

City of Hyattsville

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



Agenda Regular Meeting

Register in advance for this webinar:

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

Monday, March 1, 2021

7:00 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 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**
- 2. Pledge of Allegiance to the Flag**
- 3. Approval of Agenda**
- 4. Public Comment (7:10 p.m. – 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker**
- 5. City Administrator Update (7:20 p.m. - 7:30 p.m.)**
- 6. City Treasurer Update (7:30 p.m. - 7:35 p.m.)**
- 7. Presentations (7:35 p.m. - 7:50 p.m.)**
 - 7.a) Mental Health Program** [HCC-236-FY21](#)
Presentation Only
Sponsors: City Administrator
Department: Police Department
Attachments: [HCPD MH Program- City Council March 1 Presentation](#)
- 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](#)

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

Sponsors: City Administrator

Department: City Clerk

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

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

9.a) Deitz Park - Storm Drain Improvements [HCC-216-FY21](#)

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.

Sponsors: City Administrator

Department: Public Works

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

9.b) Purchase of Replacement Trash Toters [HCC-237-FY21](#)

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.

Sponsors: City Administrator

Department: Public Works

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

9.c) Planting of Bioretention Garden at Nicholson Street and Maryhurst Drive [HCC-238-FY21](#)

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.

Sponsors: City Administrator

Department: Public Works

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

9.d) Wells Boulevard/Parkway Complete Green Street Project Change Order 1 [HCC-240-FY21](#)

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.

Sponsors: City Administrator

Department: Public Works

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

9.e) New DPW Facility Construction - 3rd Party Inspection and Construction Management Change Order 1 [HCC-241-FY21](#)

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.

Sponsors: City Administrator

Department: Public Works

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

9.f) Purchase of Solar Power LED Blinker Stop Signs[HCC-242-FY21](#)

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.

Sponsors: City Administrator

Department: Public Works

Attachments: [Sales-Quote Q21002854](#)

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](#)

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 Professional Trades fund. 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 Trade 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.

Sponsors: Solomon

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

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

11.a) COVID-19 Support for Hyattsville Non-Profits[HCC-244-FY21](#)

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.

Sponsors: Solomon

Department: Legislative

Attachments: [Solomon Motion, Budget Request 1 - Non-Profit Fund V3](#)
[Solomon Motion, NonProfit, Maryland allocations](#)

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

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.

Sponsors: Solomon, Schaible, Simasek, Peabody and Ward

Department: City Clerk

Attachments: [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](#)

12. Council Dialogue (8:45 p.m. - 8:55 p.m.)**13. Community Notices and Meetings**

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

N/A

Sponsors: City Administrator**Attachments:** [Main City Calendar Mar 2 - Mar 15 2021 FINAL](#)**14. Motion to Adjourn**



Agenda Item Report

File #: HCC-236-FY21

3/1/2021

7.a)

Submitted by: Acting Chief Scott Dunklee
Submitting Department: Police Department
Agenda Section: Presentation

Item Title:

Mental Health Program

Suggested Action:

Presentation Only

Summary Background:

The City has adopted the report on The President's Task Force on 21st Century Policing. The 6th pillar in the report relates to Officer Safety and Wellness. This pillar realizes that for a police department to function well, we must recognize that officers' judgment and behavior are adversely affected by poor physical or psychological health. This is a beginning that will help us focus on mental health internally and support our external customers in the Hyattsville Community. The program then expands to a larger mental health response in the community. Grants, outside funding, and finding no-cost training courses will be an integral part of these programs.

The City of Hyattsville Police Department (HCPD) currently operates with annual, mandatory, in-service training for all officers. Content varies each year to maintain competencies but includes annual firearms review and de-escalation training. This proposed program adds mandatory and optional training and educational programming that specifically address mental health, self-care, and crisis response techniques.

The goal is to give every HCPD officer and dispatcher additional tools to best respond to individuals in emotional or psychological distress. This program proposal also provides opportunities for all HCPD employees to explore mental wellness techniques. The program calendar, which begins this spring, is designed to provide officers and dispatchers with useful information and training they can begin to use now.

Next Steps:

Programs under consideration

- Required quarterly mental wellness check-ins for all officers and dispatchers
- Optional, twice-weekly meditation and wellness sessions
- Crisis Intervention Team (CIT) training for two (2) officers (40 Hours)
- Required one-day educational and training program for all officers and dispatchers
 - Post-Traumatic Stress Disorder (PTSD) training
 - Suicide Prevention discussion
 - Resiliency and Mental Wellness for First Responders presentation
 - Emotional Survival Series recorded webinars
 - Re-introduction to meditation and mental wellness
 - Introduction to quarterly Mental Wellness Check-ins Program
- Required one-week (40 hours) for two (2) officers
 - Crisis Intervention Team (CIT) training

- Mental Wellness Event: HCPD and City
- New and refresher training courses
- Conferences, webinars, and education programs

The Department's commitment to increasing officers' and dispatchers' understanding of mental illness, mental wellness, as well as fulfilling a need for additional crisis response support is reflected in its participation in the International Association of Chiefs of Police *One Mind Campaign* <<https://www.theiacp.org/projects/one-mind-campaign>> pledged to partner with the community and mental health organizations to ensure successful interactions between law enforcement and people in crisis and with mental health issues or disorders.

This mental health program takes a significant step toward accomplishing our One Mind Campaign goal. It also identifies us as a leader in the law enforcement community. It positions us for collaborative efforts with Prince George's County Police Department and any pilot programs the Prince George's County Executive's Office may want to fund. Implementing this program will demonstrate to the citizens of Hyattsville that both the Department and the City's leaders are answering the call to support the residents' mental health and the first responders who work to keep them safe.

Fiscal Impact:

TBD

City Administrator Comments:

For presentation.

