLISH AN ADMINISTRATIVE CHARGING COMMITTEE TO SERVE LAW
32 ENFORCEMENT AGENCIES IN THE MUNICIPAL CORPORATION.

1 **(II) THE ADMINISTRATIVE CHARGING COMMITTEE SHALL BE**
2 **COMPOSED OF:**

3 **1. THE CHAIR OF THE POLICE ACCOUNTABILITY BOARD**
4 **FOR THE MUNICIPAL CORPORATION, OR ANOTHER MEMBER OF THE MUNICIPAL**
5 **CORPORATION'S ACCOUNTABILITY BOARD DESIGNATED BY THE CHAIR;**

6 **2. TWO CIVILIAN MEMBERS SELECTED BY THE**
7 **MUNICIPAL CORPORATION'S ACCOUNTABILITY BOARD; AND**

8 **3. TWO CIVILIAN MEMBERS SELECTED BY THE CHIEF**
9 **EXECUTIVE OF THE MUNICIPAL CORPORATION AND APPROVED BY THE LOCAL**
10 **GOVERNING BODY OF THE MUNICIPAL CORPORATION.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2022, the effective date of Section 3 of Chapter 59 of the Acts of the General Assembly of
13 2021. If the effective date of Section 3 of Chapter 59 is amended, this Act shall take effect
14 on the taking effect of Section 3 of Chapter 59.