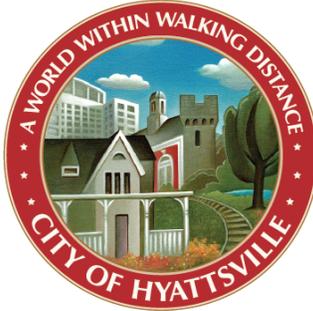


City of Hyattsville

Hyattsville Municipal Building
4310 Gallatin Street, 3rd Floor
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org



Agenda Regular Meeting

City Council Meeting: Introduction of FY22 Budget

Register in advance for this webinar:

https://zoom.us/webinar/register/WN_qJiYUWDDTt6OZI_eqGzCrg

Wednesday, March 24, 2021

6:00 PM

Virtual

City Council

Kevin Ward, Interim Mayor, Ward 1

Carrianna Suiter, Council Vice President, Ward 3

Bart Lawrence, Ward 1

Robert S. Croslin, Ward 2

Danny Schaible, Ward 2

Ben Simasek, Ward 3

Edouard Haba, Ward 4

Daniel Peabody, Ward 4

Joseph Solomon, Ward 5

Erica Spell Wolf, Ward 5

ADMINISTRATION

Tracey E. Douglas, City Administrator

Laura Reams, City Clerk, 301-985-5009, cityclerk@hyattsville.org

WELCOME TO THE CITY OF HYATTSVILLE CITY COUNCIL MEETING!
Your participation at this public meeting is valued and appreciated.

AGENDA/PACKET: The Agenda/Packet is available for review at the Hyattsville Municipal Building and online at www.hyattsville.org prior to the scheduled meeting (generally available no later than the Friday prior to the scheduled Monday meeting). Please note, times given for agenda items are estimates only. Matters other than those indicated on the agenda may also be considered at Council discretion.

AMERICANS WITH DISABILITY ACT: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at (301) 985-5009. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

AUDIBLE DEVICES: Please ensure all audible devices are turned off or otherwise not audible when the City Council is in session. Thank you.

PUBLIC INPUT: If you wish to address the Council during the Public Comment period, please submit an Audience Participation Form to the City Clerk prior to the beginning of the meeting. Matters identified during Public Comment that are not on that meeting's agenda will be referred to staff for follow-up or considered on a future agenda. Issues that require a response will be addressed publicly at the next regular Council meeting. Speakers are requested to keep their comments to no more than two (2) minutes per speaker. Written comments or supporting documents may be turned in to the City Clerk for distribution to the Mayor and Council.

WAYS TO WATCH THE MEETING LIVE: City Council meetings are broadcast live on cable television channel 71 (Comcast) and channel 12 (Verizon). You may also view meetings live online at hyattsville-md.granicus.com/MediaPlayer.php?camera_id=2

REPLAY SCHEDULE: The meetings will be re-broadcast on cable television, channel 71 (Comcast) and channel 12 (Verizon) daily at 7:00 a.m., 1 p.m., and 8 p.m. Meetings are also able for replay online at www.hyattsville.org/meetings.

CITY INFORMATION: Sign up to receive text and email notifications about Hyattsville events, government, police and programs at www.hyattsville.org/list.aspx

INCLEMENT WEATHER: In the event of inclement weather, please call 301-985-5000 to confirm the status of the Council meeting.

Meeting Notice:

As we continue to take precautions due to the COVID-19 (Coronavirus) pandemic, the Hyattsville City Council will hold its meeting on Wednesday, March 24, 2021 remotely via video conference. The Council meeting will be conducted entirely remotely; there will be no in-person meeting attendance.

The meeting will be broadcast live on cable television channel 71 (Comcast), channel 12 (Verizon), and available via live stream at www.hyattsville.org/meetings.

PUBLIC PARTICIPATION:

Public comment may be made using the e-comment feature at www.hyattsville.org/meetings or by emailing cityclerk@hyattsville.org. All electronic comments must be submitted by 4 PM on March 24, 2021. Comments received will be read by City staff during the public comment portion of the meeting.

Members of the public who wish to attend the virtual Council meeting must register in advance using the link below.

https://zoom.us/webinar/register/WN_qJiYUWDDTt6OZI_eqGzCrg

1. Call to Order and Council Roll Call**2. Pledge of Allegiance to the Flag****3. Approval of Agenda****4. Approval of the Minutes****4.a) Approval of the Minutes**[HCC-265-FY21](#)

I move that the Mayor and Council approve the minutes of the Council meeting of March 1, 2021.

Sponsors: City Administrator

Attachments: [Minutes Mar 1 2021 CM FINAL](#)

5. Public Comment (6:10 p.m. – 6:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker**6. Action Items (6:20 p.m. - 6:35 p.m.)**

- 6.a) **Authorization to Send Letter to Maryland General Assembly on Pending Police Reform Legislation** [HCC-248-FY21](#)

I move that the Mayor and Council authorize the Mayor, in consultation with the City Attorney, to send the attached correspondence to the Maryland General Assembly, Prince George's County Municipal Association, and Maryland Municipal League stating the City of Hyattsville's position on the proposed police reform House and Senate bills.

Sponsors: Solomon, Schaible, Simasek, Peabody and Ward

Department: City Clerk

Attachments: [Council Motion Form Police Reform Letter, 3.19.21](#)
[Police Reform Bills draft letter 031921](#)
[PPSAC Memo on Current MD GA Police Reform Bills](#)
[Maryland-2021-HB108-Introduced](#)
[Maryland-2021-HB120-Introduced](#)
[Maryland-2021-HB411-Introduced](#)
[Maryland-2021-HB522-Introduced](#)
[Maryland-2021-HB537-Introduced](#)
[Maryland-2021-HB670-Introduced](#)
[Maryland-2021-HB977-Introduced](#)
[Maryland-2021-SB43-Engrossed](#)
[Maryland-2021-SB178-Introduced](#)
[Maryland-2021-SB245-Introduced](#)

7. Presentations (6:35 p.m. - 7:50 p.m.)

- 7.a) **Introduction of the Draft Budget for Fiscal Year 2022 (45 minutes)** [HCC-262-FY21](#)

For presentation and discussion.

Sponsors: City Administrator

Department: City Clerk

8. Council Dialogue (7:50 p.m. - 8:00 p.m.)

9. Community Notices and Meetings

9.a) **Main City Calendar March 25 - April 5, 2021**

[HCC-266-FY21](#)

N/A

Sponsors: City Administrator

Attachments: [Main City Calendar Mar 25 - April 5, 2021 FINAL](#)

10. Motion to Adjourn



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-265-FY21

3/24/2021

4.a)

Submitted by: Sean Corcoran
Submitting Department: City Clerk
Agenda Section: Approval of the Minutes

Item Title:
Approval of the Minutes

Suggested Action:
I move that the Mayor and Council approve the minutes of the Council meeting of March 1, 2021.

Summary Background:
Action summaries for Council meetings are posted to the City website within 48 hours of the meeting. Please see attached minutes.

Next Steps:
Upon approval, approved minutes will be posted on the City's website.

Fiscal Impact:
N/A

City Administrator Comments:
Recommend approval.

Community Engagement:
Minutes are posted to the City website upon approval by Council.

Strategic Goals:
Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?
N/A



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, MARCH 1, 2021 7:00 PM

Kevin Ward, W1, Interim Mayor
Carrianna Suiter, W3, Council Vice President (*arrived at 7:35 p.m.*)
Bart Lawrence, W1
Robert Croslin, W2
Danny Schaible, W2
Ben Simasek, W3
Edouard Haba, W4 (*arrived at 7:35 p.m.*)
Daniel Peabody, W4
Joseph A. Solomon, W5
Erica Spell Wolf, W5

Absent: None

Also present were the following City staff members:
Tracey Douglas, City Administrator
Ron Brooks, City Treasurer
Lesley Riddle, Director of the Department of Public Works
Hal Metzler, Deputy Director of the Department of Public Works
Jim Chandler, Assistant City Administrator
Laura Reams, City Clerk
Adrienne Augustus, Media Relations and Mental Health Programs Manager

Meeting Notice:

As we continue to take precautions due to the COVID-19 (Coronavirus) pandemic, the Hyattsville City Council will hold its meeting on Monday, March 1, 2021 remotely via video conference. The Council meeting will be conducted entirely remotely; there will be no in-person meeting attendance.

The meeting will be broadcast live on cable television channel 71 (Comcast), channel 12 (Verizon), and available via live stream at www.hyattsville.org/meetings.

PUBLIC PARTICIPATION:

Public comment may be made using the e-comment feature at www.hyattsville.org/meetings or by emailing cityclerk@hyattsville.org. All electronic comments must be submitted by 5 PM on March 1, 2021. Comments received will be read by City staff during the public comment portion of the meeting.

Members of the public who wish to attend the virtual Council meeting must register in advance using the link below.

https://zoom.us/webinar/register/WN_Jy3EvOuHTDisE2Ynaew7Yw

1. Call to Order and Council Roll Call

Interim Mayor Kevin Ward called the meeting to order at 7:27 p.m.

2. Pledge of Allegiance to the Flag



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, MARCH 1, 2021 7:00 PM

3. Approval of Agenda

AMENDMENT

1) AMEND the motion language of item HCC-247-FY21 to read:

10.a) COVID-19 Pandemic Relief Fund - Reappropriation for Professional Trades HCC-247-FY21

I move that the Mayor and Council authorize the use of the remaining \$80K in the Hyattsville COVID-19 Pandemic Relief Fund Grants for Working Artists ~~to cover costs for both the Working Artists fund and a newly established~~ and to expand the fund criteria to include Professional Trades. Professional Trades eligibility will be limited to include barbers, cosmetologists, pet groomers, and tattoo artists licensed by the State of Maryland or Prince George’s County (where required for legal operation) and currently working in a business registered within the corporate limits of the City of Hyattsville.

I further move that the maximum award for applicants for both Working Artists and Professional Trades funds be limited to \$750.00 per award, per three (3) month cycle for Hyattsville residents and \$300.00 per award, per three (3) month cycle for non-Hyattsville residents working in the City of Hyattsville. Funding shall be made available in fiscal year 2021 (FY21) from April 1, 2021 - June 30, 2021.

RESULT:	APPROVED, AS AMENDED [UNANIMOUS]
MOVER:	Suiter
SECONDER:	Spell Wolf
AYES:	Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

4. Public Comment (7:10 p.m. – 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker

Rebecca Baldwin addressed the Mayor and Council expressing concerns about a possible drastic reduction in Metro bus and station operation in January 2022 if the Washington Metropolitan Area Metro Authority (WMATA) was unable to secure funding. Ms. Baldwin requested that the City Council send correspondence to preserve metro routes through Hyattsville as maintaining metro transportation in the area was imperative and would negatively affect Hyattsville’s mission to be a walkable city, the Transit District Development Plans (TDDP) for West Hyattsville and Prince George’s Plaza, and Prince George’s County’s 20-year plan. She warned that transportation services in the City would be reduced to reliance on the University of Maryland shuttle bus which did not run on weekends, summers, or when students were not actively in session. She detailed the many routes and stations that would be affected and relayed that concerned residents could attend the WMATA public hearings the following week.

Ward 2 resident David Marshall submitted a comment in the question and answer (Q&A) function addressing the Mayor and Council in opposition to HCC-247-FY21 stating that there was no reason



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to reappropriate COVID-19 relief funds and the remaining money should be returned to the general fund. Mr. Marshall continued that he opposed HCC-244-FY21 questioning the security of the program and the assurance of qualified recipients and opining that the non-profit funds are intended for a small number of specific entities. He proclaimed opposition to HCC-248-FY21 stating that the Body should not be in support of the State bills and that specifically, the School Resource Officer (SRO) measure.

Council Vice President Carrianna Suiter thanked everyone whom she had served and served with over the previous four (4) years stating that she was honored to have been elected a City of Hyattsville Councilmember and describing the challenges and difficulties of balancing a family, job, and the responsibilities of an elected official. She explained that the previous year had been particularly stressful for her family and that she would not be seeking another term on the City Council. She relayed that she was distressed to see the possibility of a Council without female representation citing that over 2M women and women of color were compelled to leave the work force to care for their families and added responsibilities. She encouraged female residents to run for Council and provided the applicable details.

5. **City Administrator Update (7:20 p.m. - 7:30 p.m.)**

City Administrator Tracey Douglas thanked **Council Vice President Suiter** for her service to the City and expressed well wishes on her future endeavors. She began her update addressing the Mayor and Council with information regarding the COVID-19 pandemic and accessibility to the vaccine stating that the Hyattsville vaccination site would be located at First United Methodist Church and a soft launch was held on February 24th with expected operations on Tuesday through Thursday of each week.

Ms. Douglas reported that positivity rates at the testing site remained idle at 5.5%, the County had entered Phase 1C but were delayed, the City Municipal Building would have limited public access as the reception area was being moved to the first floor and announced that there would be a gradual reintroduction of the Call-a-Bus service in early April.

Administrator Douglas provided an update regarding community support services relaying that the City had received 990 boxes of food from the Capital Food Bank as well as 600 boxes of fresh produce, protein, and milk from the United States Department of Agriculture (USDA). She noted that Hyattsville was receiving 20K diapers monthly from the Greater DC Diaper Bank with pre-registered distributions taking place on Mondays and Wednesdays.

Ms. Douglas stated that service of meals for seniors would continue through Meals on Wheels and the County Department of Aging and that the City's Age-Friendly programming would be exploring partnerships with Prince George's Community College (PGCC), Habitat for Humanity, the American Association for Retired Persons (AARP) and Age Friendly DC to increase options for service to senior residents. She added that virtual camp for children would begin at the end of March and operate through April 2nd.



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The City Administrator stated that bulk trash pickup had reconvened and pickup services for items such as appliances would continue the second and fourth Monday of each month. Ms. Douglas noted that there were four (4) locations for composting drop-offs: Department of Public Works (DPW), City Park, Heurich Park, and the Duck Pond. She continued that the finalization and move-in date for the new DPW facility was scheduled for April 1 and support for possible emergency weather was still at the ready.

Ms. Douglas announced that the recently approved COVID-19 relief fund for restaurants, breweries, and meaderies was accepting applications and would provide as much as \$2K for businesses and provided explained the process for obtaining further information. She recognized the comments made during the public comment portion of the meeting stating that discussions would be held, and plans were ongoing, but the City would have an interest in assuring that transportation continue to be abundant and available.

Administrator Douglas informed the Body regarding the WMATA Platform Improvement Project to begin the following summer that would be designed to improve rider accessibility at four (4) Green Line stations. She stated that the West Hyattsville and Hyattsville Crossing (HVX) stations would be closed during the improvements and the project would improve upgrades to escalators, signage, and safety measure and directed those seeking further information to contact WMATA.

Ms. Douglas provided information regarding the Fiscal Year 2022 (FY22) budget meeting schedule reporting that an introduction and departmental presentations were scheduled for March 24th, a public hearing on the Real Property Tax Rate and Council meeting were scheduled for April 19th, followed by an introduction and first reading of the budget on May 3rd, and finally, second reading and adoption to take place on May 17th.

She reported on the upcoming election relaying details regarding important dates and events, the process of the election, and other election related initiatives and outreach.

Ward 4 Councilmember Edouard Haba asked if there was any available information regarding seniors who were seeking the vaccine but were unable to leave their homes to which Ms. Douglas responded that mobile stations were under consideration, but until something was operational, she would be unable to provide any details.

6. **City Treasurer Update (7:30 p.m. - 7:35 p.m.)**

City Treasurer Ron Brooks addressed the Mayor and Council with an update on the City's financial position stating that the Fiscal Year 2020 (FY20) audit was ongoing and staff members were securing the financial confirmations that are sent to stakeholders, stated departments, and partners with which the City does business. Mr. Brooks anticipated that the audit would be complete by mid-May even with the challenges realized by the health crisis.

Treasurer Brooks announced that the City had been consistent with projected estimates and was collecting revenue at a percentage above the previous year. He stated that personal property tax revenues had increased 10% and miscellaneous reimbursements had increased 13% since the previous year and there had been less revenue than the prior year from income taxes and



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admission taxes. Mr. Brooks reported that the revenue numbers in the City of Hyattsville were consistent with surrounding areas and relayed to the Body that he would return at the next Council meeting with an update through the end of February 2021.

Councilmember Haba inquired as to the number associated with the constant yield to which City Treasurer Brooks responded that it was received and would be a mandatory figure in the upcoming FY22 Budget that would be presented to Council but stated that he would be able to provide it to the Body sooner if requested.

7. Presentations (7:35 p.m. - 7:50 p.m.)

7.a) Mental Health Program

[HCC-236-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[HCPD MH Program- City Council March 1 Presentation](#)

Presentation Only

Media Relations and Mental Health Programs Manager for the Hyattsville City Police Department (HCPD) Adrienne Augustus addressed the Mayor and Council introducing a presentation on mental health initiatives and programs within the Department. Ms. Augustus recalled a previous Council meeting in which **Ward 4 Councilmember Daniel Peabody** presented a proposal for mandatory, quarterly, therapy sessions for HCPD personnel explaining that it was one of many initiatives of a robust, overarching effort for mental health resources. She reported that one (1) in every five (5) adults lived with mental illness and one (1) in 20 adults were diagnosed with a serious mental illness such as bipolar disorder, schizophrenia, and the like.

Ms. Augustus explained that law enforcement professionals were twice as likely to die by way of suicide than homicide and were at high risk for trauma as first responders. She described the program as a combination of mandatory and voluntary training and assistance including the check-in program and Crisis Intervention Team (CIT) training.

Ms. Augustus detailed some of the areas in which education, information, and programming could start immediately as well as others which required further planning noting that all were consistent with all recommendations for mental health and wellness for law enforcement and the 2015 report from the President's Task Force on 21st century policing.

She displayed an illustrative slide that reflected data regarding answers to questions related to a poll given to 44 HCPD personnel in December 2020 in which 41% of those polled stated they would not be able to describe the difference between bipolar disorder and schizophrenia. She cited that when asked if they felt that they could properly engage individuals on the phone who may be experiencing a health crisis 41% answered in the negative.



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Ms. Augustus reported that the polling reflected that 55% felt that they had adequate training to engage individuals with autism and when asked about their interest in an HCPD policy that would require all personnel to meet with a therapist quarterly, 18.18% viewed it as a negative, 20.45% responded that they were impartial, and 61.36% viewed it as a positive.

She explained that the program was in Phase 1 and Mental Health First Aid training for law enforcement was being offered to HCPD for free in partnership with United Way and the Greenbelt Police Department. She cited that she was proposing a Mental Health and Wellness Day and training would begin in May for Crisis Intervention Teams (CIT) in an effort to expand the number of personnel who were trained and equipped to navigate incidents involving mental health.

Ms. Augustus announced that in April 2021 all officers and dispatchers would participate in meetings and workshops from the National Alliance on Mental Illness (NAMI), DC Survivors and Advocates for Empowerment, Inc. (DC SAFE Inc.) for domestic abuse training, and Community Crisis Services, Inc., Pathfinders for Autism MD, and the Prince George's County Local Behavioral Health Authority as well as receiving information on maintaining mental wellness and meditation.

Ms. Augustus reported that Phase 2 consisted of the entire following fiscal year and would continue the required and optional programming with the intention of launching the wellness check-in program in September 2021. She reiterated that required CIT training would continue and cited September as suicide prevention month and mental health and wellness week and stated that she would like to develop a joint effort of the HCPD and City Government mental health and wellness event in September or October.

She relayed the required training for all HCPD officers and dispatchers including PTSD training, suicide prevention training, a Resiliency and Mental Wellness for First Responders presentation in collaboration with Anne Arundel County, an Emotional Survival webinar, and cited the aforementioned Mental Wellness Check-in Program.

Ms. Augustus described that Phase 3 would take place during FY22 and FY23 and upon the opening of the new Police and Public Safety building which would allow more area and resources for the ongoing programming as well as community social service outreach including emergency referral services in which those suffering from a mental episode could be transported to a safe environment, drop-in opportunities, a food and clothing pantry, and outreach to the homeless.

Ms. Augustus explained that a majority of the funding for the initiatives would be provided by community agencies and non-profits, while other funds would be requested of the City. She stated that she had been working with City Administrator Douglas to identify opportunities in association with county, state, and federal entities, as well as seeking out federal grant funding. She expressed that she did not want to diminish the training already received by law enforcement personnel stating that she has witnessed demonstrated compassion and improved skill sets when dealing with mental health incidents and noted that the proposed measures would be in addition to the effective training already being received.



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Ward 2 Councilmember Robert Croslin commented that he was very pleased with the presentation thanking Ms. Augustus and **Councilmember Peabody** for their efforts to which Ms. Augustus recognized **Councilmember Croslin's** wife and a free program she helped provide to the City noting that those guidelines and programming were a part of the HCPD mental wellness initiative.

Ward 5 Councilmember Joseph Solomon expressed gratitude for the presentation inquiring as to any further analysis of the effectiveness of the programming and highlighting the need to have the ability to have each officer in the field equipped with a designated minimum amount of training to which Ms. Augustus replied that a review and assessment of information retention would be conducted after training was received and that training was focused on those who would most likely enter situations in which the training could be exercised noting that the CIT training was 40 hours and, given the size of the HCPD, it would not be feasible to train more than a small percentage of staff at a time.