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A

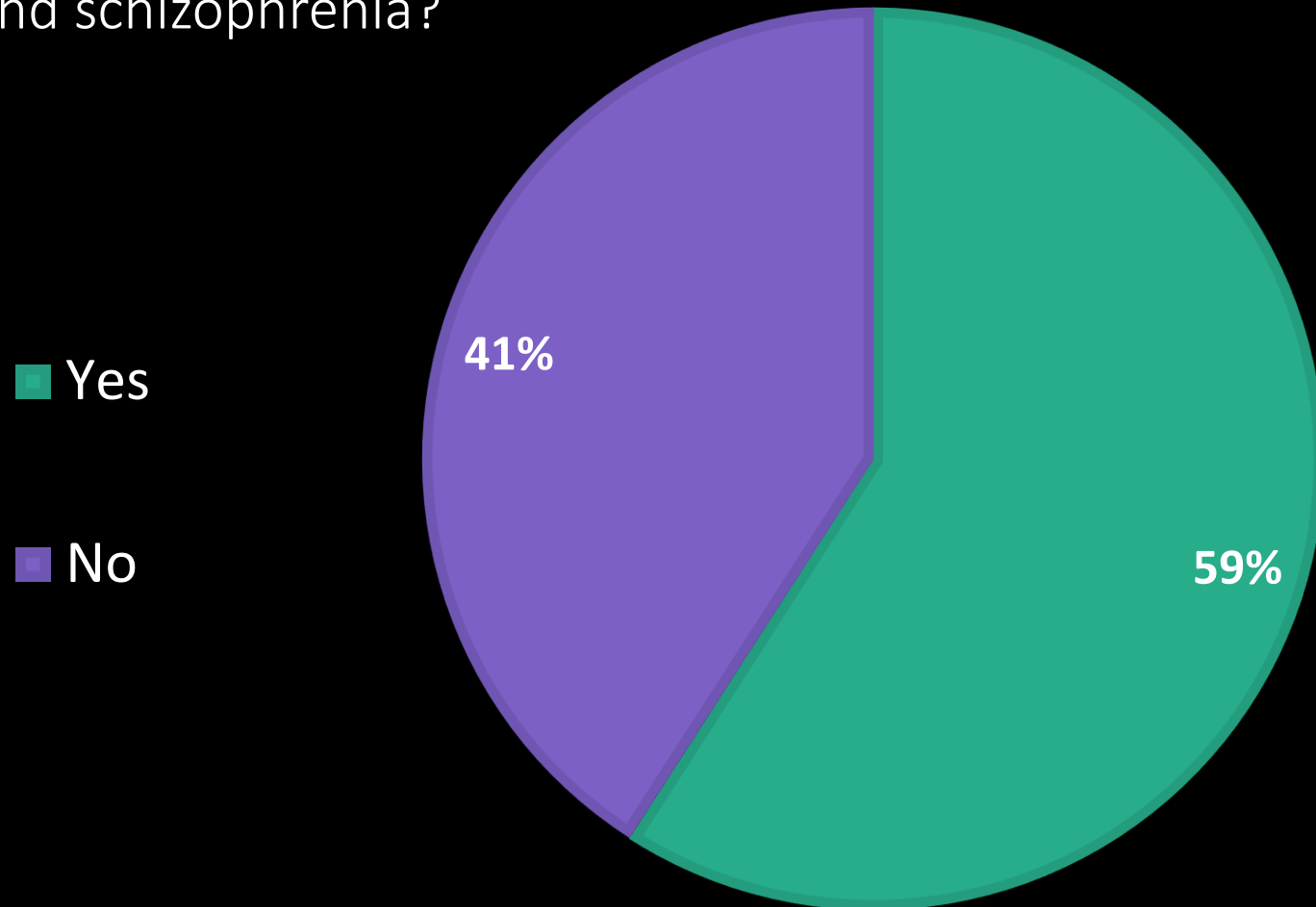


HCPD MENTAL HEALTH PROGRAM PROPOSAL

HCPD MENTAL HEALTH SURVEY RESULTS



If asked, would you be able to describe the difference between bipolar disorder and schizophrenia?



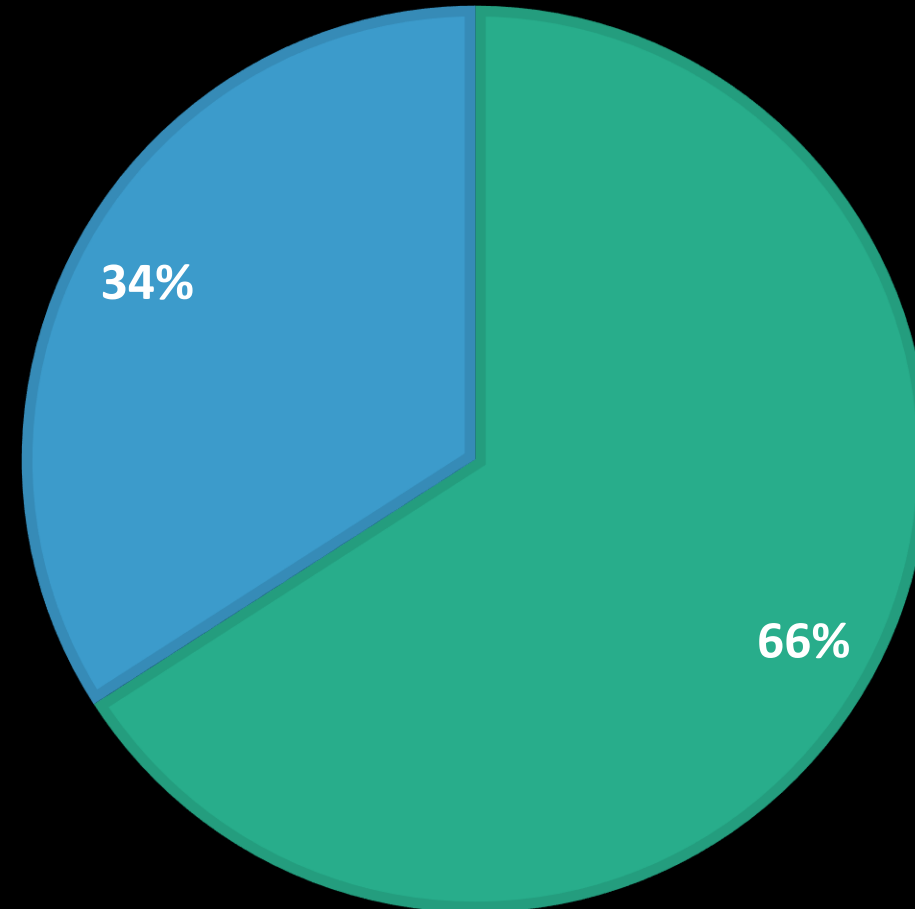
HCPD MENTAL HEALTH SURVEY RESULTS



Do you feel your training (the academy, in-service, etc.) is adequate to properly engage people on the phone or in person who may be experiencing a mental health crisis?

