



OFFICE OF THE COUNTY ATTORNEY
INTEROFFICE MEMORANDUM

TO: Board of County Commissioners of Calvert County, Maryland
VIA: Julian M. Willis, County Administrator
FROM: John Norris, County Attorney
DATE: May 13, 2021
SUBJECT: Local Requirements to Implement the Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures

Background:

The purpose of this meeting is to present the local requirements imposed by 2021 Laws of Maryland Ch. 59, the Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures.

Discussion:

This Act makes various changes that generally relate to law enforcement. Of import to the County are provisions that relate to a statewide accountability and discipline process for police officers. Those provisions require the creation and standing-up of a police accountability board and an administrative charging committee. For the police accountability board, the Board of Commissioners is charged with: (1) establishing the membership of and the budget and staff for a police accountability board; (2) appointing a chair; and (3) establish the procedures for record keeping by a police accountability board.

Each county is also required to have an administrative charging committee to serve countywide law enforcement agencies and local law enforcement agencies in the county. The role of an administrative charging committee is to: (1) review the findings of a law enforcement agency's investigation; (2) make a determination as to whether or not to administratively charge the police officer who is the subject of the investigation; (3) if the police officer is charged, recommend discipline in accordance with the law enforcement agency's disciplinary matrix, as specified; (4) review any body camera footage that may be relevant to the matters covered in the complaint of misconduct; (5) authorize a police officer called to appear before an administrative charging committee to be accompanied by a representative; (6) issue a written opinion that describes in detail its findings, determinations, and recommendations; and (7) forward the written opinion to the chief of the law enforcement agency, the police officer, and the complainant.

A presentation has been developed and draft Resolution has been prepared for the Board's consideration, but not action, at this time.

Fiscal Impact:

Indeterminable; anticipated to be significant.

Conclusion/Recommendation:

The Board is asked to consider the presentation, ask any questions you deem necessary and relevant, and direct staff how the Board wishes to proceed.