Ward 5 Councilmember Erica Spell Wolf commended Ms. Augustus for her work and expressed anticipation for programming for youth residents and the completion of the new Police and Public Safety facility and stated that the programming would be a great asset to the community. Ms. Augustus took the opportunity to reference the assistance of City Administrator Douglas and her assistance with the framework and progress of the measures.

Ward 3 Councilmember Ben Simasek expressed his appreciation for Ms. Douglas and Ms. Augustus and their efforts as well as the direction in which the programming was taking inquiring as to how training would address effects of ingesting drugs and alcohol in conjunction with a mental health crisis to which Ms. Augustus replied that the Mental Health First Aid and CIT training would deal directly with such matters and additional training could be implemented as seen fit.

City Administrator Tracey Douglas noted that credit should be given to former HCPD Chief Amal Awad who began the first steps of these programs and expressed her appreciation to Ms. Augustus for picking up where the former Chief had left off noting her interest in partnering with neighboring municipalities and instituting simulator training. Interim Chief Scott Dunklee supplemented that he had reviewed Virtual Reality (VR) training in which officers could be trained on de-escalation techniques for those in mental health crisis from their point of view or the perspective of the subject individual and stated that it would be extremely helpful for a better understanding of how to navigate similar instances.

Interim Mayor Ward inquired as to the stigma surrounding mental health in reference to veteran officers, young officers, and officers of color to which Ms. Augustus responded that previous surveys conducted did not record the ages or ethnicities of participants but noted that in candid conversations with law enforcement personnel, a discrepancy was evident in which younger officers were more open and comfortable discussing mental health and potential resources.



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Interim Mayor Ward asked if any data had been reviewed that would reflect officers being affected by movements in recent years such as Black Lives Matter (BLM) to which Ms. Augustus replied that anecdotally she has been made aware from acquaintances in the mental health field that calls for service and concern for officers of color had increased substantially amid recent events.

8. Proclamations (7:50 p.m. - 7:55 p.m.)

8.a) Proclamation Celebrating March 2021 as Women's History Month in the City of Hyattsville
[HCC-239-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[CM 0301 Women's History Month 2021](#)

I move that the Mayor and Council proclaim March 2020 to be Women's History Month in the City of Hyattsville.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Suiter
SECONDER:	Croslin
AYES:	Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

9. Consent Items (7:55 p.m. - 8:00 p.m.)

9.a) Deitz Park - Storm Drain Improvements

[HCC-216-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[2021 01 29 SMC Task Order 10 - Dietz Park Flood Mitigation](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$40,000 to Stormwater Maintenance, LLC (SMC) for the construction of storm drain improvements at Deitz park under their existing contract with the City.

9.b) Purchase of Replacement Trash Toters

[HCC-237-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Hyattsville 96G \(200\) V1](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$15,000 for the purchase of replacement trash receptacles from Toter utilizing the Omnia Partners contract #171717 of which the City is a member.



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9.c) Planting of Bioretention Garden at Nicholson Street and Maryhurst Drive

[HCC-238-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[2021 02 23 SMC ES-21-054 - Nicholson Street Improvements Construction Phase I, II and III \(1\)](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$44,000 with Stormwater Mitigation, LLC (SMC) for the planting and maintenance of the bioretention garden at the intersection of Nicholson Street and Maryhurst Drive under their existing On-call Environmental and Stormwater Engineering and Design contract with the City.

9.d) Wells Boulevard/Parkway Complete Green Street Project Change Order 1

[HCC-240-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[TO11A Cost Estimate Change order 1 \(1\)](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$25,000 to Johnson, Mirmiran, and Thompson (JMT) for Change Order #1 to complete the design and permitting process with Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE), under their existing contract with the City.

9.e) New DPW Facility Construction - 3rd Party Inspection and Construction Management Change Order 1

[HCC-241-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cost Estimate CO1 2.4.2021](#)
[TO 58 Proposal 2.15.2021](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$55,000 to Johnson, Mirmiran, and Thompson (JMT) for the third-party inspection, construction management, and final survey work required to complete the construction of new Department of Public Works (DPW) building under their current contract.

9.f) Purchase of Solar Power LED Blinker Stop Signs

[HCC-242-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Sales-Quote Q21002854](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$13,000 to Traffic and Parking Control Co., Inc. (TAPCO) for the purchase of eight (8) solar powered blinker stop signs under the Onvia Partners contract, of which the City is a party.



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Interim Mayor Ward raised questions regarding item 9.f) and the extent of which the stop signs would blink and glare to which Director Lesley Riddle explained that the signs could be modified before purchase to be motion activated and set to a timer. Deputy Director Hal Metzler confirmed the comments stating that further traffic study would be performed and then the activity of the sign would be set to the portions of each day that consisted of the highest frequency of traffic.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Suiter
SECONDER:	Haba
AYES:	Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

10. Action Items (8:00 p.m. - 8:15 p.m.)

10.a) COVID-19 Pandemic Relief Fund - Reappropriation for Professional Trades

[HCC-247-FY21](#)

Sponsor: Solomon

Co-Sponsor(s): N/A

[Solomon Motion, to Expand Working Artist Fund V4](#)

I move that the Mayor and Council authorize the use of the remaining \$80K in the Hyattsville COVID-19 Pandemic Relief Fund Grants for Working Artists ~~to cover costs for both the Working Artists fund and a newly established~~ and to expand the fund criteria to include Professional Trades. Professional Trades eligibility will be limited to include barbers, cosmetologists, pet groomers, and tattoo artists licensed by the State of Maryland or Prince George’s County (where required for legal operation) and currently working in a business registered within the corporate limits of the City of Hyattsville.

I further move that the maximum award for applicants for both Working Artists and Professional Trades funds be limited to \$750.00 per award, per three (3) month cycle for Hyattsville residents and \$300.00 per award, per three (3) month cycle for non-Hyattsville residents working in the City of Hyattsville. Funding shall be made available in fiscal year 2021 (FY21) from April 1, 2021 - June 30, 2021.

RESULT:	APPROVED, AS AMENDED [UNANIMOUS]
MOVER:	Suiter
SECONDER:	Solomon
AYES:	Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, MARCH 1, 2021 7:00 PM

11. Discussion Items (8:15 p.m. - 8:45 p.m.)

11.a) COVID-19 Support for Hyattsville Non-Profits

[HCC-244-FY21](#)

Sponsor: Solomon

Co-Sponsor(s): N/A

[Solomon Motion, Budget Request 1 - Non-Profit Fund V3](#)

[Solomon Motion, NonProfit, Maryland allocations](#)

I move that Mayor and Council approve and appropriate a transfer of \$100K from the unencumbered fund balance to the Fiscal Year 2022 (FY22) Special Revenue Funds Budget for the purpose of establishing the Hyattsville COVID-19 Non-Profit Reimbursements Fund. The funds will be used to provide reimbursements to non-profit organizations located in the City of Hyattsville who have expended resources on COVID-19 support for Hyattsville residents. Any remaining balance in the original COVID-19 fund #32 will be reallocated in FY22.

Councilmember Solomon introduced the item explaining that the motion was before the Council a second time following the previous Council meeting in which the Body required further detail. He described that the program would be implemented in 90-day cycles and non-profit organizations would be allowed to apply for up to \$5K per cycle and that the revised motion listed qualifying non-profits that operated within the City of Hyattsville and the funding would be reserved exclusively for COVID-19 related expenses and costs incurred due to the pandemic.

Councilmember Solomon stated that legislation at the federal level and funding from acts of Congress was taken into consideration when preparing the item and the intention of the motion was to reimburse local entities regarding their costs in providing services to the City of Hyattsville and its residents during the COVID-19 pandemic.

Councilmember Simasek sought clarity regarding the applicable non-profits and the parameters under which funding would be applied to which **Councilmember Solomon** responded that cycle 1 was reserved exclusively for the previous year but it was possible to apply for reimbursement of expenses in the current year and receive compensation on a following cycle or cycles.

Ward 2 Councilmember Danny Schaible requested clarity on the types of non-profit organizations that would be qualified to which **Councilmember Solomon** offered examples of the First United Methodist Church that served as a COVID-19 testing and vaccination site and referenced those who are preparing masks and other Personal Protective Equipment (PPE) stating that those entities would qualify.

Ward 1 Councilmember Bart Lawrence asked how the organizations would demonstrate that they had incurred pandemic-related expenses to which **Councilmember Solomon** responded that there would be a requirement to provide receipts and invoices with explanations of the use of those specific funds as well as a requirement to sign an affidavit that stated if the City was to find that certain costs were not related to the pandemic, the associated funding would be returned to the City.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, MARCH 1, 2021 7:00 PM

Councilmember Lawrence requested that the language in the motion be clear about the return of funds stating that it was important that the reimbursements be exclusively for costs directly as a result of the pandemic. He asked if there was any concern with City funding for religious organizations to which **Councilmember Solomon** responded that there had been discussion relating to religious organizations and deterred to the Assistant City Administrator. Assistant City Administrator Jim Chandler confirmed the Councilmember's response and stated that the City Attorney did not hold any general concerns but preferred to review the applications prior to approval.

Councilmember Peabody expressed support for the motion and appreciated the benefit being exclusively reserved for working physically within City limits. He sought clarity regarding the administrative requirements to which City Treasurer Ron Brooks replied that it would be similar to COVID relief funding that was already in process and would transfer an additional \$100K from the unencumbered fund balance. Assistant City Administrator Jim Chandler added that several discussions on the item had taken place and further detail was requested regarding which specific costs would be eligible for reimbursement.

Councilmember Peabody compared the item to past funding initiatives and acknowledged the need for relief throughout the City and inquired about the possibility of transferring funds from other areas of the budget to address resident COVID relief and whether the funds received by the City through federal and other grants affect the City's financial bottom line.

Councilmember Solomon provided an explanation in which he described the processes with which the federal government distributes funding and the way those distributions are allocated balancing out what the City spends with regard to what they are reimbursed stating that it seemingly balanced out. He noted that while the City had received some federal funding, the proposed legislation for further funding had not yet been finalized and could be subject to change.

City Treasurer Ron Brooks clarified that the City received approximately \$1M from the federal CARES Act relief funding and that historically federal grants were assigned to programs or activities on a reimbursable basis with the recipient having to match some of the cost; usually with in-kind contributions tied to personnel compensation or materials. He stated that, with the exception of rare occurrences, federal grants do not contribute to the bottom line and it was such in that instance.

Councilmember Peabody inquired as to a list of potential non-profit organizations within the City that would qualify for funding to which **Councilmember Solomon** replied that the item was up for discussion and if a vote could be taken, it would allow time to identify the qualified entities and to prepare it for the FY22 budget.

The Body agreed to move forward with including the initiative in the FY22 budget.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, MARCH 1, 2021 7:00 PM

11.b) Authorization to Send Letter to Maryland General Assembly on Pending Police Reform Legislation

[HCC-248-FY21](#)

Sponsor: Solomon

Co-Sponsor(s): Schaible, Simasek, Peabody, Ward

[Council Motion Form Police Reform Letter](#)

[Police Reform Bills draft letter 022621](#)

[Maryland-2021-HB108-Introduced](#)

[Maryland-2021-HB120-Introduced](#)

[Maryland-2021-HB411-Introduced](#)

[Maryland-2021-HB522-Introduced](#)

[Maryland-2021-HB537-Introduced](#)

[Maryland-2021-HB670-Introduced](#)

[Maryland-2021-HB977-Introduced](#)

[Maryland-2021-SB43-Engrossed](#)

[Maryland-2021-SB178-Introduced](#)

[Maryland-2021-SB245-Introduced](#)

FOR DISCUSSION:

I move that the Mayor and Council authorize the Mayor in consultation with the City Attorney, to send the attached correspondence to the Maryland General Assembly, Prince George's County Municipal Association, and Maryland Municipal League, stating the City of Hyattsville's position on the proposed police reform House and Senate bills.

Councilmember Solomon provided an introduction on the item thanking **Councilmember Schaible** for bringing a group together to hold serious discussions regarding policing and law enforcement guidelines exclusive to the City of Hyattsville stating that conversation had extended to areas outside the scope of the Council and the group was compelled to contact the State delegation to state the Body's position regarding several legislative measures that were under review of the Maryland State Assembly.

Councilmember Solomon explained that the motion listed 300 policing items that were being considered in the State legislature and items of which he urged Council on which to provide a position noting that correspondence on the matter had already been forwarded to the Police and Public Safety Citizens Advisory Committee (PPSCAC) and HCPD Interim Chief Scott Dunklee.

Councilmember Schaible supplemented that the group had been meeting for several months to discuss police reform matters and wanted to address some of the issues of which the Council did not have any authority over as a municipal government but could advocate for to the State Assembly. He described that the associated documentation included multiple omnibus bills as well as bills singularly presented. He stated that the letter would include commentary on requirements body worn cameras and several other mandates on law enforcement procedures.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, MARCH 1, 2021 7:00 PM

Councilmember Croslin expressed his appreciation for the involvement of the PPSCAC commending their report on the matters but disagreeing with the inclusion of language on School Resource Officers (SRO) as he was supportive of the ones that were currently active.

Councilmember Lawrence thanked everyone involved for their efforts and commended the legislation noting that, while he had not yet sorted through all of the bills, he was supportive of moving forward with the measure.

Councilmember Haba thanked those involved for their work and expressed support for the motion.

Councilmember Peabody echoed the comments of **Councilmember Lawrence** and recommended that Council review all of the material, especially resident input, and was in general support of the motion.

Councilmember Simasek expressed gratitude for the legislation thanking the PPSCAC for their report and clarifying that the supported legislation would not remove SROs from schools, rather it would adjust the times in which they were able to enter a building and limiting them from regular discipline.

Davion Percy, a consultant for the group from public affairs, added that legislators were focusing on bills that restrict the activity of SROs citing one of the concerns being an enhancement to the prison pipeline and to avoid SROs from being granted the authority to be involved in day-to-day discipline in cases where a student is unruly but not a physical threat.

Councilmember Solomon thanked the PPSCAC stating that he did not expect a response of the caliber received and he was extremely appreciative to have work produced at such a professional level.

12. **Council Dialogue (8:45 p.m. - 8:55 p.m.)**

Councilmember Solomon thanked City residents expressing appreciation for an involved community that strived to improve life in Hyattsville.

Councilmember Peabody encouraged all to receive their vaccinations for COVID-19 as soon as they were available.

Councilmember Croslin expressed appreciation for **Council Vice President Suiter** and all that she had contributed as a member of Council.

Councilmember Schaible expressed appreciation for **Council Vice President Suiter** and wished her well.

Councilmember Spell Wolf cited Women's History Month and International Women's Day and expressed appreciation for **Council Vice President Suiter** wishing her well in future endeavors.



**REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, MARCH 1, 2021 7:00 PM**

Councilmember Simasek thanked **Council Vice President Suiter** and **Councilmember Spell Wolf** for their contributions to the City and their camaraderie wishing both well.

Councilmember Lawrence echoed the sentiments of his colleagues and expressed his appreciation for what Council had been able to achieve.

Councilmember Haba stated that he wanted to enjoy the short time left with his two departing colleagues.

Interim Mayor Ward thanked **Council Vice President Suiter** and **Councilmember Spell Wolf** expressing appreciation for their work on City Council and navigating and balancing the responsibilities and challenges of public office, personal employment, and their roles as mothers and family members.

Council Vice President Suiter thanked her colleagues for their comments and noted that she would still be accessible in the City and looked forward to seeing her counterparts outside of regular business.

13. Community Notices and Meetings

**13.a) Main City Calendar March 2 - March 15, 2021
[HCC-246-FY21](#)**

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Main City Calendar Mar 2 - Mar 15 2021 FINAL](#)

14. Motion to Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Suiter
AYES:	Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

The meeting adjourned at 9:26 p.m.

**ATTEST:
March 25, 2021**

Laura Reams, City Clerk

Sean Corcoran, Deputy City Clerk



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-248-FY21

3/24/2021

6.a)

Submitted by: Joseph Solomon
Submitting Department: Legislative
Agenda Section: Action

Item Title:

Authorization to Send Letter to Maryland General Assembly on Pending Police Reform Legislation

Suggested Action:

I move that the Mayor and Council authorize the Mayor, in consultation with the City Attorney, to send the attached correspondence to the Maryland General Assembly, Prince George's County Municipal Association, and Maryland Municipal League stating the City of Hyattsville's position on the proposed police reform House and Senate bills.

Summary Background:

The Maryland General Assembly is currently considering a range of police reform measures that can impact both the Hyattsville City Police Department (HCPD) and Hyattsville Residents. This request is that the City provide an opinion on certain bills in the best interest of the City and its residents.

Next Steps:

Legal Review and Letter Drafting

Fiscal Impact:

N/A

City Administrator Comments:

For Council consideration.

Community Engagement:

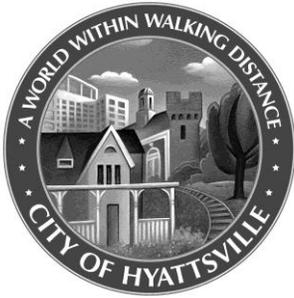
The letter was developed in conjunction with the Police and Public Safety Citizens' Advisory Committee (PPSCAC)

Strategic Goals:

Goal 4 - Foster Excellence in all City Operations

Legal Review Required?

Pending



Council Agenda Form

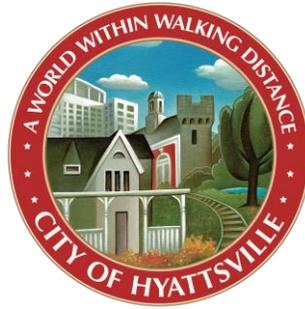
MOTION #		DRAFT #	
DATE SUBMITTED: 3/19/21	DATE TO GO BEFORE COUNCIL: LEAVE BLANK		
SUBMITTED BY: SOLOMON			
CO-SPONSORS: SCHIABLE, SIMASEK, PEABODY, WARD			
DEPARTMENT: Legislative			

TITLE OF MOTION: Authorization to Send Letter to Maryland General Assembly on Pending Police Reform Legislation
RECOMMENDATION: I move that the Mayor and Council authorize the Mayor in consultation with the City Attorney, to send the attached correspondence to the Maryland General Assembly, Prince George's County Municipal Association, and Maryland Municipal League, stating the City of Hyattsville's position on the proposed police reform House and Senate bills.
SUMMARY BACKGROUND: The Maryland General Assembly is currently considering a range of police reform measures that can impact both Hyattsville City Police Department and Hyattsville Residents. This request is that the City provide an opinion on certain bills in the best interest of the City and its residents.
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: Letter preparation
NEXT STEPS: Legal review & letter drafting
CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT:
SUPPORTING DOCUMENTATION:
FISCAL IMPACT:
COMMUNITY ENGAGEMENT: Sent to PPSCAC
STRATEGIC GOALS AND ACTIONS: Goal 4: Foster Excellence In City Operations, Goal 5: Strengthen City's Identity as a Diverse, Creative, and Welcoming Community

LEGAL REVIEW REQUIRED?:

YES

Kevin Ward
Interim Mayor



Tracey E. Douglas
City Administrator

INSERT DATE
ADDRESSEES

The City of Hyattsville understands Police Reform is a nuanced discussion. Absolutist reforms in any direction are not in the best interest of the public. A robust police reform agenda must maintain at its core an increase in transparency and accountability for potential bad actors while maintaining protections for police officers against frivolous lawsuits and complaints.

Police Reform & Accountability

The City of Hyattsville supports the general tenets of Police Reform outlined in HB670. This bill provides a comprehensive approach to police reform, and includes many aspects of police reform that the City of Hyattsville also supports, including:

- Like HB151, authorizes a repeal of the Law Enforcement Officer's Bill of Rights (LEOBR).
- Like HB139, establishes statewide standards on the use of force, de-escalation, use of no-knock warrants, and the duty to intervene.
- Like SB237 and HB707, returns control of the Baltimore City Police Department to the City of Baltimore.
- Like HB187 and HB152, implements a body worn camera (BWC) mandate for all officers state-wide. While Hyattsville has had a BWC mandate in place since 2016, we appreciate the difficulty municipalities may have with the expense of BWCs. To avoid an unfunded mandate, we support approaches that create grant programs to help offset the expense of BWC mandates.
- Authorizes a study to determine what 9-1-1 calls can be diverted from law enforcement to other community resources.
- Provides tuition assistance for public higher education graduates who serve as police officers for at least 5 years.

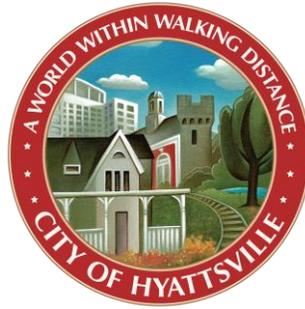
Prevent Sexual Abuse in Policing

Support HB411 and SB43, which prohibits officers from engaging in sexual activity with victims, witnesses, or suspects in their jurisdiction.

School Resource Officer (SRO) Reform

The City of Hyattsville does not support the complete removal of SROs from public schools. SROs have worked well in the City of Hyattsville feedback from both the general public

Kevin Ward
Interim Mayor



Tracey E. Douglas
City Administrator

and local administrators indicate an overall positive relation. However, the City of Hyattsville does support meaningful reform and further definition of the role and scope of SROs within schools. The City is in favor of some rules and restrictions to reduce abuses and inappropriate use of SROs as identified in HB522.