■ Yes

■ No



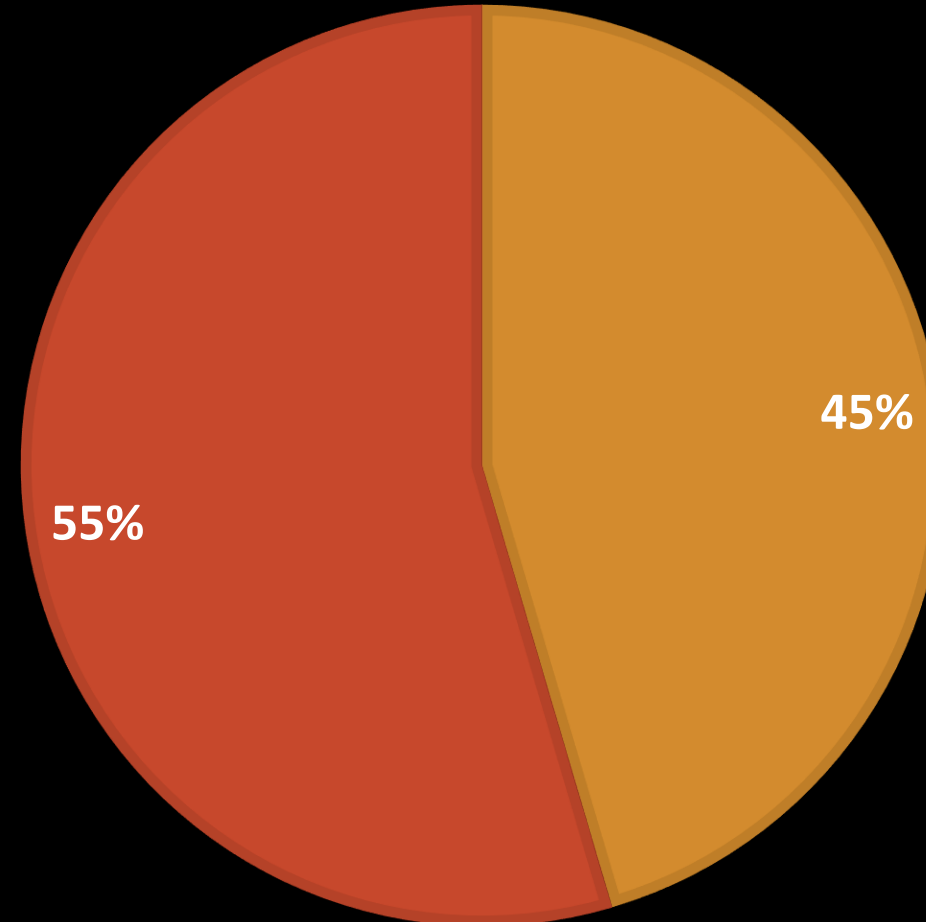
HCPD MENTAL HEALTH SURVEY RESULTS



Do you feel your training (the academy, in-service, etc.) is adequate to properly engage people on the phone or in person who have autism?

■ Yes

■ No



HCPD MENTAL HEALTH SURVEY RESULTS



Would you see it as a positive or a negative if it became HCPD policy for every officer and dispatcher to meet with a talk therapist once a quarter for a mental wellness check-in, as part of our wellness program?

■ Positive

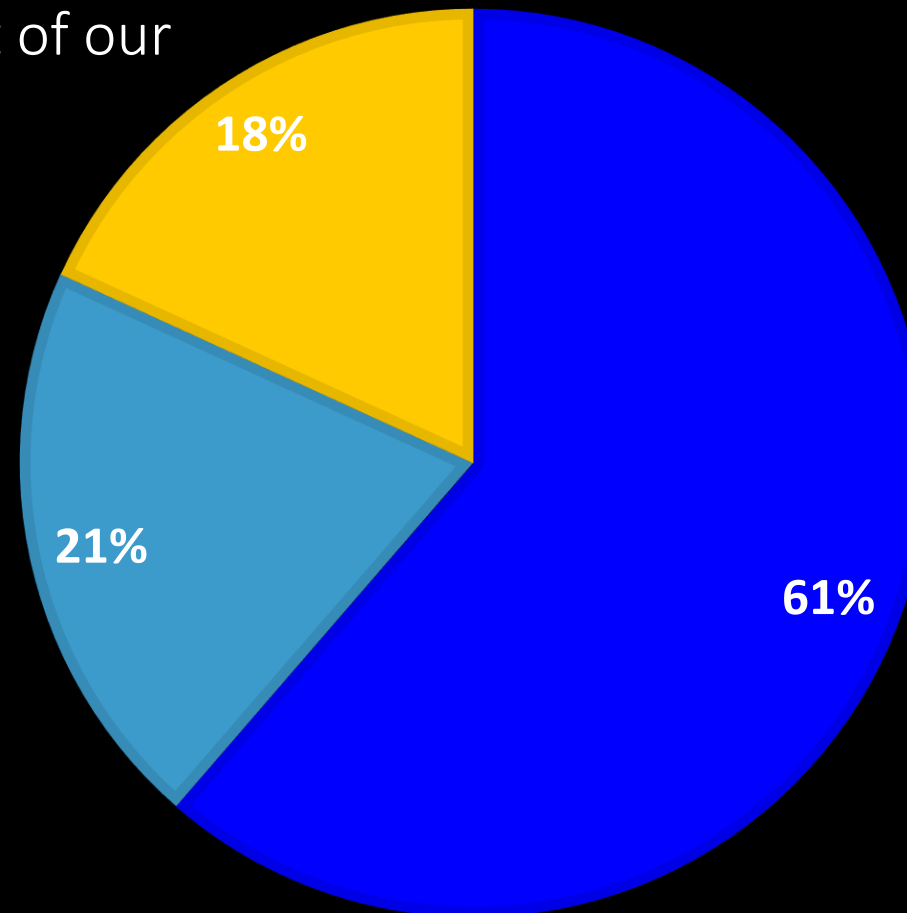
61.36% (27)