Mental Health Supports & Crisis Response

Mental Health Supports and Crisis Response services must be an integral part of any police reform measures. The City of Hyattsville supports:

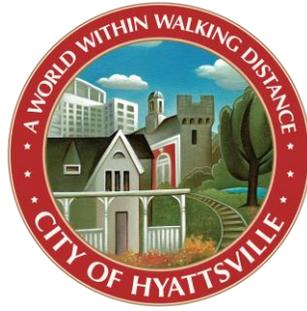
- HB537 – broadens community support opportunities regarding the transportation of individuals experiencing mental health hardship for an emergency evaluation.
- HB977 – allows existing residential development fees in Prince George's County to be allocated towards behavioral health interventions rather than just public safety.
- HB108 – Creates a grant program to provide support for Mobile Crisis Response

Enhanced Transparency and Accountability

The City of Hyattsville supports the reforms proposed in Anton's Law (HB120 and SB178) which amends the Maryland Public Information Act (MPIA) to make records relating to an administrative or criminal investigation of misconduct by a law enforcement officer exempt from protections afforded by the MPIA.

The City of Hyattsville believes that meaningful police reform is necessary to promote public safety while maintaining the trust and confidence of the general public. This means ensuring increased uniformity and transparency across the State and developing workable solutions for municipal jurisdictions. Police Reform is a complicated and often controversial and requires appreciation for and an acknowledgment of various viewpoints. This discussion requires elevating from the polarizing nature of traditional political discourse using transparency, accountability, and public health, safety, and well-being as our guiding light.

Kevin Ward
Interim Mayor



Tracey E. Douglas
City Administrator

DRAFT

MEMORANDUM

To: Hyattsville City Council

From: The Police & Public Safety Citizens' Advisory Committee

Date: March 1, 2021

The purpose of this memorandum is to respond to the Hyattsville City Council's inquiry on the package of police reform bills that are in front of the Maryland General Assembly this legislative session. The Police & Public Safety Citizens' Advisory Committee (PPSAC) would like to thank the Council for its solicitation of citizen input and would encourage the Council to reach out if further engagement or information would be helpful.

I. **Police Reform and Accountability Measures**

Like the Council, the PPSAC also generally supports the provisions included in the Police Reform and Accountability Act of 2021 (HB 670). The Act creates critical legislative changes that would enact reforms for the purpose of enhancing trust, preventing excessive use of force, and supporting officer safety and wellness.

Repeal of the Law Enforcement Officer Bill of Rights: Maryland's current Law Enforcement Officer Bill of Rights has legislated protections for police officers that have stood in the way of accountability. The LEOBOR stands at odds with nationwide standards and has garnered Maryland national notoriety for its codification of enhanced police protections, including requiring internal affairs units to wait five full days before questioning officers charged with misconduct and disallowing civilian oversight in handling police misconduct claims. The PPSAC recognizes these special protections - which are not afforded to citizens - hurt accountability and police-community relations. The PPSAC received additional citizen input from community members expressing their support of repealment.

PPSAC recognizes, however, that repealment of current accountability practices without viable alternatives may be counterproductive. The need to increase accountability must be weighed against the interest of standardization across the state and certainty for both officers and police executives in the disciplinary process.

It appears that the General Assembly is currently coalescing around retaining trial boards (but adding civilian representation) to handle officer misconduct allegations. While it is positive to have a path forward, it does leave certain questions unanswered with respect to police accountability measures. For example, would the retention of trial boards allow a police chief or sheriff to immediately terminate an officer convicted of a crime? The PPSAC would encourage the Council to work with its delegation to discuss the merits of any proposed action.

Statewide Standards in Use-of-Force Policies: The PPSAC commends the Council for its support of statewide standards to better regulate use-of-force. For example, the requirement to instate a de-escalation policy and provide the duty to intervene are common sense reforms that can help save lives and prevent the need for a disciplinary

action. Additionally, the heightened requirements on “no-knock” warrants strike a better balance than current law to ensure their limited use.

Control of the Baltimore City Police Department: The PPSAC commends the Council’s support of its neighbors’ ability to have a meaningful say in the operations of their own police department. For far too long, Annapolis has retained control of the BPD in ways that impeded reform and, concerningly, compliance with its Department of Justice consent decree. Aside from baseline standards that should be applied statewide, local governments should be able to determine the policies and practices of their own police departments.

Body-Worn Cameras: The PPSAC generally agrees with Council’s recommendations with respect to body-worn cameras (BWCs). This specific provision in the Act underscores that the Hyattsville Police Department has been a leader in the state in promoting excellence and progressive policing reform, as BWCs have already been deployed in the department. Research does demonstrate that BWCs, when implemented successfully, can reduce instances of use-of-force.

It is worth noting, however, that body-worn cameras are not a panacea for trust, and must be implemented with careful attention to considerations like privacy, legal compliance, and cost. Council may consider asking its delegation to ensure that municipal governments are consulted in the forthcoming POST policy and that it aligns with national standards, such as the Bureau of Justice Assistance’s Body-Worn Camera Toolkit.

Additionally, this requirement of the Act appears to constitute an unfunded mandate at a time when county and municipal governments are struggling under the burden of an economic crisis due to the ongoing pandemic. While the costs of procuring cameras themselves may be a small, one-time investment, the ongoing costs associated with data storage for the volume of video BWCs produce can prove challenging for many departments. The costs of BWCs may therefore disallow a police department from pursuing other important initiatives, such as deescalation or implicit bias training.

Diversion of 9-1-1 Calls: The Act’s commission of a study to determine which 9-1-1 calls may be diverted to civilian agencies is a commonsense first step. It is the PPSAC’s hope that the study will create evidence-based research to assess what calls for service may be appropriate for diversion and what should be retained for law enforcement response.

Tuition Assistance: PPSAC again commends the Council’s support of this provision. Policing is an honorable profession that requires committed, young professionals who reflect their community. Recruitment and retention of officers is essential to achieving excellence in policing. Creative mechanisms like tuition assistance help widen the candidate pool and provide meaningful support to those who choose to serve.

II. Preventing Sexual Abuse in Policing

Like the Council, the PPSAC supports legislation designed to prohibit sexual activity between law enforcement officers and victims, witnesses, and suspects. This prohibition

has been in place for corrections officers for years and makes sense to extend to law enforcement officers given the powers with which they are entrusted.

III. School Resource Officer (SRO) Reform

Based on its current understanding, the PPSAC believes that school administrators, HPD, students, and community members consider the HPD SRO program mutually beneficial. This was verified through a community survey conducted by Prince George's County Executive Alsobrooks and her Prince George's County Police Reform Task Force, where 82% of community respondents reported positive interactions with SROs in schools.

We are fortunate in Hyattsville to have police executives who have taken seriously their mandate to put officers who are best positioned to work with youth in our schools. We have also benefited in Hyattsville from the General Assembly's prior standardization of SRO training in the *Safe to Learn Act* and subsequent statewide training program at the Maryland Center for School Safety, which emphasizes important topics like trauma-informed counseling, restorative justice practices, de-escalation, and disability/diversity awareness.

The measures put forth in SB245, therefore, seem too reactionary and restrictive for a city like Hyattsville where SROs' contributions are appreciated. SROs play a greater role than simply jumping into response mode in the event of a critical incident. SROs can serve as a friend, mentor, and ambassador helping to create positive relationships with police. While the provisions to limit SRO's role in school discipline and to think through uniform selection are well-intentioned, the overly broad prohibition of SRO access to school grounds goes too far.

However, that does not mean that there are no opportunities for improvement in the use of SROs. The placement of law enforcement officers in schools is a relatively novel practice in policing. Furthermore, the responsibilities of SROs are unique and require specialization, commitment to working with youth, and emphasis on soft skills like relationship-building. Events have captured national attention where SROs have been inappropriately called upon to exact school discipline. There should be a bright line between school discipline and criminal behavior. The PPSAC finds the language in HB327 helpful to affirm that SROs' role should not be to mete out discipline within the school system. And given the importance of that principle, it makes sense that SROs should also be trained on that prohibition.

However, the PPSAC would urge the Council to think holistically about other measures that may help reduce the "school-to-prison pipeline." For example, the Council should consider the role of non-sworn PGCPD employees (i.e., "security personnel") who have arrest powers. What specific standards for training and conduct govern them? And what is the role of "security personnel" in enforcing discipline? The PPSAC is concerned that community members may conflate interactions with security personnel with law enforcement, which may, in turn, color their perceptions and trust with law enforcement writ large.

IV. Mental Health Support and Crisis Response

Of all topics referenced in this memorandum, there has been none that has galvanized the PPSAC in its current term more than mental health support and crisis response. The officer-involved death of Leonard Shand in Hyattsville has proved a catalyst for ongoing reform occurring in this community, which can be further supported by the Maryland General Assembly.

For too long, communities have refused to tackle complex issues like mental health and simply called the police to fix the problem for them. Given the dearth of mental health resources available - particularly for lower income or disadvantaged communities - it is not surprising that individuals in crisis often come to the attention of police (which should be a last resort) as a first resort.

The PPSAC believes that one of best ways to support HPD officers is to provide them with access to mental health professionals with the knowledge, skills, experience, and training so that they are not expected to perform services outside of their comfort zone and professional responsibility. This requires responding to mental health crises with mental health professionals.

The PPSAC applauds the leadership of HPD in its focus and attention on this issue, specifically in the hiring of a Mental Health Programs Manager and its extensive research into best practices in Crisis Intervention Training (CIT) for smaller municipalities. The PPSAC stands ready to support the Council and HPD in its ambitious plan to pilot the first municipally-driven CIT program in Maryland.

Given its existing prioritization of this issue, the PPSAC commends the Council's support of HB537. If this community is going to enable civilian response to mental health crises, it is important to remove the legal barriers that stand in its way. Furthermore, it makes sense that the Maryland Department of Health would prioritize mobile crisis teams comprised of civilians in its grant program, as would be required in HB108.

With respect to HB977, the PPSAC feels that it has insufficient information to provide a recommendation at this time. The PPSAC would like to know the exact dollar figure (and what percentage) of the HPD's budget comes from the residential development fee. If reapportionment of those funds would significantly hamper HPD operations and reduce the number of sworn officers, that information would be important to understand in order to better gauge the community's perspective in weighing the costs and benefits.

V. Enhanced Transparency and Accountability

The PPSAC is in agreement with the Council's support of measures to amend the Maryland Public Information Act, including HB120 and SB178. The public is entitled to records related to prior misconduct of officers and has the right to understand if individuals sworn to serve the community have a long history or pattern of misconduct. Only through increased transparency can there be increased trust between law enforcement and the communities they serve.

HOUSE BILL 108

J1

(PRE-FILED)

1lr1368
CF SB 286

By: **Delegate Charkoudian**

Requested: October 30, 2020

Introduced and read first time: January 13, 2021

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Behavioral Health Crisis Response Services – Modifications**

3 FOR the purpose of requiring the Maryland Department of Health to require that proposals
4 requesting Behavioral Health Crisis Response Grant Program funding contain
5 certain response standards; altering the proposals the Department is required to
6 prioritize in awarding grants under the Program; requiring a local behavioral health
7 authority, for each service or program that receives funding under the Program, to
8 make certain information available to the public; altering a certain system of
9 measurement that the Department is required to establish; requiring, for certain
10 fiscal years, the Governor to include in the budget bill certain appropriations for the
11 Program; requiring, beginning in a certain fiscal year, that at least a certain
12 proportion of the appropriation be used to award competitive grants for mobile crisis
13 teams; altering a certain crisis communication center that the Maryland Behavioral
14 Health Crisis Response System is required to include; establishing certain
15 requirements for certain data; altering the entities with which the Department must
16 collaborate when implementing the System; defining certain terms; and generally
17 relating to behavioral health crisis response services.

18 BY repealing and reenacting, with amendments,
19 Article – Health – General
20 Section 7.5–208, 10–1401, and 10–1403
21 Annotated Code of Maryland
22 (2019 Replacement Volume and 2020 Supplement)

23 BY repealing and reenacting, without amendments,
24 Article – Health – General
25 Section 10–1402
26 Annotated Code of Maryland
27 (2019 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health – General**

4 7.5–208.

5 (a) (1) In this section[,] THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (2) “MOBILE CRISIS TEAM” HAS THE MEANING STATED IN § 10–1401
8 OF THIS ARTICLE.

9 (3) “Program” means the Behavioral Health Crisis Response Grant
10 Program.

11 (b) (1) There is a Behavioral Health Crisis Response Grant Program in the
12 Department.

13 (2) The purpose of the Program is to provide funds to local jurisdictions to
14 establish and expand community behavioral health crisis response systems.

15 (c) The Department shall administer the Program.

16 (d) (1) The Program shall award competitive grants to local behavioral health
17 authorities to establish and expand behavioral health crisis response programs and
18 services that:

19 (i) Serve local behavioral health needs for children, adults, and
20 older adults;

21 (ii) Meet national standards;

22 (iii) Integrate the delivery of mental health and substance use
23 treatment; and

24 (iv) Connect individuals to appropriate community–based care in a
25 timely manner on discharge.

26 (2) Funds distributed to a local behavioral health authority under the
27 Program:

28 (i) May be used to establish or expand behavioral health crisis
29 response programs and services, such as:

30 1. Mobile crisis teams;

- 1 2. On-demand walk-in services;
- 2 3. Crisis residential beds; and
- 3 4. Other behavioral health crisis programs and services that
- 4 the Department considers eligible for Program funds; and

5 (ii) Shall be used to supplement, and not supplant, any other funding

6 for behavioral health crisis response programs and services.

7 (3) A local behavioral health authority may submit a proposal requesting

8 Program funding to the Department.

9 **(4) IN AWARDING GRANTS UNDER THIS SECTION, THE DEPARTMENT**

10 **SHALL REQUIRE THAT PROPOSALS CONTAIN RESPONSE STANDARDS THAT MINIMIZE**

11 **LAW ENFORCEMENT INTERACTION FOR INDIVIDUALS IN CRISIS.**

12 **[(4)] (5)** In awarding grants under this section, the Department shall

13 prioritize proposals that:

14 (i) Make use of more than one funding source;

15 (ii) Demonstrate efficiency in service delivery through

16 regionalization, integration of the behavioral health crisis program or service with existing

17 public safety and emergency resources, and other strategies to achieve economies of scale;

18 **[and]**

19 **(III) SERVE ALL MEMBERS OF THE IMMEDIATE COMMUNITY**

20 **WITH CULTURAL COMPETENCY AND APPROPRIATE LANGUAGE ACCESS;**

21 **(IV) COMMIT TO GATHERING FEEDBACK FROM THE COMMUNITY**

22 **ON AN ONGOING BASIS AND IMPROVING SERVICE DELIVERY CONTINUALLY BASED**

23 **ON THIS FEEDBACK;**

24 **(V) DEMONSTRATE STRONG PARTNERSHIPS WITH COMMUNITY**

25 **SERVICES THAT INCLUDE FAMILY MEMBER AND CONSUMER ADVOCACY**

26 **ORGANIZATIONS AND REGIONAL STAKEHOLDERS;**

27 **(VI) EVIDENCE A PLAN OF LINKING INDIVIDUALS IN CRISIS TO**

28 **PEER SUPPORT AND FAMILY SUPPORT SERVICES AFTER STABILIZATION; AND**

29 **[(iii)] (VII)** Evidence a strong plan for integration into the existing

30 behavioral health system of care and supports to provide seamless aftercare.

1 **[(5)] (6)** For each service or program that receives funding under the
 2 Program, a local behavioral health authority shall report to the Department **AND MAKE**
 3 **AVAILABLE TO THE PUBLIC** all [outcome]:

4 **(I) OUTCOME** measurement data required by the Department; **AND**

5 **(II) PUBLIC FEEDBACK RECEIVED FROM THE COMMUNITY**
 6 **THROUGH A COMBINATION OF SURVEYS, PUBLIC COMMENTS, TOWN HALL**
 7 **MEETINGS, AND OTHER METHODS.**

8 **[(6)] (7)** The Department shall establish:

9 (i) Application procedures;

10 (ii) A statewide system of outcome measurement to [assess]:

11 1. **ASSESS** the effectiveness and adequacy of behavioral
 12 health crisis response services and programs; **AND**

13 2. **PRODUCE DATA THAT SHALL BE:**

14 A. **COLLECTED, ANALYZED, AND PUBLICLY REPORTED**
 15 **BACK AT LEAST ANNUALLY; AND**

16 B. **DISAGGREGATED BY RACE, GENDER, AGE, AND ZIP**
 17 **CODE;**

18 (iii) Guidelines that require programs to bill third-party insurers
 19 and, when appropriate, the Maryland Medical Assistance Program; and

20 (iv) Any other procedures or criteria necessary to carry out this
 21 section.

22 (e) The Governor shall include in the annual operating budget bill the following
 23 amounts for the Program:

24 (1) \$3,000,000 for fiscal year 2020;

25 (2) \$4,000,000 for fiscal year 2021; [and]

26 (3) \$5,000,000 for fiscal year 2022;

27 (4) **\$8,000,000 FOR FISCAL YEAR 2023;**

28 (5) **\$9,000,000 FOR FISCAL YEAR 2024; AND**

1 **(6) \$10,000,000 FOR FISCAL YEAR 2025.**

2 **(F) BEGINNING IN FISCAL YEAR 2023, AT LEAST ONE-THIRD OF THE**
3 **APPROPRIATION REQUIRED UNDER SUBSECTION (E) OF THIS SECTION SHALL BE**
4 **USED TO AWARD COMPETITIVE GRANTS FOR MOBILE CRISIS TEAMS.**

5 **[(f)] (G)** On or before December 1 each year beginning in 2020, the Department
6 shall submit to the Governor and, in accordance with § 2-1257 of the State Government
7 Article, to the General Assembly a report that includes, for the most recent closed fiscal
8 year:

9 (1) The number of grants distributed;

10 (2) Funds distributed by county;

11 (3) Information about grant recipients and programs and services
12 provided; and

13 (4) Outcome data reported under the statewide system of measurement
14 required in subsection (d)(6)(ii) of this section.

15 10-1401.

16 (a) In this subtitle the following words have the meanings indicated.

17 (b) “Administration” means the Behavioral Health Administration.

18 (c) “Core service agency” has the meaning stated in § 7.5-101 of this article.

19 (d) “Crisis Response System” means the Maryland Behavioral Health Crisis
20 Response System.

21 **(E) “FAMILY SUPPORT SERVICES” HAS THE MEANING STATED IN § 7.5-101**
22 **OF THIS ARTICLE.**

23 **[(e)] (F)** “Local behavioral health authority” has the meaning stated in §
24 7.5-101 of this article.

25 **(G) “MOBILE CRISIS TEAM” MEANS A TEAM ESTABLISHED BY THE LOCAL**
26 **BEHAVIORAL HEALTH AUTHORITY THAT:**

27 **(1) OPERATES 24 HOURS A DAY AND 7 DAYS A WEEK TO PROVIDE**
28 **ASSESSMENTS, CRISIS INTERVENTION, STABILIZATION, FOLLOW-UP, AND**
29 **REFERRAL TO URGENT CARE AND TO ARRANGE APPOINTMENTS FOR INDIVIDUALS**
30 **TO OBTAIN BEHAVIORAL HEALTH SERVICES;**

1 **(2) INCORPORATES NATIONALLY RECOGNIZED STANDARDS AND BEST**
 2 **PRACTICES: AND**

3 **(3) PRIORITIZES:**

4 **(I) LIMITING INTERACTION OF LAW ENFORCEMENT WITH**
 5 **INDIVIDUALS IN CRISIS;**

6 **(II) PROVIDING CONNECTION TO SERVICES AND**
 7 **COORDINATING PATIENT FOLLOW-UP, INCLUDING PEER SUPPORT AND FAMILY**
 8 **SUPPORT SERVICES AFTER STABILIZATION; AND**

9 **(III) SERVING ALL MEMBERS OF THE IMMEDIATE COMMUNITY**
 10 **WITH CULTURAL COMPETENCY AND APPROPRIATE LANGUAGE ACCESS.**

11 10-1402.

12 (a) There is a Maryland Behavioral Health Crisis Response System in the
 13 Behavioral Health Administration.

14 (b) The Crisis Response System shall:

15 (1) Operate a statewide network utilizing existing resources and
 16 coordinating interjurisdictional services to develop efficient and effective crisis response
 17 systems to serve all individuals in the State, 24 hours a day and 7 days a week;

18 (2) Provide skilled clinical intervention to help prevent suicides, homicides,
 19 unnecessary hospitalizations, and arrests or detention, and to reduce dangerous or
 20 threatening situations involving individuals in need of behavioral health services; and

21 (3) Respond quickly and effectively to community crisis situations.

22 (c) The Administration shall consult with consumers of behavioral health
 23 services, family members, and behavioral health advocates in the development of the Crisis
 24 Response System.

25 10-1403.

26 (a) The Crisis Response System shall include:

27 (1) A crisis communication center in each jurisdiction or region to provide:

28 (i) A single point of entry to the Crisis Response System;

1 (ii) Coordination with the local core service agency or local
 2 behavioral health authority, police, **9-1-1 DISPATCH, 3-1-1, 2-1-1, OR OTHER LOCAL**
 3 **MENTAL HEALTH HOTLINES**, emergency medical service personnel, and behavioral health
 4 providers; [and]

5 (iii) **AUTHORITY FOR 9-1-1 TO DISPATCH MOBILE CRISIS**
 6 **TEAMS; AND**

7 [(iii)] (iv) Programs that may include:

8 1. A clinical crisis telephone line for suicide prevention and
 9 crisis intervention;

10 2. A hotline for behavioral health information, referral, and
 11 assistance;

12 3. Clinical crisis walk-in services, including:

13 A. Triage for initial assessment;

14 B. Crisis stabilization until additional services are available;

15 C. Linkage to treatment services and family and peer support
 16 groups; and

17 D. Linkage to other health and human services programs;

18 4. Critical incident stress management teams, providing
 19 disaster behavioral health services, critical incident stress management, and an on-call
 20 system for these services;

21 5. Crisis residential beds to serve as an alternative to
 22 hospitalization;

23 6. A community crisis bed and hospital bed registry,
 24 including a daily tally of empty beds;

25 7. Transportation coordination, ensuring transportation of
 26 patients to urgent appointments or to emergency psychiatric facilities;

27 8. Mobile crisis teams [operating 24 hours a day and 7 days
 28 a week to provide assessments, crisis intervention, stabilization, follow-up, and referral to
 29 urgent care, and to arrange appointments for individuals to obtain behavioral health
 30 services];

31 9. 23-hour holding beds;

1 10. Emergency psychiatric services;

2 11. Urgent care capacity;

3 12. Expanded capacity for assertive community treatment;

4 13. Crisis intervention teams with capacity to respond in each
5 jurisdiction 24 hours a day and 7 days a week; and

6 14. Individualized family intervention teams.

7 (2) Community awareness promotion and training programs; and

8 (3) An evaluation of outcomes of services through:

9 (i) An annual survey by the Administration of consumers and family
10 members who have received services from the Crisis Response System; and

11 (ii) Annual data collection on the number of behavioral health calls
12 received by police, attempted and completed suicides, unnecessary hospitalizations,
13 hospital diversions, arrests and detentions of individuals with behavioral health diagnoses,
14 and diversion of arrests and detentions of individuals with behavioral health diagnoses.

15 **(B) THE DATA DERIVED FROM THE EVALUATION OF OUTCOMES OF**
16 **SERVICES REQUIRED UNDER SUBSECTION (A)(3) OF THIS SECTION SHALL BE:**

17 **(1) COLLECTED, ANALYZED, AND PUBLICLY REPORTED AT LEAST**
18 **ANNUALLY;**

19 **(2) DISAGGREGATED BY RACE, GENDER, AGE, AND ZIP CODE; AND**

20 **(3) USED TO FORMULATE POLICY RECOMMENDATIONS WITH THE**
21 **GOAL OF DECREASING CRIMINAL DETENTION AND IMPROVING CRISIS DIVERSION**
22 **PROGRAMS AND LINKAGES TO EFFECTIVE COMMUNITY HEALTH SERVICES.**

23 **[(b)] (C)** The Crisis Response System services shall be implemented as
24 determined by the Administration in collaboration with the core service agency or local
25 behavioral health authority serving each jurisdiction **AND COMMUNITY MEMBERS OF**
26 **EACH JURISDICTION.**

27 **[(c)] (D)** An advance directive for mental health services under § 5–602.1 of this
28 article shall apply to the delivery of services under this subtitle.

29 **[(d)] (E)** This subtitle may not be construed to affect petitions for emergency
30 evaluations under § 10–622 of this title.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2021.

HOUSE BILL 120

P3, E4

(PRE-FILED)

11r0542
CF SB 178

By: **Delegates Acevero and Barron**

Requested: September 14, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Information Act – Personnel Records – Investigations of Law**
3 **Enforcement Officers**
4 **(Anton’s Law)**

5 FOR the purpose of establishing that a record relating to an administrative or criminal
6 investigation of misconduct by a law enforcement officer is not a personnel record for
7 purposes of certain provisions of the Public Information Act; authorizing a custodian
8 to deny inspection of records relating to an administrative or criminal investigation
9 of misconduct by a law enforcement officer; defining a certain term; providing for the
10 application of this Act; and generally relating to personnel records and the Public
11 Information Act.

12 BY renumbering

13 Article – General Provisions
14 Section 4–101(e) through (j), respectively
15 to be Section 4–101(f) through (k), respectively
16 Annotated Code of Maryland
17 (2019 Replacement Volume and 2020 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – General Provisions
20 Section 4–101(a)
21 Annotated Code of Maryland
22 (2019 Replacement Volume and 2020 Supplement)

23 BY adding to

24 Article – General Provisions
25 Section 4–101(e)
26 Annotated Code of Maryland
27 (2019 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
 2 Article – General Provisions
 3 Section 4–311 and 4–351
 4 Annotated Code of Maryland
 5 (2019 Replacement Volume and 2020 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 7 That Section(s) 4–101(e) through (j), respectively, of Article – General Provisions of the
 8 Annotated Code of Maryland be renumbered to be Section(s) 4–101(f) through (k),
 9 respectively.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 11 as follows:

12 **Article – General Provisions**

13 4–101.

14 (a) In this title the following words have the meanings indicated.

15 **(E) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN § 3–101**
 16 **OF THE PUBLIC SAFETY ARTICLE.**

17 4–311.

18 (a) Subject to subsection (b) of this section, a custodian shall deny inspection of a
 19 personnel record of an individual, including an application, a performance rating, or
 20 scholastic achievement information.

21 (b) A custodian shall allow inspection by:

22 (1) the person in interest;

23 (2) an elected or appointed official who supervises the work of the
 24 individual; or

25 (3) an employee organization described in Title 6 of the Education Article
 26 of the portion of the personnel record that contains the individual’s:

27 (i) home address;

28 (ii) home telephone number; and

29 (iii) personal cell phone number.

1 **(C) A RECORD RELATING TO AN ADMINISTRATIVE OR CRIMINAL**
2 **INVESTIGATION OF MISCONDUCT BY A LAW ENFORCEMENT OFFICER, INCLUDING AN**
3 **INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS**
4 **RELATING TO A DISCIPLINARY DECISION, IS NOT A PERSONNEL RECORD FOR**
5 **PURPOSES OF THIS SECTION.**

6 4-351.

7 (a) Subject to subsection (b) of this section, a custodian may deny inspection of:

8 (1) records of investigations conducted by the Attorney General, a State's
9 Attorney, a municipal or county attorney, a police department, or a sheriff;

10 (2) an investigatory file compiled for any other law enforcement, judicial,
11 correctional, or prosecution purpose; [or]

12 (3) records that contain intelligence information or security procedures of
13 the Attorney General, a State's Attorney, a municipal or county attorney, a police
14 department, a State or local correctional facility, or a sheriff; **OR**

15 **(4) RECORDS RELATING TO AN ADMINISTRATIVE OR CRIMINAL**
16 **INVESTIGATION OF MISCONDUCT BY A LAW ENFORCEMENT OFFICER, INCLUDING AN**
17 **INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS**
18 **RELATING TO A DISCIPLINARY DECISION.**

19 (b) A custodian may deny inspection by a person in interest only to the extent
20 that the inspection would:

21 (1) interfere with a valid and proper law enforcement proceeding;

22 (2) deprive another person of a right to a fair trial or an impartial
23 adjudication;

24 (3) constitute an unwarranted invasion of personal privacy;

25 (4) disclose the identity of a confidential source;

26 (5) disclose an investigative technique or procedure;

27 (6) prejudice an investigation; or

28 (7) endanger the life or physical safety of an individual.

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to
30 apply prospectively to any Public Information Act request made on or after the effective
31 date of this Act regardless of when the record requested to be produced was created.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2021.

HOUSE BILL 411

E4

(PRE-FILED)

11r0602
CF SB 43

By: **Delegates Williams, Bartlett, Crutchfield, Feldmark, and Lierman**

Requested: September 21, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Law Enforcement Officers – Prohibition on Sexual Activity**

3 FOR the purpose of prohibiting a law enforcement officer from engaging in certain sexual
4 acts, sexual contact, or vaginal intercourse with a certain victim, witness, or suspect
5 under certain circumstances or with a certain person requesting assistance from or
6 responding to the law enforcement officer under certain circumstances; establishing
7 a certain exception to the prohibition; and generally relating to law enforcement
8 officers.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 3–314
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2020 Supplement)

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

Article – Criminal Law

16
17 3–314.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) (i) “Correctional employee” means a:

20 1. correctional officer, as defined in § 8–201 of the
21 Correctional Services Article; or

22 2. managing official or deputy managing official of a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 correctional facility.

2 (ii) “Correctional employee” includes a sheriff, warden, or other
3 official who is appointed or employed to supervise a correctional facility.

4 (3) “Court–ordered services provider” means a person who provides
5 services to an individual who has been ordered by the court, the Division of Parole and
6 Probation, or the Department of Juvenile Services to obtain those services.

7 (4) (i) “Inmate” has the meaning stated in § 1–101 of this article.

8 (ii) “Inmate” includes an individual confined in a community adult
9 rehabilitation center.

10 (5) “Law enforcement officer” has the meaning stated in § 3–101 of the
11 Public Safety Article.

12 (b) (1) This subsection applies to:

13 (i) a correctional employee;

14 (ii) any other employee of the Department of Public Safety and
15 Correctional Services or a correctional facility;

16 (iii) an employee of a contractor providing goods or services to the
17 Department of Public Safety and Correctional Services or a correctional facility; and

18 (iv) any other individual working in a correctional facility, whether
19 on a paid or volunteer basis.

20 (2) A person described in paragraph (1) of this subsection may not engage
21 in sexual contact, vaginal intercourse, or a sexual act with an inmate.

22 (c) A person may not engage in sexual contact, vaginal intercourse, or a sexual
23 act with an individual confined in a child care institution licensed by the Department of
24 Juvenile Services, a detention center for juveniles, or a facility for juveniles listed in §
25 9–226(b) of the Human Services Article.

26 (d) A court–ordered services provider may not engage in sexual contact, vaginal
27 intercourse, or a sexual act with an individual ordered to obtain services while the order is
28 in effect.

29 (e) **(1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
30 **SUBSECTION, A law enforcement officer may not engage in sexual contact, vaginal**
31 **intercourse, or a sexual act with [a person in the custody of the law enforcement officer]:**

32 **(I) A VICTIM, WITNESS, OR SUSPECT IN AN INVESTIGATION**

1 DURING THE COURSE OF AN INVESTIGATION THAT THE LAW ENFORCEMENT
2 OFFICER IS CONDUCTING, SUPERVISING, OR ASSISTING WITH;

3 (II) A PERSON REQUESTING ASSISTANCE FROM OR RESPONDING
4 TO THE LAW ENFORCEMENT OFFICER IN THE COURSE OF THE LAW ENFORCEMENT
5 OFFICER'S OFFICIAL DUTIES; OR

6 (III) A PERSON IN THE CUSTODY OF THE LAW ENFORCEMENT
7 OFFICER.

8 (2) PARAGRAPH (1)(I) AND (II) OF THIS SUBSECTION DOES NOT
9 APPLY IF THE LAW ENFORCEMENT OFFICER HAD A PRIOR EXISTING LEGAL SEXUAL
10 RELATIONSHIP WITH THE PERSON, UNLESS AN INTERIM, TEMPORARY, OR FINAL
11 PROTECTIVE ORDER BETWEEN THE PARTIES IS IN EFFECT AT THE TIME OF THE
12 SEXUAL CONTACT, VAGINAL INTERCOURSE, OR SEXUAL ACT.

13 (f) A person who violates this section is guilty of a misdemeanor and on conviction
14 is subject to imprisonment not exceeding 3 years or a fine not exceeding \$3,000 or both.

15 (g) A sentence imposed for a violation of this section may be separate from and
16 consecutive to or concurrent with a sentence for another crime under § 3-303, § 3-304, or
17 §§ 3-307 through 3-310 of this subtitle, or § 3-305, § 3-306, § 3-311, or § 3-312 of this
18 subtitle as the sections existed before October 1, 2017.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2021.

HOUSE BILL 522

F1
HB 327/20 – W&M

1lr1703

By: **Delegate Washington**

Introduced and read first time: January 15, 2021

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – School Resource Officers – Prohibited Conduct**

3 FOR the purpose of prohibiting a school administrator or official or a school safety
4 coordinator from directing a school resource officer to enforce certain
5 discipline–related policies, rules, regulations, or procedures; prohibiting a school
6 resource officer from unilaterally enforcing certain discipline–related policies, rules,
7 regulations, or procedures; requiring a certain curriculum to include training in
8 conduct that is prohibited for school resource officers; and generally relating to
9 prohibited conduct of school administrators or officials, school safety coordinators,
10 and school resource officers.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 7–1508
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2020 Supplement)

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

18 **Article – Education**

19 7–1508.

20 (a) (1) Each local school system shall designate a school safety coordinator.

21 (2) A designated school safety coordinator shall:

22 (i) Be certified by the Center; and

23 (ii) Serve as a liaison between the local school system, the local law

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 enforcement agency, and the Center.

2 **(B) (1) A SCHOOL ADMINISTRATOR OR OFFICIAL OR A SCHOOL SAFETY**
 3 **COORDINATOR MAY NOT DIRECT A SCHOOL RESOURCE OFFICER TO ENFORCE**
 4 **DISCIPLINE-RELATED SCHOOL POLICIES, RULES, REGULATIONS, OR PROCEDURES.**

5 **(2) A SCHOOL RESOURCE OFFICER MAY NOT UNILATERALLY**
 6 **ENFORCE DISCIPLINE-RELATED SCHOOL POLICIES, RULES, REGULATIONS, OR**
 7 **PROCEDURES.**

8 **[(b)] (C) (1) (i)** On or before September 1, 2018, the Center, in
 9 consultation with local school systems, shall:

10 1. Develop a specialized curriculum for use in training of
 11 school resource officers and school security employees; and

12 2. Submit the curriculum to the Maryland Police Training
 13 and Standards Commission for approval.

14 (ii) The specialized curriculum developed under this subsection shall
 15 include training in:

16 1. De-escalation;

17 2. Disability awareness;

18 3. Maintaining a positive school climate;

19 4. Constructive interactions with students; [and]

20 5. Implicit bias and disability and diversity awareness with
 21 specific attention to racial and ethnic disparities; **AND**

22 **6. PROHIBITED CONDUCT.**

23 (iii) 1. The specialized curriculum developed under this
 24 subsection may not go into effect until it is approved by the Maryland Police Training and
 25 Standards Commission.

26 2. If the Maryland Police Training and Standards
 27 Commission does not initially approve the specialized curriculum, the Center shall amend
 28 the curriculum until it meets with the Commission's approval.

29 (2) On or before March 1, 2019, the Center shall develop and submit to the
 30 Maryland Police Training and Standards Commission for approval a model training
 31 program that meets the requirements of the curriculum approved under paragraph (1) of

1 this subsection.

2 (3) Each local law enforcement agency shall:

3 (i) Enroll individuals assigned to be school resource officers in the
4 model training program developed by the Center under paragraph (2) of this subsection; or

5 (ii) 1. Submit to the Maryland Police Training and Standards
6 Commission for approval a training program that is consistent with the curriculum
7 developed under paragraph (1) of this subsection; and

8 2. Enroll individuals assigned to be school resource officers
9 in the training program developed under item 1 of this item.

10 (4) Beginning September 1, 2019, to be assigned as a school resource officer
11 an individual shall:

12 (i) Complete:

13 1. The model training program developed by the Center
14 under paragraph (2) of this subsection through instruction provided by the Center in
15 collaboration with the Maryland Police Training and Standards Commission; or

16 2. A local law enforcement agency's training program
17 developed under paragraph (3)(ii) of this subsection; and

18 (ii) Be certified by the Maryland Police Training and Standards
19 Commission.

20 (5) Beginning September 1, 2019, to be employed as a school security
21 employee at a public school, an individual shall complete:

22 (i) The model training program developed by the Center under
23 paragraph (2) of this subsection through instruction provided by the Center in collaboration
24 with the Maryland Police Training and Standards Commission; or

25 (ii) A local law enforcement agency's training program developed
26 under paragraph (3)(ii) of this subsection.

27 **[(c)] (D)** The Center shall collect data regarding the school resource officers in
28 each local school system, including:

29 (1) The number of full-time and part-time school resource officers
30 assigned to each elementary school, middle school, and high school; and

31 (2) Any other local school system employees or local law enforcement
32 officers who are fulfilling the role of a school resource officer.

1 **[(d)] (E)** (1) On or before December 15, 2018, the Center, in collaboration
2 with local law enforcement agencies and local school systems, shall analyze the initial data
3 collected under subsection **[(c)] (D)** of this section and develop guidelines to assist local
4 school systems in:

5 (i) Identifying the appropriate number and assignment of school
6 resource officers, including supplemental coverage by local law enforcement agencies; and

7 (ii) Collaborating and communicating with local law enforcement
8 agencies.

9 (2) On or before July 1, 2019, each local school system, in consultation with
10 local law enforcement agencies, shall:

11 (i) Develop a plan to implement the guidelines developed by the
12 Center; and

13 (ii) Submit the plan to the Center for review and comment.

14 **[(e)] (F)** (1) Before the 2018–2019 school year begins, each local school
15 system shall file a report with the Center identifying:

16 (i) The public high schools in the local school system’s jurisdiction
17 that have a school resource officer assigned to the school; and

18 (ii) If a public high school in the local school system’s jurisdiction is
19 not assigned a school resource officer, the adequate local law enforcement coverage that
20 will be provided to the public high school.

21 (2) Beginning with the 2019–2020 school year, and each school year
22 thereafter, before the school year begins, each local school system shall, in accordance with
23 the plan developed under subsection **[(d)(2)] (E)(2)** of this section, file a report identifying:

24 (i) The public schools in the local school system’s jurisdiction that
25 have a school resource officer assigned to the school; and

26 (ii) If a public school in the local school system’s jurisdiction is not
27 assigned a school resource officer, the adequate local law enforcement coverage that will be
28 provided to the public school.

29 (3) On or before October 1, 2018, and each October 1 thereafter, the Center
30 shall submit a summary of the reports required under this subsection to the Governor and,
31 in accordance with § 2–1257 of the State Government Article, the General Assembly.

32 **[(f)] (G)** Each local school system shall post on the school system’s website
33 information on the role and authority of school resource officers assigned to public schools

1 within the school system.

2 **[(g)] (H)** (1) For fiscal year 2020 and each fiscal year thereafter, the Governor
3 shall appropriate in the annual State budget \$10,000,000 to the Fund for the purpose of
4 providing grants to local school systems and local law enforcement agencies to assist in
5 meeting the requirements of subsection **[(e)] (F)** of this section.

6 (2) Grants provided under this subsection shall be made to each local
7 school system based on the number of schools in each school system in proportion to the
8 total number of public schools in the State in the prior year.

9 **[(h)] (I)** (1) The Center shall collect data on incidents of use of force between:

10 (i) Any school resource officer and a student while a school resource
11 officer is carrying out the officer's duties; and

12 (ii) Any school security employee and a student while the school
13 security employee is carrying out the employee's duties.

14 (2) On or before December 1, 2020, and each December 1 thereafter, the
15 Center shall submit a report on the data collected under paragraph (1) of this subsection
16 for each jurisdiction, in accordance with federal and State law, to the Governor and, in
17 accordance with § 2-1257 of the State Government Article, the General Assembly.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2021.

HOUSE BILL 537

J1

1lr1887
CF SB 398

By: **Delegate Ruth**

Introduced and read first time: January 15, 2021

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Mental Health Law – Petitions for Emergency Evaluation – Procedures**

3 FOR the purpose of authorizing, rather than requiring, a certain petitioner for emergency
4 evaluation of an individual to give the petition to a peace officer; repealing the
5 requirement that a peace officer explain certain information to a certain petitioner;
6 requiring a certain petitioner for emergency evaluation to take an emergency evaluatee
7 to the nearest emergency facility under certain circumstances; requiring, to the
8 extent practicable, a certain petitioner to notify the emergency facility in advance
9 that the petitioner is bringing an emergency evaluatee to the emergency facility;
10 providing that a certain petitioner who brings an emergency evaluatee to an emergency
11 facility is not required to stay with the emergency evaluatee; and generally relating to
12 petitions for emergency evaluation.

13 BY repealing and reenacting, with amendments,
14 Article – Health – General
15 Section 10–622 and 10–624
16 Annotated Code of Maryland
17 (2019 Replacement Volume and 2020 Supplement)

18 BY repealing and reenacting, without amendments,
19 Article – Health – General
20 Section 10–623
21 Annotated Code of Maryland
22 (2019 Replacement Volume and 2020 Supplement)

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

25 **Article – Health – General**

26 10–622.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) A petition for emergency evaluation of an individual may be made under this
2 section only if the petitioner has reason to believe that the individual:

3 (1) Has a mental disorder; and

4 (2) Presents a danger to the life or safety of the individual or of others.