■ It would not matter to me

20.45% (9)

■ Negative

18.18% (8)



HCPD MENTAL HEALTH AND WELLNESS PROGRAM

PHASE 1:

January 2021- June 2021

(Current FY 20/21 funding)



PHASE 1

REQUIRED

March:

- Mental Health First Aid *for law enforcement*

April:

- Mental Health and Wellness Day

May:

- *For select officers: Crisis Intervention Team (CIT) Training*

OPTIONAL

- Additional mental health focused education and training opportunities (*began last fall*)
- Twice-weekly mental wellness and meditation sessions



HCPD Mental Health and Wellness Day

April 2021

REQUIRED: All Officers and Dispatchers

- NAMI Mental Illness 101
- DC SAFE Inc. domestic abuse training
- Community Crisis Services, Inc.
- Introduction to mental wellness and meditation
- Pathfinders for Autism MD training
- PG County Local Behavioral Health Authority



HCPD MENTAL HEALTH AND WELLNESS PROGRAM

PHASE 2: FY 21/22



PHASE 2

REQUIRED

- Mental Wellness Check-in Program (Sept., Dec., March June)
- Refresher courses, new education programming and training

OPTIONAL

- Additional mental health education and training opportunities
- Twice-weekly meditation and other mental wellness programming



PHASE 2

REQUIRED

June, July, August

- *For select officers: CIT Training*

July/August

- HCPD Mental Health and Wellness Day

September/October

- Joint HCPD-City Gov. Mental Health and Wellness Community Event



HCPD Mental Health and Wellness Day

Summer 2021

REQUIRED: *All Officers and Dispatchers*

- PTSD training
- Suicide prevention training
- Resiliency & Mental Wellness for First Responders presentation
- Emotional Survival webinar
- Introduction to the Mental Wellness Check-in Program



HCPD MENTAL HEALTH AND WELLNESS PROGRAM

PHASE 3: FY 22/23



PHASE 3: FY 22/23

NEW POLICE AND PUBLIC SAFETY BUILDING OPENS

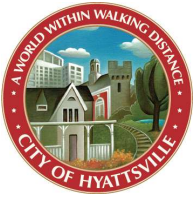
- Ongoing HCPD mental health and wellness programming
- Community social service outreach
 - Emergency referral services
 - Drop in opportunities
 - Food and clothing pantry
 - Homeless outreach



Potential Funding Sources

- City funds
- County and state funds
- Federal grants
- Private grants





City of Hyattsville

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Agenda Item Report

File #: HCC-239-FY21

3/1/2021

8.a)

Submitted by: Sean Corcoran
Submitting Department: City Clerk
Agenda Section: Proclamation

Item Title:

Proclamation Celebrating March 2021 as Women's History Month in the City of Hyattsville

Suggested Action:

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

Summary Background:

Communities across the nation are celebrating March 2021 as Women's History Month, with the moving theme of "Valiant Women of the Vote: Refusing to be Silenced," in honor of the brave women who fought to win suffrage rights for women, and for the women who continue to fight for the voting rights of others.

Next Steps:

Proclaim March 2020 to be Women's History Month in the City of Hyattsville.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend adoption.

Community Engagement:

Recognition throughout the City of Hyattsville

Strategic Goals:

Goal 5 - Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?

N/A

CITY OF HYATTSVILLE

PROCLAMATION

CELEBRATING MARCH 2021 AS WOMEN'S HISTORY MONTH IN THE CITY OF HYATTSVILLE

WHEREAS, our community strives to foster equality, celebrate diversity, promote understanding, and support the needs and aspirations of all residents; and

WHEREAS, women of every race, class, and ethnic background have made historic contributions to our communities both inside and outside of the home; and

WHEREAS, throughout American history, even in the face of exclusion from society and democracy, women have continued to reach new heights in business, government, philanthropy, volunteerism, and military service; and

WHEREAS, communities across the nation are celebrating March 2021 as Women's History Month, with the moving theme of "Valiant Women of the Vote: Refusing to be Silenced," and

WHEREAS, this theme honors women who have fought to win suffrage rights for women and for the women who continue to fight for the voting rights of others; and

WHEREAS, women in our nation have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and the peace movement; all of which have contributed to a more fair and just society for all; and

WHEREAS, we acknowledge that the work is not yet done in supporting our sisters as they shatter the glass ceilings that still hold our society back from reaching its full potential;

NOW, THEREFORE BE IT RESOLVED, that the City's Interim Mayor and Council proclaim March 2021 to be Women's History Month, in recognition and support of women in Hyattsville and everywhere who dare to be themselves and who, in doing so, continue to transform our communities for the better.

Kevin Ward

Interim Mayor, City of Hyattsville

March 1, 2021





City of Hyattsville

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Agenda Item Report

File #: HCC-216-FY21

3/1/2021

9.a)

Submitted by: Hal Metzler
Submitting Department: Public Works
Agenda Section: Consent

Item Title:

Deitz Park - Storm Drain Improvements

Suggested Action:

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.

Summary Background:

Deitz Park has undergone several improvements over the past few years including renovation of the playground equipment, reconstruction of the pathway, and a number of improvements to trees and landscaping. One of the remaining tasks is to clean and make improvements to the onsite stormwater management in order to reduce the impact on the surrounding residents.