5 (b) (1) The petition for emergency evaluation of an individual may be made by:

6 (i) A physician, psychologist, clinical social worker, licensed clinical
7 professional counselor, clinical nurse specialist in psychiatric and mental health nursing,
8 psychiatric nurse practitioner, licensed clinical marriage and family therapist, or health
9 officer or designee of a health officer who has examined the individual;

10 (ii) A peace officer who personally has observed the individual or the
11 individual's behavior; or

12 (iii) Any other interested person.

13 (2) An individual who makes a petition for emergency evaluation under
14 paragraph (1)(i) or (ii) of this subsection may base the petition on:

15 (i) The examination or observation; or

16 (ii) Other information obtained that is pertinent to the factors giving
17 rise to the petition.

18 (c) (1) A petition under this section shall:

19 (i) Be signed and verified by the petitioner;

20 (ii) State the petitioner's:

21 1. Name;

22 2. Address; and

23 3. Home and work telephone numbers;

24 (iii) State the emergency evaluatee's:

25 1. Name; and

26 2. Description;

27 (iv) State the following information, if available:

1 1. The address of the emergency evaluatee; and

2 2. The name and address of the spouse or a child, parent, or
3 other relative of the emergency evaluatee or any other individual who is interested in the
4 emergency evaluatee;

5 (v) If the individual who makes the petition for emergency
6 evaluation is an individual authorized to do so under subsection (b)(1)(i) of this section,
7 contain the license number of the individual;

8 (vi) Contain a description of the behavior and statements of the
9 emergency evaluatee or any other information that led the petitioner to believe that the
10 emergency evaluatee has a mental disorder and that the individual presents a danger to the
11 life or safety of the individual or of others; and

12 (vii) Contain any other facts that support the need for an emergency
13 evaluation.

14 (2) The petition form shall contain a notice that the petitioner:

15 (i) May be required to appear before a court; and

16 (ii) Makes the statements under penalties of perjury.

17 (d) **[(1)]** A petitioner who is a physician, psychologist, clinical social worker,
18 licensed clinical professional counselor, clinical nurse specialist in psychiatric and mental
19 health nursing, psychiatric nurse practitioner, licensed clinical marriage and family
20 therapist, health officer, or designee of a health officer **[shall] MAY** give the petition to a
21 peace officer.

22 **[(2)]** The peace officer shall explain to the petitioner:

23 (i) The serious nature of the petition; and

24 (ii) The meaning and content of the petition.]

25 10-623.

26 (a) If the petitioner under Part IV of this subtitle is not a physician, psychologist,
27 clinical social worker, licensed clinical professional counselor, clinical nurse specialist in
28 psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical
29 marriage and family therapist, health officer or designee of a health officer, or peace officer,
30 the petitioner shall present the petition to the court for immediate review.

31 (b) After review of the petition, the court shall endorse the petition if the court
32 finds probable cause to believe that the emergency evaluatee has shown the symptoms of a

1 mental disorder and that the individual presents a danger to the life or safety of the
2 individual or of others.

3 (c) If the court does not find probable cause, the court shall indicate that fact on
4 the petition, and no further action may be taken under the petition.

5 10-624.

6 (a) (1) A **PHYSICIAN, PSYCHOLOGIST, CLINICAL SOCIAL WORKER,**
7 **LICENSED CLINICAL PROFESSIONAL COUNSELOR, CLINICAL NURSE SPECIALIST IN**
8 **PSYCHIATRIC AND MENTAL HEALTH NURSING, PSYCHIATRIC NURSE PRACTITIONER,**
9 **LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST, HEALTH OFFICER OR**
10 **DESIGNEE OF A HEALTH OFFICER, OR** peace officer shall take an emergency evaluatee to
11 the nearest emergency facility if the **PHYSICIAN, PSYCHOLOGIST, CLINICAL SOCIAL**
12 **WORKER, LICENSED CLINICAL PROFESSIONAL COUNSELOR, CLINICAL NURSE**
13 **SPECIALIST IN PSYCHIATRIC AND MENTAL HEALTH NURSING, PSYCHIATRIC NURSE**
14 **PRACTITIONER, LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST, HEALTH**
15 **OFFICER OR DESIGNEE OF A HEALTH OFFICER, OR** peace officer has a petition under
16 Part IV of this subtitle that:

17 (i) Has been endorsed by a court within the last 5 days; or

18 (ii) Is signed and submitted by a physician, psychologist, clinical
19 social worker, licensed clinical professional counselor, clinical nurse specialist in
20 psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical
21 marriage and family therapist, health officer or designee of a health officer, or peace officer.

22 (2) To the extent practicable, a **PHYSICIAN, PSYCHOLOGIST, CLINICAL**
23 **SOCIAL WORKER, LICENSED CLINICAL PROFESSIONAL COUNSELOR, CLINICAL**
24 **NURSE SPECIALIST IN PSYCHIATRIC AND MENTAL HEALTH NURSING, PSYCHIATRIC**
25 **NURSE PRACTITIONER, LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST,**
26 **HEALTH OFFICER OR DESIGNEE OF A HEALTH OFFICER, OR** peace officer [shall notify
27 the emergency facility in advance that the peace officer] **WHO** is bringing an emergency
28 evaluatee to the emergency facility **SHALL NOTIFY THE EMERGENCY FACILITY IN**
29 **ADVANCE.**

30 (3) (I) After a peace officer brings the emergency evaluatee to an
31 emergency facility, the peace officer need not stay unless, because the emergency evaluatee
32 is violent, emergency facility personnel ask the supervisor of the peace officer to have the
33 peace officer stay.

34 (II) A **PHYSICIAN, PSYCHOLOGIST, CLINICAL SOCIAL WORKER,**
35 **LICENSED CLINICAL PROFESSIONAL COUNSELOR, CLINICAL NURSE SPECIALIST IN**
36 **PSYCHIATRIC AND MENTAL HEALTH NURSING, PSYCHIATRIC NURSE PRACTITIONER,**
37 **LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST, HEALTH OFFICER OR**

1 **DESIGNEE OF A HEALTH OFFICER WHO BRINGS AN EMERGENCY EVALUEE TO AN**
2 **EMERGENCY FACILITY NEED NOT STAY WITH THE EMERGENCY EVALUEE.**

3 (4) A peace officer shall stay until the supervisor responds to the request
4 for assistance. If the emergency evaluatee is violent, the supervisor shall allow the peace
5 officer to stay.

6 (5) If emergency facility personnel ask that a peace officer stay, a physician
7 shall examine the emergency evaluatee as promptly as possible.

8 (b) (1) If the petition is executed properly, the emergency facility shall accept
9 the emergency evaluatee.

10 (2) Within 6 hours after an emergency evaluatee is brought to an emergency
11 facility, a physician shall examine the emergency evaluatee, to determine whether the
12 emergency evaluatee meets the requirements for involuntary admission.

13 (3) Promptly after the examination, the emergency evaluatee shall be
14 released unless the emergency evaluatee:

15 (i) Asks for voluntary admission; or

16 (ii) Meets the requirements for involuntary admission.

17 (4) An emergency evaluatee may not be kept at an emergency facility for
18 more than 30 hours.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2021.

HOUSE BILL 670

E4

1lr1071

By: **The Speaker (By Request – Workgroup to Address Police Reform and Accountability)**

Introduced and read first time: January 26, 2021

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Police Reform and Accountability Act of 2021**

3 FOR the purpose of repealing the Law Enforcement Officers’ Bill of Rights; providing that
4 the Police Department of Baltimore City is an agency and instrumentality of the City
5 of Baltimore, instead of the State; providing that certain police officers have the
6 authority conferred under a certain provision of law; altering a certain ground for
7 issuance of a certain search warrant; repealing a certain ground for issuance of a
8 certain search warrant; authorizing a judge to issue a certain “no–knock” search
9 warrant only under certain circumstances; providing that a warrant to search a
10 residence shall be executed between certain times, absent certain circumstances;
11 providing that an individual attending a certain institution of higher education is
12 exempt from paying tuition under certain circumstances; requiring an individual
13 who has received a certain exemption from tuition payment to pay a certain value to
14 a certain institution under certain circumstances; altering the membership of the
15 Maryland Police Training and Standards Commission; requiring the Commission to
16 develop and administer training programs on certain matters for citizens who intend
17 to qualify to participate as a member of a certain charging committee and citizens
18 who are appointed to serve as members of the Commission; requiring the
19 Commission to take certain actions in response to certain violations of a certain Use
20 of Force Statute; requiring the Commission to develop a test and training for implicit
21 bias, require certain law enforcement agencies to use the implicit bias test at a
22 certain time, and require certain police officers to complete implicit bias testing and
23 training at certain times; altering a certain requirement for police officer certification
24 that an individual submit to a psychological evaluation to require that an individual
25 submit to a mental health screening by a certain professional; adding as a
26 requirement for police officer certification that an individual submit to a certain
27 physical agility assessment; requiring a police officer, as a condition of certification,
28 to submit to a mental health assessment and a physical agility assessment at a
29 certain time for a certain purpose; establishing that prior marijuana use is not a
30 disqualifier for certification as a police officer and may not be the basis for

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 disqualifying an applicant for a position as police officer; requiring, at certain
2 intervals beginning on a certain date, a law enforcement agency that maintains a
3 SWAT team to report certain information to the Governor's Office of Crime
4 Prevention, Youth, and Victim Services using a certain format; requiring the
5 Commission, in consultation with the Office, to develop a standardized format that
6 certain law enforcement agencies shall use in reporting certain data relating to the
7 activation and deployment of certain SWAT teams to the Office and to certain local
8 officials; requiring a law enforcement agency to compile certain information as a
9 report in a certain format and to submit the report to the Office no later than a
10 certain date following the period that is the subject of the report; requiring the Office
11 to analyze and summarize certain reports of law enforcement agencies and to submit
12 a report of the analyses and summaries to the Governor, the General Assembly, and
13 each law enforcement agency before a certain date each year; providing that, if a law
14 enforcement agency fails to comply with certain reporting requirements, the Office
15 shall report the noncompliance to the Commission; providing that the Commission
16 shall contact a certain law enforcement agency and request that the agency comply
17 with certain reporting requirements under certain circumstances; providing that, if
18 a certain law enforcement agency fails to comply with certain reporting requirements
19 within a certain period after being contacted by the Commission, the Office and the
20 Commission jointly shall make a certain report to the Governor and the Legislative
21 Policy Committee of the General Assembly and publish the report on its website;
22 requiring each law enforcement agency to require the use of body-worn cameras on
23 or before a certain date; altering a certain provision of law requiring each law
24 enforcement agency to establish a certain early intervention policy to require a
25 system instead of a policy, repeal the requirement that the system be confidential
26 and nonpunitive, and alter the purpose and function of the system; requiring the
27 Commission to develop guidelines for a certain early intervention system; requiring
28 that a certain shooting or other incident be investigated by a certain investigative
29 agency; requiring a law enforcement agency to notify a certain investigative agency
30 of a certain shooting or other incident at a certain time and cooperate with the
31 investigative agency in a certain investigation; requiring a certain investigative
32 agency to submit a certain report to a certain State's Attorney and publicize the
33 report at a certain time; requiring the Governor to annually include certain funding
34 in the State budget; requiring each police officer to sign a certain pledge; providing
35 that a police officer may only use certain force; requiring a police officer to take
36 certain steps to gain compliance and de-escalate conflict under certain
37 circumstances; requiring a police officer to intervene to prevent or terminate the use
38 of certain force by a certain police officer; requiring a police officer to render certain
39 first aid to a certain subject and request certain assistance at a certain time;
40 requiring a police supervisor to respond to the scene of a certain incident and gather
41 and review certain recordings; requiring a police officer to document certain
42 incidents in a certain manner; requiring a law enforcement agency to adopt a certain
43 policy; requiring a police officer to undergo certain training; requiring a police officer
44 to sign a certain training completion document; providing that a police officer may
45 only use deadly force for a certain purpose; requiring all police officers to undergo
46 less-lethal force training and be trained and equipped with certain less-lethal
47 weapons; prohibiting a police officer from shooting at a certain vehicle except under

1 certain circumstances; prohibiting a police officer from using a chokehold, neck
 2 restraint, or a certain other type of restraint; prohibiting a law enforcement agency
 3 from acquiring a certain armored or weaponized vehicle; requiring a law enforcement
 4 agency to have a written de-escalation of force policy; prohibiting a police officer
 5 from knowingly and willfully violating certain provisions of this Act; prohibiting a
 6 police officer from recklessly violating certain provisions of this Act; establishing
 7 certain penalties for a violation of certain provisions of this Act; requiring the
 8 Governor's Office of Crime Prevention, Youth, and Victim Services to withhold grant
 9 funding from a certain law enforcement agency; establishing that a certain provision
 10 of law shall be known as the Maryland Use of Force Statute; requiring the Maryland
 11 Police Training and Standards Commission to submit a certain annual report to the
 12 Governor and General Assembly; requiring each law enforcement agency to establish
 13 and implement a certain police discipline process with certain requirements;
 14 requiring each law enforcement agency to post the police discipline process on the
 15 agency's public website; requiring certain members of trial boards and
 16 administrative charging committees to receive certain training; prohibiting a law
 17 enforcement agency from negating or altering certain requirements of a certain
 18 provision of law through collective bargaining; providing for the establishment,
 19 composition, and duties of an administrative charging committee; requiring, that on
 20 completion of a certain investigation, a law enforcement agency forward the
 21 investigatory files for certain matters to an administrative charging committee;
 22 requiring that a certain allegation proceed in accordance with the policies and
 23 procedures of a certain law enforcement agency; providing that the meetings of an
 24 administrative charging committee are not subject to the requirements of the Open
 25 Meetings Act; requiring the Emergency Number Systems Board to conduct a certain
 26 study and submit a certain report; providing for the application of a certain provision
 27 of this Act; requiring a certain publisher, in consultation with and subject to the
 28 approval of the Department of Legislative Services, to correct certain
 29 cross-references and terminology and describe a certain correction in a certain
 30 manner; making conforming changes; defining certain terms; and generally relating
 31 to police reform.

32 BY renumbering

33 Article – Public Safety

34 Section 1–101(c) and (d) and 3–101(e), respectively
 35 to be Section 1–101(d) and (e) and (c), respectively

36 Annotated Code of Maryland

37 (2018 Replacement Volume and 2020 Supplement)

38 BY repealing

39 Article – Public Safety

40 Section 3–101 through 3–113 and the subtitle “Subtitle 1. Law Enforcement Officers’
 41 Bill of Rights”

42 Annotated Code of Maryland

43 (2018 Replacement Volume and 2020 Supplement)

44 BY repealing and reenacting, with amendments,

1 The Public Local Laws of Baltimore City
 2 Section 16–2(a) and 16–3
 3 Article 4 – Public Local Laws of Maryland
 4 (1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

5 BY repealing and reenacting, with amendments,
 6 Article – Criminal Procedure
 7 Section 1–203(a)(2)(vi)
 8 Annotated Code of Maryland
 9 (2018 Replacement Volume and 2020 Supplement)

10 BY adding to
 11 Article – Criminal Procedure
 12 Section 1–203(a)(7)
 13 Annotated Code of Maryland
 14 (2018 Replacement Volume and 2020 Supplement)

15 BY adding to
 16 Article – Education
 17 Section 15–106.11
 18 Annotated Code of Maryland
 19 (2018 Replacement Volume and 2020 Supplement)

20 BY repealing and reenacting, with amendments,
 21 Article – Public Safety
 22 Section 3–203, 3–207(g), 3–209, 3–215, 3–511, and 3–516
 23 Annotated Code of Maryland
 24 (2018 Replacement Volume and 2020 Supplement)

25 BY adding to
 26 Article – Public Safety
 27 Section 3–207(j) and (k), 3–508, and 3–523 through 3–526
 28 Annotated Code of Maryland
 29 (2018 Replacement Volume and 2020 Supplement)

30 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 31 That Section(s) 1–101(c) and (d) and 3–101(e), respectively, of Article – Public Safety of the
 32 Annotated Code of Maryland be renumbered to be Section(s) 1–101(d) and (e) and (c),
 33 respectively.

34 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 3–101 through
 35 3–113 and the subtitle “Subtitle 1. Law Enforcement Officers’ Bill of Rights” of Article –
 36 Public Safety of the Annotated Code of Maryland be repealed.

37 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 38 as follows:

1 **Article 4 – Baltimore City**

2 16–2.

3 (a) The Police Department of Baltimore City is hereby constituted and
 4 established as an agency and instrumentality of the [State of Maryland] **CITY OF**
 5 **BALTIMORE**. The purpose generally of the department shall be to safeguard the lives and
 6 safety of all persons within the City of Baltimore, to protect property therein, and to assist
 7 in securing to all persons the equal protection of the laws. The department shall have,
 8 within the boundaries of said city, the specific duty and responsibility to preserve the public
 9 peace; to detect and prevent the commission of crime; to enforce the laws of this State, and
 10 of the Mayor and City Council of Baltimore not inconsistent with the provisions of this
 11 subtitle; to apprehend and arrest criminals and persons who violate or are lawfully accused
 12 of violating such laws and ordinances; to preserve order at public places; to maintain the
 13 orderly flow of traffic on public streets and highways; to assist law enforcement agencies of
 14 this State, any municipality of the United States in carrying out their respective duties;
 15 and to discharge its duties and responsibilities with the dignity and manner which will
 16 inspire public confidence and respect.

17 16–3.

18 (a) All police officers of the department, including such other members thereof
 19 who may be designated by the Commissioner from time to time to exercise the powers and
 20 duties of police officers, shall [be peace officers and shall have the same powers, with
 21 respect to criminal matters, and the enforcement of the laws related thereto, as sheriffs,
 22 constables, police and peace officers possessed at common law and have in their respective
 23 jurisdictions. Any person charged with commission of crime in the City of Baltimore, or in
 24 those areas outside the corporate limits of Baltimore City owned, controlled, operated or
 25 leased by the Mayor and City Council of Baltimore, and against whom criminal process
 26 shall have issued, may be arrested upon the same in any part of the State by police officers
 27 of the department, as constituted and established by this subtitle] **HAVE THE AUTHORITY**
 28 **CONFERRED UNDER TITLE 2 OF THE CRIMINAL PROCEDURE ARTICLE OF THE**
 29 **ANNOTATED CODE OF MARYLAND.**

30 (b) All police officers of the department shall have and enjoy all the immunities
 31 and matters of defense now available, or such as hereafter may be made available, to
 32 sheriffs, constables, police and peace officers in any suit, civil or criminal, brought against
 33 them in consequence of acts done in the course of their official duties.

34 **Article – Criminal Procedure**

35 1–203.

36 (a) (2) (vi) An application for a search warrant may contain a request that
 37 the search warrant authorize the executing law enforcement officer to enter the building,
 38 apartment, premises, place, or thing to be searched without giving notice of the officer's

1 authority or purpose, on the [grounds] **GROUND** that there is [reasonable suspicion to
2 believe] **CLEAR AND CONVINCING EVIDENCE** that, without the authorization[:

3 1. the property subject to seizure may be destroyed, disposed
4 of, or secreted; or

5 2.] the life or safety of the executing officer or another person
6 may be endangered.

7 **(7) A WARRANT TO SEARCH A RESIDENCE SHALL BE EXECUTED**
8 **BETWEEN 8:00 A.M. AND 7:00 P.M., ABSENT EXIGENT CIRCUMSTANCES.**

9 **Article – Education**

10 **15–106.11.**

11 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
12 **INDICATED.**

13 **(2) “POLICE OFFICER” HAS THE MEANING STATED IN § 3–201 OF THE**
14 **PUBLIC SAFETY ARTICLE.**

15 **(3) “TUITION” MEANS THE CHARGES IMPOSED BY AN INSTITUTION OF**
16 **HIGHER EDUCATION FOR ALL CREDIT-BEARING COURSES REQUIRED AS A**
17 **CONDITION OF ENROLLMENT AT THE INSTITUTION.**

18 **(B) AN INDIVIDUAL ATTENDING A PUBLIC INSTITUTION OF HIGHER**
19 **EDUCATION IS EXEMPT FROM PAYING TUITION IF THE INDIVIDUAL:**

20 **(1) IS ENROLLED IN A 4-YEAR DEGREE PROGRAM IN CRIMINAL LAW,**
21 **CRIMINOLOGY, OR CRIMINAL JUSTICE;**

22 **(2) IS ELIGIBLE FOR IN-STATE TUITION; AND**

23 **(3) INTENDS TO BECOME A POLICE OFFICER AFTER GRADUATION.**

24 **(C) AN INDIVIDUAL WHO HAS RECEIVED AN EXEMPTION FROM TUITION**
25 **PAYMENT UNDER SUBSECTION (B) OF THIS SECTION SHALL PAY TO THE**
26 **INSTITUTION THE TOTAL VALUE OF THE TUITION EXEMPTION RECEIVED IF THE**
27 **INDIVIDUAL FAILS TO:**

28 **(1) EARN A 4-YEAR DEGREE IN CRIMINAL LAW, CRIMINOLOGY, OR**
29 **CRIMINAL JUSTICE WITHIN 7 YEARS AFTER STARTING THE PROGRAM; AND**

1 **[(15)] (9)** the following individuals, appointed by the Governor with the
2 advice and consent of the Senate:

3 (i) **[three police officers, representing different geographic areas of**
4 the State;

5 (ii) **] one individual with expertise in community policing;**

6 **[(iii)] (II)** one individual with expertise in policing standards;

7 **[(iv)] (III)** one individual with expertise in mental health **WITHOUT**
8 **RELATIONSHIPS TO LAW ENFORCEMENT;** and

9 **[(v)] (IV)** **[two] NINE** citizens of the State without relationships to
10 law enforcement.