Next Steps:

With Council approval, work will begin in early spring. This stormwater mitigation should reduce the sheet flow onto residential properties adjacent to Deitz Park.

Fiscal Impact:

NTE \$40,000.00

City Administrator Comments:

TBD

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



10944 Beaver Dam Rd, Ste C | Hunt Valley, MD 21030
P: 410.785.0875 | www.mdswm.com | info@mdswm.com

WORK AUTHORIZATION

Date: January 29, 2021

To: City of Hyattsville
Lesley Riddle lriddle@hyattsville.org
Dawn Taft: dtaft@hyattsville.org
Tara George: tgeorge@hyattsville.org
Hal W. Metzler, Jr. hmetzler@hyattsville.org

Project: **Task Order #10**
Dietz Park Flood Mitigation
SMC Project 20008.10 - TO#10

In accordance with your request, Stormwater Maintenance, LLC (dba SMC) is pleased to submit this work authorization proposal for the requested repairs on the above referenced facility. This proposal is based on our observations made during our initial site maintenance operations and our understanding of the project at this time.

Scope of Services:

SMC proposes to perform work as specifically described in the following scope:

1. Mobilize, one time, a repair crew and all necessary equipment to the site.
2. Root prune up to forty (40) linear feet using a vibratory plow.
3. Remove up to one (1) 4" tree.
4. Remove up to one (1) 6" tree.
5. Grind and remove wood chips from one 30" stump up to six (6) inches below grade.
6. Install trapezoidal channel per the approved plans. See Exhibit A.
7. Seed and stabilize disturbed areas upon completion.

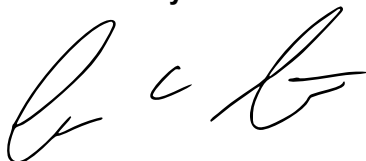
This proposal does not include the removal or disposal of any buried debris. This proposal does not include permitting and assumes that the client will provide any and all necessary permits for the work described in the scope of services.

Work proposed herein is limited to what is described in the above Scope of Services. Any work requested to be performed, is subsequently requested by the Client or County, or otherwise not described above may result in additional costs. You will be advised of any additional costs prior to commencing additional work.

Terms: Per existing contract dated January 7, 2020

Cost: \$38,659.00 Lump Sum

Submitted by:



Eric Ettenhofer
Project Manager

Client Acceptance:

Your authorization for SMC to proceed with the work via written, verbal, email, fax, purchase order, or other preferred contract format acknowledges your acceptance of this Authorization and the terms and conditions of our existing contract.

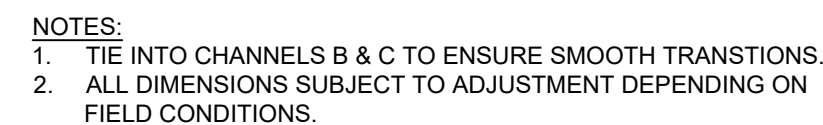
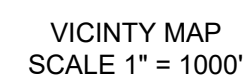
Agreed and Accepted this _____ day of _____, 2020.

By _____

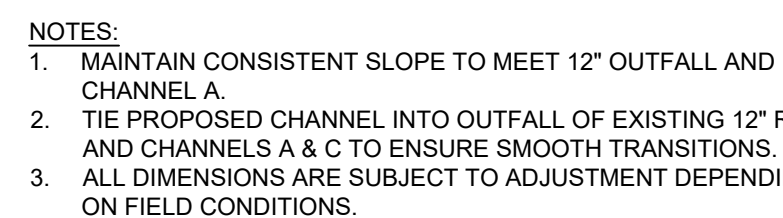
Printed Name: _____

Title: _____

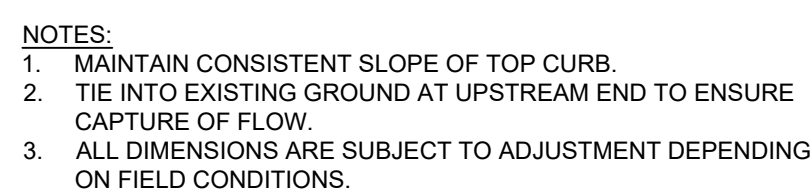
By signing above, you acknowledge that you are authorized to enter into contractual agreements for the entity that is responsible for the work proposed herein.



NTS



NTS



NTS



Designed By: TG	Scale: 1" = 10'	Project No.: 20008
Drawn By: CLR	Date: 01 19 2021	SHEET: 1 OF 1
Checked By: TES	Approved:	

1. PROPERTY LINES ARE TO BE ASSUMED APPROXIMATE, TAKEN FROM TAX PARCEL VIEWER MAP PROVIDED BY HYATTSVILLE GIS ON 8/11/2020.
2. DEITZ PARK SURVEY DATA FROM JMT OBTAINED ON 5/8/2020.
3. ALL INFORMATION SUBJECT TO FINAL DESIGN.
4. PROPOSED IMPROVEMENTS SUBJECT TO UTILITY LOCATIONS.
5. THIS PLAN IS INTENDED TO PROVIDE INTERIM FLOODING RELIEF FOR SMALL, FREQUENT STORMS AND MAY NOT SUFFICIENTLY CONVEY LARGER STORM EVENTS.

CITY OF HYATTSVILLE

WE PROTECT AND RESTORE
WATERSHEDS.

DATE	REVISION



City of Hyattsville

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Agenda Item Report

File #: HCC-237-FY21

3/1/2021

9.b)

Submitted by: Hal Metzler
Submitting Department: Public Works
Agenda Section: Consent

Item Title:

Purchase of Replacement Trash Toters

Suggested Action:

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.

Summary Background:

The City of Hyattsville Department of Public Works (DPW) provides Toter trash receptacles to single family residences designed to be lifted by the fleets tippers installed on all trash collection trucks. Every year DPW must replace damaged and missing Toters. The purchase from Toter is facilitated using the Omnia Partners (formerly US Communities) collective purchasing agreement, of which the City is a member.