11 (b) (1) The term of an appointed member is 3 years.

12 (2) The terms of the appointed members are staggered as required by the
13 terms provided for members of the Commission on October 1, 2016.

14 (3) At the end of a term, an appointed member continues to serve until a
15 successor is appointed and qualifies.

16 (4) A member who is appointed after a term has begun serves only for the
17 remainder of the term and until a successor is appointed and qualifies.

18 (c) Except for the appointed members, a member of the Commission may serve
19 personally at a Commission meeting or may designate a representative from the member's
20 unit, agency, or association who may act at any meeting to the same effect as if the member
21 were personally present.

22 **[(d)** The members of the Commission appointed from the Senate of Maryland and
23 the House of Delegates shall serve in an advisory capacity only.]

24 3-207.

25 (g) The Commission shall develop and administer:

26 (1) a training program on **[the Law Enforcement Officers' Bill of Rights**
27 **and]** matters relating to police procedures for citizens who intend to qualify to participate
28 as a member of a **[hearing board under § 3-107 of this title] TRIAL BOARD OR CHARGING**
29 **COMMITTEE UNDER § 3-525 OF THIS TITLE; AND**

30 (2) **A TRAINING PROGRAM ON MATTERS RELATING TO POLICE**

1 TRAINING AND STANDARDS FOR CITIZENS WHO ARE APPOINTED TO SERVE AS
2 MEMBERS OF THE COMMISSION.

3 (J) THE COMMISSION SHALL:

4 (1) (I) HOLD LAW ENFORCEMENT AGENCIES ACCOUNTABLE FOR
5 VIOLATIONS OF THE USE OF FORCE STATUTE UNDER § 3-524 OF THIS TITLE; AND

6 (II) WORK WITH THE COMPTROLLER AND THE GOVERNOR'S
7 OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES TO ENSURE THAT
8 STATE GRANT FUNDING IS WITHHELD FROM A LAW ENFORCEMENT AGENCY THAT
9 VIOLATES THE USE OF FORCE STATUTE UNDER § 3-524 OF THIS TITLE;

10 (2) REVOKE THE CERTIFICATION OF A POLICE OFFICER WHO HAS
11 BEEN:

12 (I) FOUND TO HAVE VIOLATED THE USE OF FORCE STATUTE
13 UNDER § 3-524 OF THIS TITLE;

14 (II) CONVICTED OF A FELONY;

15 (III) CONVICTED OF PERJURY OR ANOTHER MISDEMEANOR
16 RELATING TO TRUTHFULNESS AND VERACITY; OR

17 (IV) PREVIOUSLY FIRED OR RESIGNED WHILE BEING
18 INVESTIGATED FOR SERIOUS MISCONDUCT OR USE OF EXCESSIVE FORCE; AND

19 (3) CREATE A STATEWIDE DATABASE TO TRACK POLICE OFFICER
20 DE-CERTIFICATIONS DUE TO IMPROPER USE OF FORCE.

21 (K) THE COMMISSION SHALL:

22 (1) DEVELOP A TEST AND TRAINING FOR IMPLICIT BIAS;

23 (2) REQUIRE ALL LAW ENFORCEMENT AGENCIES TO USE THE
24 IMPLICIT BIAS TEST IN THE HIRING PROCESS;

25 (3) REQUIRE ALL NEW POLICE OFFICERS TO COMPLETE IMPLICIT
26 BIAS TESTING AND TRAINING; AND

27 (4) REQUIRE ALL INCUMBENT POLICE OFFICERS TO UNDERGO
28 IMPLICIT BIAS TESTING AND TRAINING ON AN ANNUAL BASIS.

1 3–209.

2 (a) The Commission shall certify as a police officer each individual who:

3 (1) (i) satisfactorily meets the standards of the Commission; or

4 (ii) provides the Commission with sufficient evidence that the
5 individual has satisfactorily completed a training program in another state of equal quality
6 and content as required by the Commission;

7 (2) submits to a [psychological evaluation] **MENTAL HEALTH SCREENING**
8 **BY A LICENSED MENTAL HEALTH PROFESSIONAL;**

9 **(3) SUBMITS TO A PHYSICAL AGILITY ASSESSMENT AS DETERMINED**
10 **BY THE COMMISSION;**

11 ~~[(3)]~~ **(4)** submits to a criminal history records check in accordance with §
12 3–209.1 of this subtitle; and

13 ~~[(4)]~~ **(5)** (i) is a United States citizen; or

14 (ii) subject to subsection (b) of this section, is a permanent legal
15 resident of the United States and an honorably discharged veteran of the United States
16 armed forces, provided that the individual has applied to obtain United States citizenship
17 and the application is still pending approval.

18 (b) The certification of a police officer who fails to obtain United States citizenship
19 as required by subsection (a)(4)(ii) of this section shall be terminated by the Commission.

20 (c) The Commission may certify as a police officer an individual who is not
21 considered a police officer under § 3–201(f)(3) of this subtitle if the individual meets the
22 selection and training standards of the Commission.

23 (d) Each certificate issued to a police officer under this subtitle remains the
24 property of the Commission.

25 **(E) AS A CONDITION OF CERTIFICATION, A POLICE OFFICER SHALL**
26 **ANNUALLY SUBMIT TO A MENTAL HEALTH ASSESSMENT AND A PHYSICAL AGILITY**
27 **ASSESSMENT TO ESTABLISH CONTINUING FITNESS TO CARRY OUT THE DUTIES OF A**
28 **POLICE OFFICER.**

29 **(F) PRIOR MARIJUANA USE IS NOT A DISQUALIFIER FOR CERTIFICATION AS**
30 **A POLICE OFFICER.**

31 3–215.

1 (a) (1) In this section the following words have the meanings indicated.

2 (2) "Permanent appointment" means the appointment of an individual who
3 has satisfactorily met the minimum standards of the Commission and is certified as a police
4 officer.

5 (3) "Police administrator" means a police officer who has been promoted to
6 first-line administrative duties up to but not exceeding the rank of captain.

7 (4) "Police supervisor" means a police officer who has been promoted to
8 first-line supervisory duties.

9 (b) An individual may not be given or accept a probationary appointment or
10 permanent appointment as a police officer, police supervisor, or police administrator unless
11 the individual satisfactorily meets the qualifications established by the Commission.

12 (c) A probationary appointment as a police officer, police supervisor, or police
13 administrator may be made for a period not exceeding 1 year to enable the individual
14 seeking permanent appointment to take a training course required by this subtitle.

15 (d) A probationary appointee is entitled to a leave of absence with pay during the
16 period of the training program.

17 (E) **PRIOR MARIJUANA USE MAY NOT BE THE BASIS FOR DISQUALIFYING AN**
18 **APPLICANT FOR A POSITION AS A POLICE OFFICER.**

19 **3-508.**

20 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
21 **INDICATED.**

22 (2) **"COMMISSION" MEANS THE MARYLAND POLICE TRAINING AND**
23 **STANDARDS COMMISSION.**

24 (3) **"LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN §**
25 **3-201 OF THIS TITLE.**

26 (4) **"OFFICE" MEANS THE GOVERNOR'S OFFICE OF CRIME**
27 **PREVENTION, YOUTH, AND VICTIM SERVICES.**

28 (5) **"POLICE OFFICER" HAS THE MEANING STATED IN § 3-201 OF THIS**
29 **TITLE.**

30 (6) **"SWAT TEAM" MEANS A SPECIAL UNIT COMPOSED OF TWO OR**
31 **MORE POLICE OFFICERS WITHIN A LAW ENFORCEMENT AGENCY TRAINED TO DEAL**

1 WITH UNUSUALLY DANGEROUS OR VIOLENT SITUATIONS AND HAVING SPECIAL
2 EQUIPMENT AND WEAPONS, INCLUDING RIFLES MORE POWERFUL THAN THOSE
3 CARRIED BY REGULAR POLICE OFFICERS.

4 (B) EVERY 6 MONTHS, BEGINNING JULY 1, 2022, A LAW ENFORCEMENT
5 AGENCY THAT MAINTAINS A SWAT TEAM SHALL REPORT THE FOLLOWING
6 INFORMATION TO THE OFFICE USING THE FORMAT DEVELOPED UNDER
7 SUBSECTION (C) OF THIS SECTION:

8 (1) THE NUMBER OF TIMES THE SWAT TEAM WAS ACTIVATED AND
9 DEPLOYED BY THE LAW ENFORCEMENT AGENCY IN THE PREVIOUS 6 MONTHS;

10 (2) THE NAME OF THE COUNTY OR COUNTY AND MUNICIPAL
11 CORPORATION AND THE ZIP CODE OF THE LOCATION WHERE THE SWAT TEAM WAS
12 DEPLOYED FOR EACH ACTIVATION;

13 (3) THE REASON FOR EACH ACTIVATION AND DEPLOYMENT OF THE
14 SWAT TEAM;

15 (4) THE LEGAL AUTHORITY, INCLUDING TYPE OF WARRANT, IF ANY,
16 FOR EACH ACTIVATION AND DEPLOYMENT OF THE SWAT TEAM; AND

17 (5) THE RESULT OF EACH ACTIVATION AND DEPLOYMENT OF THE
18 SWAT TEAM, INCLUDING:

19 (I) THE NUMBER OF ARRESTS MADE, IF ANY;

20 (II) WHETHER PROPERTY WAS SEIZED;

21 (III) WHETHER A FORCIBLE ENTRY WAS MADE;

22 (IV) WHETHER A WEAPON WAS DISCHARGED BY A SWAT TEAM
23 MEMBER; AND

24 (V) WHETHER A PERSON OR DOMESTIC ANIMAL WAS INJURED
25 OR KILLED BY A SWAT TEAM MEMBER.

26 (C) THE COMMISSION, IN CONSULTATION WITH THE OFFICE, SHALL
27 DEVELOP A STANDARDIZED FORMAT THAT EACH LAW ENFORCEMENT AGENCY
28 SHALL USE IN REPORTING DATA TO THE OFFICE UNDER SUBSECTION (B) OF THIS
29 SECTION.

30 (D) A LAW ENFORCEMENT AGENCY SHALL:

1 **(1) COMPILER THE DATA DESCRIBED IN SUBSECTION (B) OF THIS**
2 **SECTION FOR EACH 6-MONTH PERIOD AS A REPORT IN THE FORMAT REQUIRED**
3 **UNDER SUBSECTION (C) OF THIS SECTION; AND**

4 **(2) NOT LATER THAN THE 15TH DAY OF THE MONTH FOLLOWING THE**
5 **6-MONTH PERIOD THAT IS THE SUBJECT OF THE REPORT, SUBMIT THE REPORT TO:**

6 **(I) THE OFFICE; AND**

7 **(II) 1. THE LOCAL GOVERNING BODY OF THE JURISDICTION**
8 **SERVED BY THE LAW ENFORCEMENT AGENCY THAT EMPLOYS THE SWAT TEAM**
9 **THAT IS THE SUBJECT OF THE REPORT; OR**

10 **2. IF THE JURISDICTION SERVED BY THE LAW**
11 **ENFORCEMENT AGENCY THAT EMPLOYS THE SWAT TEAM THAT IS THE SUBJECT OF**
12 **THE REPORT IS A MUNICIPAL CORPORATION, THE CHIEF EXECUTIVE OFFICER OF**
13 **THE JURISDICTION.**

14 **(E) (1) THE OFFICE SHALL ANALYZE AND SUMMARIZE THE REPORTS OF**
15 **LAW ENFORCEMENT AGENCIES SUBMITTED UNDER SUBSECTION (D) OF THIS**
16 **SECTION.**

17 **(2) BEFORE SEPTEMBER 1 EACH YEAR, THE OFFICE SHALL:**

18 **(I) SUBMIT A REPORT OF THE ANALYSES AND SUMMARIES OF**
19 **THE REPORTS OF LAW ENFORCEMENT AGENCIES DESCRIBED IN PARAGRAPH (1) OF**
20 **THIS SUBSECTION TO THE GOVERNOR, THE GENERAL ASSEMBLY AS PROVIDED IN §**
21 **2-1257 OF THE STATE GOVERNMENT ARTICLE, AND EACH LAW ENFORCEMENT**
22 **AGENCY; AND**

23 **(II) PUBLISH THE REPORT ON ITS WEBSITE.**

24 **(F) (1) IF A LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE**
25 **REPORTING PROVISIONS OF THIS SECTION, THE OFFICE SHALL REPORT THE**
26 **NONCOMPLIANCE TO THE COMMISSION.**

27 **(2) ON RECEIPT OF A REPORT OF NONCOMPLIANCE, THE**
28 **COMMISSION SHALL CONTACT THE LAW ENFORCEMENT AGENCY AND REQUEST**
29 **THAT THE AGENCY COMPLY WITH THE REQUIRED REPORTING PROVISIONS.**

30 **(3) IF THE LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE**
31 **REQUIRED REPORTING PROVISIONS OF THIS SECTION WITHIN 30 DAYS AFTER BEING**

1 CONTACTED BY THE COMMISSION WITH A REQUEST TO COMPLY, THE OFFICE AND
2 THE COMMISSION JOINTLY SHALL REPORT THE NONCOMPLIANCE TO THE
3 GOVERNOR AND THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL
4 ASSEMBLY.

5 3-511.

6 (A) On or before January 1, 2016, the Maryland Police Training and Standards
7 Commission shall develop and publish online a policy for the issuance and use of a
8 body-worn camera by a law enforcement officer that addresses:

9 (1) the testing of body-worn cameras to ensure adequate functioning;

10 (2) the procedure for the law enforcement officer to follow if the camera
11 fails to properly operate at the beginning of or during the law enforcement officer's shift;

12 (3) when recording is mandatory;

13 (4) when recording is prohibited;

14 (5) when recording is discretionary;

15 (6) when recording may require consent of a subject being recorded;

16 (7) when a recording may be ended;

17 (8) providing notice of recording;

18 (9) access to and confidentiality of recordings;

19 (10) the secure storage of data from a body-worn camera;

20 (11) review and use of recordings;

21 (12) retention of recordings;

22 (13) dissemination and release of recordings;

23 (14) consequences for violations of the agency's body-worn camera policy;

24 (15) notification requirements when another individual becomes a party to
25 the communication following the initial notification;

26 (16) specific protections for individuals when there is an expectation of
27 privacy in private or public places; and

1 (17) any additional issues determined to be relevant in the implementation
2 and use of body-worn cameras by law enforcement officers.

3 (B) ON OR BEFORE JANUARY 1, 2025, EACH LAW ENFORCEMENT AGENCY
4 SHALL REQUIRE THE USE OF BODY-WORN CAMERAS.

5 3-516.

6 (a) Each law enforcement agency shall establish a [confidential and nonpunitive]
7 DATA-BASED early intervention [policy for counseling officers who receive three or more
8 citizen complaints within a 12-month period] SYSTEM, BASED ON GUIDELINES
9 DEVELOPED BY THE COMMISSION, TO IDENTIFY POLICE OFFICERS WHO ARE AT RISK
10 FOR ENGAGING IN THE USE OF EXCESSIVE FORCE AND TO PROVIDE ALL OFFICERS
11 WHO ARE IDENTIFIED WITH RETRAINING AND BEHAVIORAL INTERVENTIONS,
12 REASSIGNMENTS, OR OTHER APPROPRIATE RESPONSES TO REDUCE THE RISK OF
13 THE USE OF EXCESSIVE FORCE.

14 (b) THE COMMISSION SHALL DEVELOP GUIDELINES FOR AN EARLY
15 INTERVENTION SYSTEM REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.

16 (C) A policy described in this section may not prevent the investigation of or
17 imposition of discipline for any particular complaint.

18 3-523.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (2) "INDEPENDENT INVESTIGATIVE AGENCY" MEANS AN
22 INDEPENDENT UNIT OF STATE GOVERNMENT THAT MAY EMPLOY SWORN POLICE
23 OFFICERS AND CIVILIANS FOR THE PURPOSE OF INVESTIGATING USE OF FORCE
24 INCIDENTS INVOLVING POLICE OFFICERS.

25 (3) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN §
26 3-201 OF THIS TITLE.

27 (4) "POLICE OFFICER" HAS THE MEANING STATED IN § 3-201 OF THIS
28 TITLE.

29 (5) "SERIOUS INJURY" HAS THE MEANING STATED IN § 3-201 OF THE
30 CRIMINAL LAW ARTICLE.

31 (B) A SHOOTING INVOLVING A POLICE OFFICER OR OTHER INCIDENT
32 INVOLVING THE USE OF PHYSICAL FORCE BY A POLICE OFFICER CAUSING DEATH OR

1 SERIOUS INJURY SHALL BE INVESTIGATED BY THE INDEPENDENT INVESTIGATIVE
2 AGENCY.

3 (C) A LAW ENFORCEMENT AGENCY SHALL:

4 (1) NOTIFY THE INDEPENDENT INVESTIGATIVE AGENCY OF ANY
5 ALLEGED OR POTENTIAL SHOOTING INVOLVING A POLICE OFFICER OR OTHER
6 INCIDENT INVOLVING THE USE OF PHYSICAL FORCE BY A POLICE OFFICER CAUSING
7 DEATH OR SERIOUS INJURY AS SOON AS THE LAW ENFORCEMENT AGENCY BECOMES
8 AWARE OF THE INCIDENT; AND

9 (2) COOPERATE WITH THE INDEPENDENT INVESTIGATIVE AGENCY IN
10 THE INVESTIGATION OF THE INCIDENT.

11 (D) (1) ON COMPLETION OF AN INVESTIGATION UNDER THIS SECTION,
12 THE INDEPENDENT INVESTIGATIVE AGENCY SHALL SUBMIT A REPORT CONTAINING
13 THE FINDINGS OF THE INVESTIGATION TO THE STATE'S ATTORNEY WITH
14 JURISDICTION OVER THE MATTER.

15 (2) AFTER THE STATE'S ATTORNEY MAKES A DECISION WHETHER OR
16 NOT TO PROSECUTE, THE INDEPENDENT INVESTIGATIVE AGENCY SHALL PUBLICIZE
17 THE REPORT.

18 (E) THE GOVERNOR ANNUALLY SHALL INCLUDE FUNDING IN THE STATE
19 BUDGET SUFFICIENT TO PROVIDE FOR THE FULL AND PROPER OPERATION OF THE
20 INDEPENDENT INVESTIGATIVE AGENCY.

21 3-524.

22 (A) THIS SECTION SHALL BE KNOWN AS THE MARYLAND USE OF FORCE
23 STATUTE.

24 (B) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (2) "DEADLY FORCE" MEANS ANY FORCE THAT IS LIKELY TO CAUSE
27 DEATH OR SERIOUS INJURY.

28 (3) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN §
29 3-201 OF THIS TITLE.

30 (4) "LESS-LETHAL WEAPON" MEANS A WEAPON THAT IS EXPECTED
31 TO CREATE LESS RISK OF CAUSING SERIOUS INJURY OR DEATH.

1 **(5) “POLICE OFFICER” HAS THE MEANING STATED IN § 3–201 OF THIS**
2 **TITLE.**

3 **(6) “SERIOUS INJURY” MEANS PERMANENT IMPAIRMENT OR**
4 **DISFIGUREMENT.**

5 **(C) (1) EACH POLICE OFFICER SHALL SIGN AN AFFIRMATIVE WRITTEN**
6 **SANCTITY OF LIFE PLEDGE TO RESPECT EVERY HUMAN LIFE AND ACT WITH**
7 **COMPASSION TOWARD OTHERS.**

8 **(2) A POLICE OFFICER MAY ONLY USE THE FORCE THAT IS**
9 **OBJECTIVELY REASONABLE AND APPEARS TO BE NECESSARY UNDER THE**
10 **CIRCUMSTANCES IN RESPONSE TO THE THREAT OR RESISTANCE BY ANOTHER**
11 **PERSON.**

12 **(3) A POLICE OFFICER SHALL:**

13 **(I) WHEN TIME, CIRCUMSTANCES, AND SAFETY ALLOW, TAKE**
14 **STEPS TO GAIN COMPLIANCE AND DE-ESCALATE CONFLICT WITHOUT USING**
15 **PHYSICAL FORCE;**

16 **(II) INTERVENE TO PREVENT OR TERMINATE THE USE OF FORCE**
17 **BY ANOTHER POLICE OFFICER BEYOND WHAT IS OBJECTIVELY REASONABLE UNDER**
18 **THE CIRCUMSTANCES;**

19 **(III) RENDER BASIC FIRST AID TO A PERSON INJURED AS A**
20 **RESULT OF POLICE ACTION AND PROMPTLY REQUEST MEDICAL ASSISTANCE; AND**

21 **(IV) FULLY DOCUMENT ALL USE OF FORCE INCIDENTS THAT THE**
22 **OFFICER OBSERVED OR WAS INVOLVED IN.**

23 **(4) A POLICE SUPERVISOR SHALL:**

24 **(I) RESPOND TO THE SCENE OF ANY INCIDENT DURING WHICH**
25 **A POLICE OFFICER USED PHYSICAL FORCE AND CAUSED PHYSICAL INJURY; AND**

26 **(II) GATHER AND REVIEW ALL KNOWN VIDEO RECORDINGS OF A**
27 **USE OF FORCE INCIDENT.**

28 **(5) A LAW ENFORCEMENT AGENCY SHALL:**

29 **(I) HAVE A WRITTEN DE-ESCALATION OF FORCE POLICY; AND**

1 (II) ADOPT A WRITTEN POLICY REQUIRING SUPERVISORY AND
2 COMMAND-LEVEL REVIEW OF ALL USE OF FORCE INCIDENTS.

3 (6) A POLICE OFFICER SHALL:

4 (I) UNDERGO TRAINING ON ENFORCEMENT OPTIONS THAT ARE
5 LESS LIKELY TO CAUSE DEATH OR SERIOUS INJURY, INCLUDING SCENARIO-BASED
6 TRAINING; AND

7 (II) SIGN A TRAINING COMPLETION DOCUMENT STATING THAT
8 THE OFFICER UNDERSTANDS AND SHALL COMPLY WITH THE MARYLAND USE OF
9 FORCE STATUTE.

10 (7) A POLICE OFFICER MAY ONLY USE DEADLY FORCE TO STOP AN
11 IMMINENT THREAT OF DEATH OR SERIOUS INJURY TO THE OFFICER OR ANOTHER
12 PERSON.

13 (8) ALL POLICE OFFICERS SHALL:

14 (I) UNDERGO LESS-LETHAL FORCE TRAINING; AND

15 (II) BE TRAINED AND EQUIPPED WITH LESS-LETHAL WEAPONS
16 THAT MAY ASSIST THE OFFICER IN CONTROLLING RESISTANT OR ASSAULTIVE
17 BEHAVIOR.

18 (9) A POLICE OFFICER MAY NOT:

19 (I) DISCHARGE A FIREARM AT A MOVING VEHICLE UNLESS:

20 1. THE VEHICLE IS BEING USED AS A DEADLY WEAPON
21 TOWARD THE OFFICER OR ANOTHER PERSON; AND

22 2. DEADLY FORCE IS THE ONLY REASONABLE MEANS
23 AVAILABLE TO STOP THE THREAT; OR

24 (II) USE A CHOKEHOLD, NECK RESTRAINT, OR ANY OTHER TYPE
25 OF RESTRAINT THAT RESTRICTS BLOOD FLOW OR BREATH ON ANOTHER PERSON.

26 (10) A LAW ENFORCEMENT AGENCY MAY NOT ACQUIRE A SURPLUS
27 ARMORED OR WEAPONIZED VEHICLE.

28 (D) (1) A POLICE OFFICER MAY NOT KNOWINGLY AND WILLFULLY

1 VIOLATE SUBSECTION (C) OF THIS SECTION.

2 (2) A POLICE OFFICER WHO KNOWINGLY AND WILLFULLY VIOLATES
3 SUBSECTION (C) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON
4 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS.

5 (E) (1) A POLICE OFFICER MAY NOT RECKLESSLY VIOLATE SUBSECTION
6 (C) OF THIS SECTION.

7 (2) A POLICE OFFICER WHO RECKLESSLY VIOLATES SUBSECTION (C)
8 OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT
9 TO IMPRISONMENT NOT EXCEEDING 5 YEARS.

10 (F) THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND
11 VICTIM SERVICES SHALL WITHHOLD GRANT FUNDING FROM A LAW ENFORCEMENT
12 AGENCY THAT VIOLATES SUBSECTION (C) OF THIS SECTION.

13 (G) ON OR BEFORE DECEMBER 1 EACH, THE MARYLAND POLICE TRAINING
14 AND STANDARDS COMMISSION SHALL SUBMIT A REPORT TO THE GOVERNOR AND
15 GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
16 ARTICLE, THAT:

17 (1) LISTS THE LAW ENFORCEMENT AGENCIES THAT VIOLATED
18 SUBSECTION (C) OF THIS SECTION DURING THE PRECEDING 1-YEAR PERIOD; AND

19 (2) DESCRIBES THE NATURE OF EACH VIOLATION.

20 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
21 as follows:

22 **Article – Public Safety**

23 **3-525.**

24 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (2) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN §
27 3-201 OF THIS TITLE.

28 (3) "POLICE OFFICER" HAS THE MEANING STATED IN § 3-201 OF THIS
29 TITLE.

30 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, EACH LAW

1 ENFORCEMENT AGENCY SHALL ESTABLISH AND IMPLEMENT A DISCIPLINE PROCESS
2 THAT:

3 (1) IS OPEN AND TRANSPARENT;

4 (2) INCLUDES AN ADMINISTRATIVE CHARGING COMMITTEE AS
5 SPECIFIED IN § 3-201 OF THIS TITLE;

6 (3) INCLUDES THE USE OF A TRIAL BOARD THAT INCLUDES AT LEAST
7 ONE-THIRD MEMBERSHIP BY CIVILIANS WITH VOTING POWER;

8 (4) BEFORE DISCIPLINARY ACTION IS TAKEN AGAINST A POLICE
9 OFFICER, PROVIDES THE RIGHT TO A TRIAL BOARD FOR THE POLICE OFFICER;

10 (5) PROHIBITS THE USE OF A TRIAL BOARD FOR THE DISCIPLINE OF A
11 POLICE OFFICER WHO HAS RECEIVED A CONVICTION OR PROBATION BEFORE
12 JUDGMENT FOR A CRIME; AND

13 (6) REQUIRES THE CHIEF OF THE AGENCY TO DETERMINE DISCIPLINE
14 FOR A POLICE OFFICER WHO HAS RECEIVED A CONVICTION OR PROBATION BEFORE
15 JUDGMENT FOR A CRIME.

16 (C) EACH LAW ENFORCEMENT AGENCY SHALL POST THE POLICE
17 DISCIPLINE PROCESS ESTABLISHED IN ACCORDANCE WITH THIS SECTION ON THE
18 AGENCY'S PUBLIC WEBSITE.

19 (D) CIVILIAN MEMBERS OF EACH TRIAL BOARD AND ADMINISTRATIVE
20 CHARGING COMMITTEE SHALL RECEIVE TRAINING ADMINISTERED BY THE
21 MARYLAND POLICE TRAINING AND STANDARDS COMMISSION ON MATTERS
22 RELATING TO POLICE PROCEDURES.

23 (E) EACH COUNTY SHALL HAVE AN INDEPENDENT AGENCY THAT
24 INVESTIGATES AND REVIEWS COMPLAINTS OF POLICE MISCONDUCT FILED BY
25 MEMBERS OF THE PUBLIC.

26 (F) A LAW ENFORCEMENT AGENCY MAY NOT NEGATE OR ALTER ANY OF THE
27 REQUIREMENTS OF THIS SECTION THROUGH COLLECTIVE BARGAINING.

28 **3-526.**

29 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
30 INDICATED.

1 (2) “ADMINISTRATIVELY CHARGED” MEANS THAT A POLICE OFFICER
2 HAS BEEN FORMALLY ACCUSED OF MISCONDUCT IN AN ADMINISTRATIVE
3 PROCEEDING.

4 (3) “EXONERATED” MEANS THAT A POLICE OFFICER ACTED IN
5 ACCORDANCE WITH THE LAW AND AGENCY POLICY.

6 (4) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN §
7 3-201 OF THIS TITLE.

8 (5) “NOT ADMINISTRATIVELY CHARGED” MEANS THAT A
9 DETERMINATION HAS BEEN MADE NOT TO ADMINISTRATIVELY CHARGE A POLICE
10 OFFICER IN CONNECTION WITH ALLEGED MISCONDUCT.

11 (6) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THIS
12 TITLE.

13 (7) “SUPERIOR GOVERNMENTAL AUTHORITY” MEANS THE
14 GOVERNING BODY THAT OVERSEES A LAW ENFORCEMENT AGENCY.

15 (8) “UNFOUNDED” MEANS THAT THE ALLEGATIONS AGAINST A
16 POLICE OFFICER ARE NOT SUPPORTED BY FACT.

17 (B) (1) AN ADMINISTRATIVE CHARGING COMMITTEE CONSISTS OF:

18 (I) THE DIRECTOR OF INTERNAL AFFAIRS OF THE LAW
19 ENFORCEMENT AGENCY THAT EMPLOYS THE OFFICER WHO IS SUBJECT TO
20 INVESTIGATION, OR THE DIRECTOR’S DESIGNEE;

21 (II) THE HEAD ATTORNEY FOR THE SUPERIOR GOVERNMENTAL
22 AUTHORITY OF THE LAW ENFORCEMENT AGENCY THAT EMPLOYS THE OFFICER OR
23 THE HEAD ATTORNEY’S DESIGNEE, IF THE DESIGNEE IS A MEMBER OF THE
24 MARYLAND BAR;

25 (III) A DESIGNEE OF THE DISTRICT PUBLIC DEFENDER WHO IS A
26 MEMBER OF THE MARYLAND BAR;

27 (IV) A DESIGNEE OF THE STATE’S ATTORNEY FOR THE
28 JURISDICTION WHERE THE ALLEGED MISCONDUCT OCCURRED WHO IS A MEMBER
29 OF THE MARYLAND BAR; AND

30 (V) ONE CIVILIAN REPRESENTATIVE SELECTED BY THE POLICE
31 ACCOUNTABILITY BOARD FOR THE JURISDICTION WHERE THE ALLEGED

1 MISCONDUCT OCCURRED.

2 (2) THE HEAD ATTORNEY FOR THE SUPERIOR GOVERNMENTAL
3 AUTHORITY OR THE HEAD ATTORNEY'S DESIGNEE SHALL SERVE AS THE CHAIR OF
4 AN ADMINISTRATIVE CHARGING COMMITTEE.

5 (C) (1) ON COMPLETION OF AN INVESTIGATION OF A COMPLAINT
6 AGAINST A POLICE OFFICER, THE LAW ENFORCEMENT AGENCY SHALL FORWARD TO
7 AN ADMINISTRATIVE CHARGING COMMITTEE THE INVESTIGATORY FILES FOR ALL
8 MATTERS INVOLVING:

9 (I) ALLEGATIONS OF MISCONDUCT MADE BY A MEMBER OF THE
10 PUBLIC; AND

11 (II) ANY ALLEGATION RELATING TO DISHONESTY, THE
12 VIOLATION OF A CRIMINAL STATUTE, SEXUAL HARASSMENT, OR RACIAL
13 HARASSMENT.

14 (2) AN ALLEGATION NOT SPECIFIED UNDER PARAGRAPH (1) OF THIS
15 SUBSECTION SHALL PROCEED IN ACCORDANCE WITH THE POLICIES AND
16 PROCEDURES OF THE LAW ENFORCEMENT AGENCY.

17 (D) AN ADMINISTRATIVE CHARGING COMMITTEE SHALL:

18 (1) REVIEW THE FINDINGS OF A LAW ENFORCEMENT AGENCY'S
19 INVESTIGATION CONDUCTED AND FORWARDED IN ACCORDANCE WITH SUBSECTION
20 (C) OF THIS SECTION;

21 (2) MAKE A DETERMINATION THAT THE POLICE OFFICER WHO IS
22 SUBJECT TO INVESTIGATION SHALL BE:

23 (I) ADMINISTRATIVELY CHARGED; OR

24 (II) NOT ADMINISTRATIVELY CHARGED;

25 (3) IF THE POLICE OFFICER IS CHARGED, RECOMMEND DISCIPLINE IN
26 ACCORDANCE WITH THE LAW ENFORCEMENT AGENCY'S DISCIPLINARY MATRIX;

27 (4) ISSUE A WRITTEN OPINION THAT DESCRIBES IN DETAIL ITS
28 FINDINGS, DETERMINATIONS, AND RECOMMENDATIONS; AND

29 (5) FORWARD THE WRITTEN OPINION TO THE CHIEF OF THE LAW
30 ENFORCEMENT AGENCY.

1 **(E) IN EXECUTING ITS DUTIES IN ACCORDANCE WITH SUBSECTION (D) OF**
 2 **THIS SECTION, AN ADMINISTRATIVE CHARGING COMMITTEE MAY:**

3 **(1) REQUEST INFORMATION OR ACTION FROM THE LAW**
 4 **ENFORCEMENT AGENCY THAT CONDUCTED THE INVESTIGATION, INCLUDING**
 5 **REQUIRING ADDITIONAL INVESTIGATION AND THE ISSUANCE OF SUBPOENAS; AND**

6 **(2) IF THE POLICE OFFICER IS NOT CHARGED, MAKE A**
 7 **DETERMINATION THAT:**

8 **(I) THE ALLEGATIONS AGAINST THE POLICE OFFICER ARE**
 9 **UNFOUNDED; OR**

10 **(II) THE POLICE OFFICER IS EXONERATED.**

11 **(F) NOTWITHSTANDING TITLE 3 OF THE GENERAL PROVISIONS ARTICLE,**
 12 **THE MEETINGS OF AN ADMINISTRATIVE CHARGING COMMITTEE ARE NOT SUBJECT**
 13 **TO THE REQUIREMENTS OF THE OPEN MEETINGS ACT.**

14 SECTION 5. AND BE IT FURTHER ENACTED, That on or before December 31,
 15 2021, the Emergency Number Systems Board shall study and report to the House Judiciary
 16 Committee and the Senate Judicial Proceedings Committee, in accordance with § 2–1257
 17 of the State Government Article, regarding whether certain types of calls for 9–1–1 service
 18 should be diverted to a person or entity other than law enforcement agencies.

19 SECTION 6. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall be
 20 construed to apply only prospectively and may not be applied or interpreted to have any
 21 effect on or application to:

22 (1) any bona fide collective bargaining agreement entered into on or before
 23 September 30, 2021, for the duration of the contract term, excluding any extensions, options
 24 to extend, or renewals of the term of the original contract; or

25 (2) a disciplinary matter against a law enforcement officer based on alleged
 26 misconduct occurring before the effective date of this Act.

27 SECTION 7. AND BE IT FURTHER ENACTED, That the publishers of the
 28 Annotated Code of Maryland, in consultation with and subject to the approval of the
 29 Department of Legislative Services, shall correct, with no further action required by the
 30 General Assembly, cross–references and terminology rendered incorrect by this Act.
 31 Cross–references to the term “law enforcement officer” as formerly stated under § 3–101(e)
 32 of the Public Safety Article of the Annotated Code of Maryland shall be redesignated as
 33 cross–references to the term “law enforcement officer” as stated under § 1–101(c) of the
 34 Public Safety Article. The publishers shall adequately describe any such correction in an

1 editor's note following the section affected.

2 SECTION 8. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2021.

HOUSE BILL 977

L6

1lr1876

By: **Prince George's County Delegation**

Introduced and read first time: February 5, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Public Safety and Behavioral Health**
3 **Surcharges – Behavioral Health Programs**

4 **PG 414–21**

5 FOR the purpose of renaming the Public Safety and Behavioral Health Surcharge in Prince
6 George's County imposed for certain residential construction; providing for an
7 exemption to the public safety and behavioral health surcharge; making conforming
8 changes; and generally relating to the public safety surcharge in Prince George's
9 County.

10 BY repealing and reenacting, with amendments,
11 The Public Local Laws of Prince George's County
12 Section 10–192.11(a) to be under the amended subdivision “Subdivision 4. Public
13 Safety and Behavioral Health Surcharge”
14 Article 17 – Public Local Laws of Maryland
15 (2015 Edition and 2017 Supplement, as amended)
16 (As enacted by Chapter 351 of the Acts of the General Assembly of 2019)

17 BY repealing and reenacting, with amendments,
18 The Public Local Laws of Prince George's County
19 Section 10–192.11(b) and (c) through (g)
20 Article 17 – Public Local Laws of Maryland
21 (2015 Edition and 2017 Supplement, as amended)
22 (As enacted by Chapter 684 of the Acts of the General Assembly of 2013)

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

25 **Article 17 – Prince George's County**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Subdivision 4. Public Safety **AND BEHAVIORAL HEALTH** Surcharge.

2 10–192.11.

3 (a) The Governing Body of Prince George’s County, by resolution, may impose a
4 public safety **AND BEHAVIORAL HEALTH** surcharge on new residential construction for
5 which a building permit is issued by the County **UNLESS A PRELIMINARY PLAN FOR THE**
6 **RESIDENTIAL DEVELOPMENT WAS APPROVED ON OR BEFORE JULY 1, 2005.**

7 (b) (1) Except as provided in paragraph (3) of this Subsection, a public safety
8 **AND BEHAVIORAL HEALTH** surcharge imposed on a single–family detached dwelling,
9 town house, or dwelling unit for any other building containing more than a single dwelling
10 unit shall be in the amount of:

11 (A) Six Thousand Dollars (\$6,000); or

12 (B) Two Thousand Dollars (\$2,000) for construction in:

13 (i) The developed tier, as defined by the Maryland – national
14 capital park and planning commission in the Prince George’s county approved general plan;
15 and

16 (ii) An area included in a basic plan or conceptual site plan
17 that abuts an existing or planned mass transit rail station site operated by the Washington
18 metropolitan area transit authority and complies with the requirements of any sector plan,
19 master plan, or overlay zone approved by the Prince George’s County District Council.

20 (2) The public safety **AND BEHAVIORAL HEALTH** surcharge does not apply
21 to a single–family detached dwelling that is to be built or subcontracted by an individual
22 owner in a minor subdivision and that is intended to be used as the owner’s personal
23 residence.

24 (3) The governing body of Prince George’s County may waive any
25 surcharge imposed under Subsection (b)(1)(B) of this Section.

26 (c) The public safety **AND BEHAVIORAL HEALTH** surcharge shall be paid by the
27 seller at the time a building permit is issued for the dwelling unit. The public safety
28 surcharge may not be construed to be a settlement cost.

29 (d) (1) (A) Subject to subparagraph (B) of this paragraph, payment of the
30 public safety **AND BEHAVIORAL HEALTH** surcharge requires that any test concerning the
31 adequacy of the County’s police facilities under the County’s adequate public facility
32 ordinance shall be based on the County police response time applied:

33 (i) In the vicinity of the property that is the subject of a

1 Preliminary Subdivision Plan application; and

2 (ii) In areas that are within reasonable proximity of the
3 property.

4 (B) If the property that is the subject of a Preliminary Subdivision
5 Plan application is located in the Rural Tier, payment of the public safety **AND**
6 **BEHAVIORAL HEALTH** surcharge requires that any test concerning the adequacy of the
7 County's police facilities be based on response times from within the Rural Tier.

8 (2) Payment of the public facilities surcharge requires that any test
9 concerning the adequacy of the County's fire and emergency medical services:

10 (A) Be based solely on a response time for the first due station in the
11 vicinity of the property that is the subject of a Preliminary Subdivision Plan; and

12 (B) May not require less than seven (7) minutes travel time as
13 determined by the County Fire Chief.

14 (e) (1) Subject to paragraphs (2) and (3) of this Subsection, revenue collected
15 under the public safety **AND BEHAVIORAL HEALTH** surcharge shall be distributed by the
16 governing body of Prince George's County to police, fire, **[and]** emergency medical services,
17 **AND BEHAVIORAL HEALTH PROGRAMS** in the County.

18 (2) (A) At least twenty-five percent (25%) of the revenue collected from
19 a surcharge imposed on construction that is located in a municipal corporation that
20 maintains a police department shall be distributed to that municipal corporation's police
21 department.

22 (B) The revenue collected from a surcharge imposed on construction
23 that is located in the City of Laurel shall be distributed as follows:

24 (i) Fifty percent (50%) to Prince George's County fire and
25 rescue services; and

26 (ii) Fifty percent (50%) to the Laurel police department for the
27 construction or rehabilitation of public safety facilities or the purchase of equipment or
28 communications devices used in connection with law enforcement.

29 (3) Revenue collected under this Section may be used only for:

30 (A) The construction or rehabilitation of public safety facilities; **[or]**

31 (B) The purchase of equipment or communications devices used in
32 connection with law enforcement, fire fighting, or emergency services activities, including
33 protective body armor, surveillance devices, weapons, ladder trucks, ambulances, police

1 cruisers, and rescue vehicles;

2 **(C) THE OPERATION OF BEHAVIORAL HEALTH PROGRAMS**
3 **OFFERED BY THE COUNTY; OR**

4 **(D) THE CONSTRUCTION OR REHABILITATION OF BEHAVIORAL**
5 **HEALTH PROGRAM FACILITIES IN THE COUNTY.**

6 (f) Revenue collected under the public safety **AND BEHAVIORAL HEALTH**
7 surcharge is intended to supplement funding for public safety facilities and equipment and
8 may not supplant other County or State funding for public safety facilities and equipment.

9 (g) The County Executive of Prince George's County shall prepare an annual
10 report on the public safety **AND BEHAVIORAL HEALTH** surcharge on or before March 1 of
11 each year for the County Council of Prince George's County, the Prince George's County
12 Senate Delegation, and the Prince George's County House Delegation, to include:

13 (1) A detailed description of how the fees were expended; and

14 (2) The amount of fees collected.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2021.