Next Steps:

Issue the Purchase Order and receive the Toters.

Fiscal Impact:

NTE \$15,000

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A

Sell To:

Contact Name	Laura Carr	Ship To Name	City of Hyattsville
Bill To Name	City of Hyattsville	Ship To	4310 Gallatin St
Bill To	4310 Gallatin St Hyattsville, MD 20781 USA		Hyattsville, MD 20781 USA
Email	lcarr@hyattsville.org		
Phone	(301) 985-5000		

Quote Information

Salesperson	Shane Gore	Created Date	1/14/2021
Salesperson Email	sgore@wastequip.com	Expiration Date	1/28/2021
		Quote Number	WQ-10179161
			Please Reference Quote Number on all Purchase Orders

Product	Product Description	Selected Option	Quantity	Sales Price	Total Price
**Plastics - 79296 - NIPA	Model 79296 - Toter 96 Gallon EVR II Universal/Nestable Cart-NIPA	---Body Color - (279) Brownstone ---Lid Color - (200) Black ---Body Hot Stamp on Both Sides (Existing) in White ---Wheels - 10in Sunburst ---Toter Serial Number Hot Stamped on Front of Cart Body in White ---2/3 Assembled with Lid (down), Stop Bar and Axle Factory Installed ---Warranty – 12 Yrs Cart Body, All other components 10 Yrs	200.00	\$50.09	\$10,018.00

Payment Terms	Net 30 Days if credit has been established	Subtotal	\$10,018.00
Shipping Terms	FOB Origin	Shipping	\$1,463.00
		Tax	\$0.00
		Grand Total	\$11,481.00

Additional Information

Additional Terms Our Quote is a good faith estimate, based on our understanding of your needs. Subject to our acceptance, your Order is an offer to purchase our Products and services in accordance with the Wastequip Terms & Conditions of Sale ("WQ T&C") located at: <https://www.wastequip.com/terms-conditions-of-sale>, as of the date set forth in Section 1(b) of the WQ T&C, which are made a part of this Quote. These WQ T&Cs may be updated from time to time and are available by hard copy upon request.

Additional Information Pricing is based on your anticipated Order prior to the expiration of this Quote, including product specifications, quantities and timing, accepted delivery within 45 days of Order acceptance by Toter. Any differences to your Order may result in different pricing, freight or other costs. Due to volatility in petrochemical, steel and related Product material markets, actual prices and freight, are subject to change. We reserve the right, by providing notice to you at any time before beginning Product manufacturing, to increase the price of the Product(s) to reflect any increase in the cost to us which is due to any factor beyond our control (such as, without limitation, any increase in the costs of labor, materials, or other costs of manufacture or supply). Unless otherwise stated, materials and container sizes indicated on sales literature, invoices, price lists, quotations and delivery tickets are nominal sizes and representations – actual volume, Products and materials are subject to manufacturing and commercial variation and Wastequip's practices, and may vary from nominal sizes and materials. All prices are in US dollars; this Quote may not include all applicable taxes, brokerage fees or duties. If customer is not tax exempt, final tax calculations are subject to change.



841 Meacham Rd, Statesville, NC, 28677

PHONE: 800-424-0422 FAX: 833-930-1124

WQ-10179161

Special Contract
Information

Please Note: Pricing and Product offerings is based on the OMNIA Partners, Public Sector (subsidiaries National IPA and U.S. Communities) agreement through Toter's Contract No. 171717 as awarded by the City of Tucson on 02-01-2018. Per the terms of this contract, pricing and products are evaluated every three (3) months for price adjustments based on current market conditions, at any time without prior notice, and after City of Tucson approval. The current pricing is effective 8-1-2020 through 10-31-2020. Toter, LLC Product Warranties, Disclaimers, Limitation of Liability and Remedies, and Limited Warranty Provisions apply to all purchases thereunder.

Signatures

Accepted By: _____

Company Name: _____

Date: _____

Purchase Order: _____

Please Reference Quote Number on all Purchase Orders



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-238-FY21

3/1/2021

9.c)

Submitted by: Hal Metzler
Submitting Department: Public Works
Agenda Section: Consent

Item Title:

Planting of Bioretention Garden at Nicholson Street and Maryhurst Drive

Suggested Action:

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.

Summary Background:

Over the past several years City staff has been working with the parents and residents near Felegy Elementary School to improve traffic and pedestrian safety. In FY2020 the City Council authorized the Department of Public Works (DPW) to move forward with a traffic calming plan which was constructed and completed in the Spring of 2020. The City asked SMC to design, install, and provide a maintenance plan for the landscaping of the bioretention.

Next Steps:

Issue the Purchase Order and install the landscaping.

Fiscal Impact:

NTE \$44,000

City Administrator Comments:

Recommend Approval

Community Engagement:

The City held numerous public meetings with adjacent residents and parents leading up to the approval and installation of the traffic calming plan.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



10944 Beaver Dam Rd, Ste C | Hunt Valley, MD 21030
P: 410.785.0875 | www.mdswm.com | info@mdswm.com

WORK AUTHORIZATION

Date: February 23, 2021

To: City of Hyattsville
Lesley Riddle lriddle@hyattsville.org
Dawn Taft: dtaft@hyattsville.org
Tara George: tgeorge@hyattsville.org
Hal W. Metzler, Jr.: hmetzler@hyattsville.org

Project: **ES-21-054**
Nicholson Street Improvements - Phase I, II and III Construction

In accordance with your request, Stormwater Maintenance, LLC (dba SMC) is pleased to submit this work authorization proposal for the requested repairs on the above referenced facility. This proposal is based on *Nicholson Street Bioretention Rehabilitation* dated 1/19/2021, *Nicholson Street Water Quality Street Trees* dated 2/2/2021, and *31st Place Concrete Restoration* dated 2/2/2021, developed by SMC and Bradley Site Design, Inc. and approved by you.

Scope of Services:

SMC proposes to perform work as specifically described in the following scope of work, in accordance with the above referenced plans.