SENATE BILL 43

E4

(PRE-FILED)

11r0781
CF HB 411

By: **Senators Elfreth and Hettleman**

Requested: September 29, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 29, 2021

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Law Enforcement Officers – Prohibition on Sexual Activity**

3 FOR the purpose of prohibiting a law enforcement officer from engaging in certain sexual
4 acts, sexual contact, or vaginal intercourse with a certain person who is a victim,
5 witness, or suspect under certain circumstances or with a certain person requesting
6 assistance from or responding to the law enforcement officer under certain
7 circumstances; establishing a certain exception to the prohibition; and generally
8 relating to law enforcement officers.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 3–314
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2020 Supplement)

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

16 **Article – Criminal Law**

17 3–314.

18 (a) (1) In this section the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) (i) “Correctional employee” means a:

2 1. correctional officer, as defined in § 8–201 of the
3 Correctional Services Article; or

4 2. managing official or deputy managing official of a
5 correctional facility.

6 (ii) “Correctional employee” includes a sheriff, warden, or other
7 official who is appointed or employed to supervise a correctional facility.

8 (3) “Court–ordered services provider” means a person who provides
9 services to an individual who has been ordered by the court, the Division of Parole and
10 Probation, or the Department of Juvenile Services to obtain those services.

11 (4) (i) “Inmate” has the meaning stated in § 1–101 of this article.

12 (ii) “Inmate” includes an individual confined in a community adult
13 rehabilitation center.

14 (5) “Law enforcement officer” has the meaning stated in § 3–101 of the
15 Public Safety Article.

16 (b) (1) This subsection applies to:

17 (i) a correctional employee;

18 (ii) any other employee of the Department of Public Safety and
19 Correctional Services or a correctional facility;

20 (iii) an employee of a contractor providing goods or services to the
21 Department of Public Safety and Correctional Services or a correctional facility; and

22 (iv) any other individual working in a correctional facility, whether
23 on a paid or volunteer basis.

24 (2) A person described in paragraph (1) of this subsection may not engage
25 in sexual contact, vaginal intercourse, or a sexual act with an inmate.

26 (c) A person may not engage in sexual contact, vaginal intercourse, or a sexual
27 act with an individual confined in a child care institution licensed by the Department of
28 Juvenile Services, a detention center for juveniles, or a facility for juveniles listed in §
29 9–226(b) of the Human Services Article.

30 (d) A court–ordered services provider may not engage in sexual contact, vaginal
31 intercourse, or a sexual act with an individual ordered to obtain services while the order is
32 in effect.

1 (e) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
 2 SUBSECTION, A law enforcement officer may not engage in sexual contact, vaginal
 3 intercourse, or a sexual act with ~~fa~~ a person ~~[in the custody of the law enforcement officer]:~~

4 (I) WHO IS A VICTIM, WITNESS, OR SUSPECT IN AN OPEN
 5 INVESTIGATION ~~DURING THE COURSE OF AN INVESTIGATION~~ THAT THE LAW
 6 ENFORCEMENT OFFICER IS CONDUCTING, SUPERVISING, OR ASSISTING WITH IF THE
 7 LAW ENFORCEMENT OFFICER KNEW OR SHOULD HAVE KNOWN THAT THE PERSON IS
 8 A VICTIM, WITNESS, OR SUSPECT IN THE INVESTIGATION;

9 (II) ~~A PERSON~~ REQUESTING ASSISTANCE FROM OR RESPONDING
 10 TO THE LAW ENFORCEMENT OFFICER IN THE COURSE OF THE LAW ENFORCEMENT
 11 OFFICER'S OFFICIAL DUTIES; OR

12 (III) ~~A PERSON~~ IN THE CUSTODY OF THE LAW ENFORCEMENT
 13 OFFICER.

14 (2) PARAGRAPH (1)(I) AND (II) OF THIS SUBSECTION DOES NOT
 15 APPLY IF THE LAW ENFORCEMENT OFFICER HAD A PRIOR EXISTING LEGAL SEXUAL
 16 RELATIONSHIP WITH THE PERSON, ~~UNLESS AN INTERIM, TEMPORARY, OR FINAL~~
 17 ~~PROTECTIVE ORDER BETWEEN THE PARTIES IS IN EFFECT AT THE TIME OF THE~~
 18 ~~SEXUAL CONTACT, VAGINAL INTERCOURSE, OR SEXUAL ACT.~~

19 (f) A person who violates this section is guilty of a misdemeanor and on conviction
 20 is subject to imprisonment not exceeding 3 years or a fine not exceeding \$3,000 or both.

21 (g) A sentence imposed for a violation of this section may be separate from and
 22 consecutive to or concurrent with a sentence for another crime under § 3-303, § 3-304, or
 23 §§ 3-307 through 3-310 of this subtitle, or § 3-305, § 3-306, § 3-311, or § 3-312 of this
 24 subtitle as the sections existed before October 1, 2017.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 26 October 1, 2021.

SENATE BILL 178

P3, E4

(PRE-FILED)

1lr1057
CF HB 120

By: **Senator Carter**

Requested: October 21, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Information Act – Personnel Records – Investigations of Law**
3 **Enforcement Officers**
4 **(Anton’s Law)**

5 FOR the purpose of establishing that a record relating to an administrative or criminal
6 investigation of misconduct by a law enforcement officer is not a personnel record for
7 purposes of certain provisions of the Public Information Act; authorizing a custodian
8 to deny inspection of records relating to an administrative or criminal investigation
9 of misconduct by a law enforcement officer; defining a certain term; providing for the
10 application of this Act; and generally relating to personnel records and the Public
11 Information Act.

12 BY renumbering

13 Article – General Provisions
14 Section 4–101(e) through (j), respectively
15 to be Section 4–101(f) through (k), respectively
16 Annotated Code of Maryland
17 (2019 Replacement Volume and 2020 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – General Provisions
20 Section 4–101(a)
21 Annotated Code of Maryland
22 (2019 Replacement Volume and 2020 Supplement)

23 BY adding to

24 Article – General Provisions
25 Section 4–101(e)
26 Annotated Code of Maryland
27 (2019 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
 2 Article – General Provisions
 3 Section 4–311 and 4–351
 4 Annotated Code of Maryland
 5 (2019 Replacement Volume and 2020 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 7 That Section(s) 4–101(e) through (j), respectively, of Article – General Provisions of the
 8 Annotated Code of Maryland be renumbered to be Section(s) 4–101(f) through (k),
 9 respectively.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 11 as follows:

12 **Article – General Provisions**

13 4–101.

14 (a) In this title the following words have the meanings indicated.

15 **(E) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN § 3–101**
 16 **OF THE PUBLIC SAFETY ARTICLE.**

17 4–311.

18 (a) Subject to subsection (b) of this section, a custodian shall deny inspection of a
 19 personnel record of an individual, including an application, a performance rating, or
 20 scholastic achievement information.

21 (b) A custodian shall allow inspection by:

22 (1) the person in interest;

23 (2) an elected or appointed official who supervises the work of the
 24 individual; or

25 (3) an employee organization described in Title 6 of the Education Article
 26 of the portion of the personnel record that contains the individual’s:

27 (i) home address;

28 (ii) home telephone number; and

29 (iii) personal cell phone number.

30 **(C) A RECORD RELATING TO AN ADMINISTRATIVE OR CRIMINAL**

1 INVESTIGATION OF MISCONDUCT BY A LAW ENFORCEMENT OFFICER, INCLUDING AN
2 INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS
3 RELATING TO A DISCIPLINARY DECISION, IS NOT A PERSONNEL RECORD FOR
4 PURPOSES OF THIS SECTION.

5 4-351.

6 (a) Subject to subsection (b) of this section, a custodian may deny inspection of:

7 (1) records of investigations conducted by the Attorney General, a State's
8 Attorney, a municipal or county attorney, a police department, or a sheriff;

9 (2) an investigatory file compiled for any other law enforcement, judicial,
10 correctional, or prosecution purpose; [or]

11 (3) records that contain intelligence information or security procedures of
12 the Attorney General, a State's Attorney, a municipal or county attorney, a police
13 department, a State or local correctional facility, or a sheriff; **OR**

14 **(4) RECORDS RELATING TO AN ADMINISTRATIVE OR CRIMINAL**
15 **INVESTIGATION OF MISCONDUCT BY A LAW ENFORCEMENT OFFICER, INCLUDING AN**
16 **INTERNAL AFFAIRS INVESTIGATORY RECORD, A HEARING RECORD, AND RECORDS**
17 **RELATING TO A DISCIPLINARY DECISION.**

18 (b) A custodian may deny inspection by a person in interest only to the extent
19 that the inspection would:

20 (1) interfere with a valid and proper law enforcement proceeding;

21 (2) deprive another person of a right to a fair trial or an impartial
22 adjudication;

23 (3) constitute an unwarranted invasion of personal privacy;

24 (4) disclose the identity of a confidential source;

25 (5) disclose an investigative technique or procedure;

26 (6) prejudice an investigation; or

27 (7) endanger the life or physical safety of an individual.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to
29 apply prospectively to any Public Information Act request made on or after the effective
30 date of this Act regardless of when the record requested to be produced was created.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2021.

SENATE BILL 245

F1, E4

1lr1503

(PRE-FILED)

By: **Senator Ellis**

Requested: November 1, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs and Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – School Resource Officers – Requirements and Prohibitions**

3 FOR the purpose of prohibiting a school resource officer from entering a school building
4 except under certain circumstances; requiring a school resource officer to conceal
5 certain firearms except under certain circumstances; requiring a school resource
6 officer to wear civilian clothing; prohibiting a school resource officer from
7 participating in the routine school discipline of a student; and generally relating to
8 requirements and prohibitions for school resource officers.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 7–1508
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2020 Supplement)

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

Article – Education

16
17 7–1508.

18 (a) (1) Each local school system shall designate a school safety coordinator.

19 (2) A designated school safety coordinator shall:

20 (i) Be certified by the Center; and

21 (ii) Serve as a liaison between the local school system, the local law
22 enforcement agency, and the Center.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) (i) On or before September 1, 2018, the Center, in consultation with
2 local school systems, shall:

3 1. Develop a specialized curriculum for use in training of
4 school resource officers and school security employees; and

5 2. Submit the curriculum to the Maryland Police Training
6 and Standards Commission for approval.

7 (ii) The specialized curriculum developed under this subsection shall
8 include training in:

9 1. De-escalation;

10 2. Disability awareness;

11 3. Maintaining a positive school climate;

12 4. Constructive interactions with students; and

13 5. Implicit bias and disability and diversity awareness with
14 specific attention to racial and ethnic disparities.

15 (iii) 1. The specialized curriculum developed under this
16 subsection may not go into effect until it is approved by the Maryland Police Training and
17 Standards Commission.

18 2. If the Maryland Police Training and Standards
19 Commission does not initially approve the specialized curriculum, the Center shall amend
20 the curriculum until it meets with the Commission's approval.

21 (2) On or before March 1, 2019, the Center shall develop and submit to the
22 Maryland Police Training and Standards Commission for approval a model training
23 program that meets the requirements of the curriculum approved under paragraph (1) of
24 this subsection.

25 (3) Each local law enforcement agency shall:

26 (i) Enroll individuals assigned to be school resource officers in the
27 model training program developed by the Center under paragraph (2) of this subsection; or

28 (ii) 1. Submit to the Maryland Police Training and Standards
29 Commission for approval a training program that is consistent with the curriculum
30 developed under paragraph (1) of this subsection; and

31 2. Enroll individuals assigned to be school resource officers

1 in the training program developed under item 1 of this item.

2 (4) Beginning September 1, 2019, to be assigned as a school resource officer
3 an individual shall:

4 (i) Complete:

5 1. The model training program developed by the Center
6 under paragraph (2) of this subsection through instruction provided by the Center in
7 collaboration with the Maryland Police Training and Standards Commission; or

8 2. A local law enforcement agency's training program
9 developed under paragraph (3)(ii) of this subsection; and

10 (ii) Be certified by the Maryland Police Training and Standards
11 Commission.

12 (5) Beginning September 1, 2019, to be employed as a school security
13 employee at a public school, an individual shall complete:

14 (i) The model training program developed by the Center under
15 paragraph (2) of this subsection through instruction provided by the Center in collaboration
16 with the Maryland Police Training and Standards Commission; or

17 (ii) A local law enforcement agency's training program developed
18 under paragraph (3)(ii) of this subsection.

19 (c) The Center shall collect data regarding the school resource officers in each
20 local school system, including:

21 (1) The number of full-time and part-time school resource officers
22 assigned to each elementary school, middle school, and high school; and

23 (2) Any other local school system employees or local law enforcement
24 officers who are fulfilling the role of a school resource officer.

25 (d) (1) On or before December 15, 2018, the Center, in collaboration with local
26 law enforcement agencies and local school systems, shall analyze the initial data collected
27 under subsection (c) of this section and develop guidelines to assist local school systems in:

28 (i) Identifying the appropriate number and assignment of school
29 resource officers, including supplemental coverage by local law enforcement agencies; and

30 (ii) Collaborating and communicating with local law enforcement
31 agencies.

32 (2) On or before July 1, 2019, each local school system, in consultation with

1 local law enforcement agencies, shall:

2 (i) Develop a plan to implement the guidelines developed by the
3 Center; and

4 (ii) Submit the plan to the Center for review and comment.

5 (e) (1) Before the 2018–2019 school year begins, each local school system shall
6 file a report with the Center identifying:

7 (i) The public high schools in the local school system’s jurisdiction
8 that have a school resource officer assigned to the school; and

9 (ii) If a public high school in the local school system’s jurisdiction is
10 not assigned a school resource officer, the adequate local law enforcement coverage that
11 will be provided to the public high school.

12 (2) Beginning with the 2019–2020 school year, and each school year
13 thereafter, before the school year begins, each local school system shall, in accordance with
14 the plan developed under subsection (d)(2) of this section, file a report identifying:

15 (i) The public schools in the local school system’s jurisdiction that
16 have a school resource officer assigned to the school; and

17 (ii) If a public school in the local school system’s jurisdiction is not
18 assigned a school resource officer, the adequate local law enforcement coverage that will be
19 provided to the public school.

20 (3) On or before October 1, 2018, and each October 1 thereafter, the Center
21 shall submit a summary of the reports required under this subsection to the Governor and,
22 in accordance with § 2–1257 of the State Government Article, the General Assembly.

23 (f) (1) (i) **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
24 **PARAGRAPH, A SCHOOL RESOURCE OFFICER MAY NOT ENTER A SCHOOL BUILDING.**

25 (ii) **A SCHOOL RESOURCE OFFICER MAY ENTER A SCHOOL**
26 **BUILDING:**

27 **1. IF SUMMONED BY A SCHOOL ADMINISTRATOR OR**
28 **OFFICIAL TO RESPOND TO AN EMERGENCY INVOLVING VIOLENCE OR THE THREAT**
29 **OF VIOLENCE;**

30 **2. TO PARTICIPATE IN SPECIALIZED INSTRUCTION**
31 **SANCTIONED BY A SCHOOL ADMINISTRATOR OR OFFICIAL; OR**

32 **3. TO USE A RESTROOM IN THE BUILDING.**

1 **(2) UNLESS A SCHOOL RESOURCE OFFICER IS RESPONDING TO AN**
2 **EMERGENCY INVOLVING VIOLENCE OR THE THREAT OF VIOLENCE, THE SCHOOL**
3 **RESOURCE OFFICER SHALL CONCEAL ANY FIREARMS CARRIED BY THE OFFICER.**

4 **(3) AT ALL TIMES WHILE ON THE CAMPUS OR INSIDE OF A SCHOOL, A**
5 **SCHOOL RESOURCE OFFICER SHALL WEAR CIVILIAN CLOTHING.**

6 **(4) A SCHOOL RESOURCE OFFICER MAY NOT PARTICIPATE IN THE**
7 **ROUTINE SCHOOL DISCIPLINE OF A STUDENT.**

8 **(5) Each local school system shall post on the school system's website**
9 **information on the role and authority of school resource officers assigned to public schools**
10 **within the school system.**

11 (g) (1) For fiscal year 2020 and each fiscal year thereafter, the Governor shall
12 appropriate in the annual State budget \$10,000,000 to the Fund for the purpose of
13 providing grants to local school systems and local law enforcement agencies to assist in
14 meeting the requirements of subsection (e) of this section.

15 (2) Grants provided under this subsection shall be made to each local
16 school system based on the number of schools in each school system in proportion to the
17 total number of public schools in the State in the prior year.

18 (h) (1) The Center shall collect data on incidents of use of force between:

19 (i) Any school resource officer and a student while a school resource
20 officer is carrying out the officer's duties; and

21 (ii) Any school security employee and a student while the school
22 security employee is carrying out the employee's duties.

23 (2) On or before December 1, 2020, and each December 1 thereafter, the
24 Center shall submit a report on the data collected under paragraph (1) of this subsection
25 for each jurisdiction, in accordance with federal and State law, to the Governor and, in
26 accordance with § 2-1257 of the State Government Article, the General Assembly.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2021.



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-262-FY21

3/24/2021

7.a)

Submitted by: Laura Reams
Submitting Department: Administration
Agenda Section: Presentation

Item Title:

Introduction of the Draft Budget for Fiscal Year 2022 (45 minutes)

Suggested Action:

For presentation and discussion.

Summary Background:

City Administrator Douglas, City Treasurer Brooks, and the Department Directors will introduce the Draft FY-2022 Budget and provide a high-level overview of the budget for the Council, residents, and stakeholders.

Next Steps:

Council Discussion.

Fiscal Impact:

See Budget Document

City Administrator Comments:

For Discussion

Community Engagement:

The draft budget will be posted on the City's website prior to the meeting.

Strategic Goals:

Goal 2 - Ensure the Long-Term Economic Viability of the City

Legal Review Required?

N/A



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
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Agenda Item Report

File #: HCC-266-FY21

3/24/2021

9.a)

Submitted by: Sean Corcoran
Submitting Department: City Clerk
Agenda Section: Community Notices and Meetings

Item Title:
Main City Calendar March 25 - April 5, 2021

Suggested Action:
N/A

Summary Background:
N/A

Next Steps:
N/A

Fiscal Impact:
N/A

City Administrator Comments:
N/A

Community Engagement:
N/A

Strategic Goals:
Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?
N/A

City Calendar: March 25 – April 5, 2021

City Council meetings will continue as scheduled and will be accessible to the public through web stream and cable. Public comment will be accepted electronically, and participants can join the virtual meeting after registration. For more information visit: hyattsville.org/meetings

Community Meeting for Jefferson Street Traffic Calming Update

Thursday, March 25th, 7:00 PM (Virtual Meeting)

Health, Wellness, and Recreation Advisory Committee

Thursday, March 25th, 7:00 PM (Virtual Meeting)

Age-Friendly Hyattsville Work Group Meeting

Friday, March 26th, 11:00 AM (Virtual Meeting)

Hybrid Spring Camp

Monday, March 29th – April 2nd

Students can enjoy their school break this year with the City's Hybrid Spring Camp! Youngsters in grades K-5 can enjoy a mix of activities and crafts, DIY projects, and even participate in a virtual field trip! Registration opens on Wednesday, February 24 at just \$20 per camper. To learn more, visit www.hyattsville.org/camp.

Creative Minds at Home

Tuesday, March 30th, 11:00 AM (Virtual Meeting)

Expiration of Residential Parking Permits for Group 1 (Zones 3, 4, and 12)

Wednesday, March 31st

It's time to renew your parking permits Hyattsville! Group 1 permits (Zones 3, 4, and 12) are set to expire Wednesday, March 31, 2021. Visit hyattsville.org/res-permits to complete the renewal process and contact (301) 985-5027 with any questions.

Ward 3 Check-in

Wednesday, March 31st, 6:00 PM (Virtual Meeting)

Join Ward 3 Councilmembers Carrianna Suiter and Ben Simasek discuss recent development projects, pedestrian and street safety, and policing. To register, visit hyattsville.org/calendar.

Code Compliance Advisory Committee Meeting

Wednesday, March 31st, 7:00 PM (Virtual Meeting)

Shade Tree Board Meeting

Thursday, April 1st, 1:30 PM (Virtual Meeting)

Public Hearing: Magruder Park Renaming

Monday, April 5th, 6:00 PM (Virtual Hearing)

City Council Meeting: FY22 Council Budget Amendments

Monday, April 5th, 7:00 PM (Virtual Meeting)

All events scheduled for April 6, 2021 and beyond may still be subject to cancellation due to the COVID-19 emergency. For updated details on meetings and events, visit hyattsville.org

The following weekly program offerings and City events are canceled through Monday, April 5, 2021.

- Ageless Grace Exercise Classes
- Community Yoga
- Senior Bus Trips
- Police Ride-Alongs
- Invasive Plant Removals
- Call-a-Bus Transportation Services

The following services will be suspended or limited through Monday, April 5, 2021.

- Notary and Fingerprint Services
- Licensing and Permitting

The following services and activities will continue as scheduled:

- Police patrols and emergency response
- Solid waste, recycling, and compost collections
- Parking enforcement
- Bulk trash pick-up will resume the first week in March and continue every other Wednesday thereafter. Residents must sign up in advance.