Phase 1 - Bioretention Rehabilitation:

1. Mobilize, one time, a repair crew and all necessary equipment to the site.
2. Install E&S Controls per the approved plans.
3. Remove accumulated sediment and replace mulch in the facility.
4. Furnish and install landscape plantings.
5. Seed and stabilize disturbed areas upon completion.
6. Provide proper photographic documentation confirming completion of work.

Phase 2 - Water Quality Street Trees:

1. Mobilize, one time, a repair crew and all necessary equipment to the site.
2. Install E&S Controls per the approved plans.
3. Furnish and install up to nine (9) silva cell trees per the above referenced plans.
4. Seed and stabilize disturbed areas upon completion.
5. Provide proper photographic documentation confirming completion of work.

Phase 3 - Concrete Restoration:

1. Mobilize, one time, a repair crew and all necessary equipment to the site.
2. Install E&S Controls per the approved plans.
3. Remove and dispose of approximately 650 square feet of existing concrete and subbase.
4. Furnish and install approximately 650 square feet of porous concrete per plan detail.
5. Furnish and install the plantings.
6. Seed and stabilize disturbed areas upon completion.
7. Provide proper photographic documentation confirming completion of work.

Alternate #1 - Concrete Restoration:

We protect and restore watersheds.
www.MdSWM.com

1. Remove and dispose of approximately 1,400 square feet of additional existing concrete and subbase.
2. Furnish and install 6 inches of #57 stone.

Alternate #2 - Concrete Restoration:

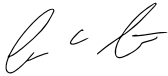
1. Remove and dispose of up to 1,400 square feet of additional existing concrete and subbase.
2. Furnish and install approximately 1,400 square feet of porous concrete per plan detail.

Work proposed herein is limited to what is described in the above Scope of Services. This proposal does not include permitting, as-built survey, or any type of landscape certification. Additionally, this proposal assumes no flagging operation is necessary during construction. Watering of installed plants after installation is not included in this proposal. Any work requested to be performed, is subsequently requested by the Client, or otherwise not described above may result in additional costs. You will be advised of any additional costs prior to commencing additional work.

Terms: Per existing contract dated January 7, 2020

Cost:	Phase 1 - Bioretention:	\$40,857.00 Lump Sum
	Phase 2 - Street Trees:	\$69,117.00 Lump Sum
	Phase 3 - Concrete Restoration:	\$47,363.00 Lump Sum
	Alternate #1:	\$11,900.00 Lump Sum
	Alternate #2:	\$57,974.00 Lump Sum

Submitted by:



Eric Ettenhofer
Project Manager

Client Acceptance:

Your authorization for SMC to proceed with the work via written, verbal, email, fax, purchase order, or other preferred contract format acknowledges your acceptance of this Authorization and the terms and conditions of our existing contract.

Agreed and Accepted this _____ day of _____, 2020.

By _____

Printed Name: _____

Title: _____

By signing above, you acknowledge that you are authorized to enter into contractual agreements for the entity that is responsible for the work proposed herein.



City of Hyattsville

Hyattsville Municipal Bldg
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Agenda Item Report

File #: HCC-240-FY21

3/1/2021

9.d)

Submitted by: Hal Metzler
Submitting Department: Public Works
Agenda Section: Consent

Item Title:

Wells Boulevard/Parkway Complete Green Street Project Change Order 1

Suggested Action:

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.

Summary Background:

In January 2019, the City Council authorized an expenditure for JMT to design and permit Wells Boulevard/Parkway as a complete green street project. This project design was selected by the Chesapeake Bay Trust to receive a grant of \$100,000 towards the construction in fiscal year 2020 (FY20). Due to additional work required and delays in the review and permitting process with Maryland National Capital Parks and Planning Commission (MNCPPC) and DPIE, as well as delays related to the Coronavirus in 2020 and early 2021, JMT has submitted Change Order #1 to cover the estimated work required to complete the permitting process over the next several weeks.

Next Steps:

Issuance of the Purchase Order to complete the permitting process and begin construction.

Fiscal Impact:

NTE \$25,000

City Administrator Comments:

Recommend Approval

Community Engagement:

A number of community meeting were held during the design and permitting process. No additional meetings are planned at this time.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A

Johnson, Mirmiran & Thompson				
COST SUMMARY FORMAT				
PART I - GENERAL				
CLIENT: City of Hyattsville - Professional Consulting & Design Services	Hyattsville Police Relocation	DPW07132015	Task Order 11a CO1	
CONSULTANT: Johnson, Mirmiran & Thompson		PROPOSAL DATE 10-Dec-20		
ADDRESS: 601 New Jersey Ave, Suite 210 Washington, DC 20001				
COST SUMMARY				
1. DIRECT LABOR (Specify labor categories)	HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Design Project Manager	10	\$180.00	\$ 1,800.00	
Project Engineer	55	\$135.00	\$ 7,425.00	
Design Engineer Highways	38	\$115.00	\$ 4,370.00	
Design Engineer	76	\$115.00	\$ 8,740.00	
Total Hours	0			
DIRECT LABOR SUBTOTAL:			\$ 22,335.00	
2. INDIRECT COSTS (Specify)	RATE	X DIRECT LABOR TOTAL =	ESTIMATED	
OVERHEAD AND PAYROLL BURDEN	0%		\$ -	
INDIRECT COSTS SUBTOTAL			\$ -	
3. TOTAL OF DIRECT LABOR & INDIRECT COSTS (Combined Sum of Items 1 & 2)				\$ 22,335.00
4. PROFIT - (Fixed Hourly Rate)				\$ -
5. TOTAL PROFESSIONAL FEE (Combined Sum of Items 3 & 4)				\$ 22,335.00
6. OTHER DIRECT COSTS (refer to attached itemization)				
7. EXPENSES	QTY.	COST	ESTIMATED COST	
a. Transportation (personal car)	0	\$ 0.58	\$ -	
c. Photocopies (internal)	NA	included in contract	\$ -	
d. Photocopies (Outside Copying)	0	sheets X \$0.10/sheet	\$ -	
e. Drawing Prints		sheets X \$1/sheet	\$ -	
f. Mylar Prints		sheets X \$25/sheet		
			\$ -	
EXPENSES SUBTOTAL			\$ -	
8. EQUIPMENT, MATERIALS, SUPPLIES (See attached itemization)	QTY.	COST	ESTIMATED COST	
			\$ -	
			\$ -	
EQUIPMENT SUBTOTAL:			\$ -	
9. SUBCONSULTANT(S)			ESTIMATED COST	
			\$ -	
			\$ -	
SUBCONSULTANT(S) - SUBTOTAL:			\$ -	
10. SUBCONSULTANT MARKUP			ESTIMATED COST	
		0.10	\$ -	
		0.10	\$ -	
SUBCONSULTANT(S) - SUBTOTAL:			\$ -	
OTHER SUBTOTAL			\$ -	
OTHER DIRECT COSTS TOTAL: (Combined Sum of Items 7, 8, 9, 10)				\$ -
TOTAL PRICE (Combined Sum of Items 5 & 10)				\$ 22,335.00



City of Hyattsville

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Agenda Item Report

File #: HCC-241-FY21

3/1/2021

9.e)

Submitted by: Hal Metzler
Submitting Department: Public Works
Agenda Section: Consent

Item Title:

New DPW Facility Construction - 3rd Party Inspection and Construction Management Change Order 1

Suggested Action:

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.

Summary Background:

In April of 2016, the Council authorized a contract with JMT to provide architectural and engineering services to the City to include the planning and design of the renovation of 3505 Hamilton Street and Prince George's County required 3rd party construction inspection for the DPW new facility project, as well as designing a new sewer and water main in Arundel Place to serve the new DPW facility amongst a number of smaller projects and tasks. When these tasks were proposed and awarded in 2018 and early 2019, the number and extent of delays encountered dealing with the Washington Suburban Sanitary Commission (WSSC) and then the COVID-19 pandemic was not known or accounted for in the estimates. JMT has requested Change Orders of approximately \$35,500 for the 3rd Party Inspection and construction management and a Change Order of \$19,500 for the surveys required to satisfy WSSC and their review and acceptance process for the installation of the new water and sewer mains.

Next Steps:

Issue purchase orders and complete the construction of the DPW facility.

Fiscal Impact:

NTE \$55,000

City Administrator Comments:

Recommend Approval

Community Engagement:

No community engagement is required for this portion of the project.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A

Johnson, Mirmiran & Thompson				
COST SUMMARY FORMAT				
PART I - GENERAL				
CLIENT: City of Hyattsville - Professional Consulting & Design Services	Public Works Complex		DPW07132015	Task Order 022
CONSULTANT: Johnson, Mirmiran & Thompson	JMT -16-1916-022 CO 1		PROPOSAL DATE 4-Feb-21	
ADDRESS: 601 New Jersey Ave, Suite 210 Washington, DC 20001				
COST SUMMARY				
1. DIRECT LABOR (Specify labor categories)	HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Project Manager	60	\$120.00	\$ 7,200.00	
Construction Manager	140	\$104.00	\$ 14,560.00	
Total Hours	200			
DIRECT LABOR SUBTOTAL:			\$ 21,760.00	
2. INDIRECT COSTS (Specify)	RATE	X DIRECT LABOR TOTAL =	ESTIMATED	
OVERHEAD AND PAYROLL BURDEN	0%		\$ -	
INDIRECT COSTS SUBTOTAL:			\$ -	
3. TOTAL OF DIRECT LABOR & INDIRECT COSTS (Combined Sum of Items 1 & 2)				\$ 21,760.00
4. PROFIT - (Fixed Hourly Rate)				\$ -
5. TOTAL PROFESSIONAL FEE (Combined Sum of Items 3 & 4)				\$ 21,760.00
6. OTHER DIRECT COSTS (refer to attached itemization)				
7. EXPENSES	QTY.	COST	ESTIMATED COST	
a. Transportation (personal car)	100	\$ 0.58	\$ 58.00	
c. Photocopies (internal)	NA	included in contract	\$ -	
d. Photocopies (Outside Copying)	0	sheets X \$0.10/sheet	\$ -	
e. Drawing Prints	0	sheets X \$1/sheet	\$ -	
f. Mylar Prints		sheets X \$25/sheet	\$ -	
			\$ -	
EXPENSES SUBTOTAL:			\$ 58.00	
8. EQUIPMENT, MATERIALS, SUPPLIES (See attached itemization)	QTY.	COST	ESTIMATED COST	
			\$ -	
			\$ -	
EQUIPMENT SUBTOTAL:			\$ -	
9. SUBCONSULTANT(S)			ESTIMATED COST	
a. Independent Consultants & Engineers	1	\$ 11,500.00	\$ 11,500.00	
	0	\$ -	\$ -	
	0	\$ -	\$ -	
SUBCONSULTANT(S) - SUBTOTAL:			\$ 11,500.00	
10. SUBCONSULTANT MARKUP			ESTIMATED COST	
a. NA Services Provided by JMT	11,500	0.10	\$ 1,150.00	
b.			\$ -	
c.			\$ -	
SUBCONSULTANT(S) - SUBTOTAL:			\$ -	
OTHER SUBTOTAL			\$ 1,150.00	
OTHER DIRECT COSTS TOTAL: (Combined Sum of Items 7, 8, 9, 10)				\$ 12,708.00
TOTAL PRICE (Combined Sum of Items 5 & 10)				\$ 34,468.00

February 15, 2021

Mr. Hal Metzler, Jr.
City of Hyattsville
4310 Gallatin Street
Hyattsville, MD 20781

RE: Proposal for As-built Survey Services for Water Main and Sewer Main
at Arundel Place, Hyattsville, MD
DPW07132015 / JMT #16-1916-058

Dear Mr. Metzler:

Johnson, Mirmiran & Thompson (JMT) is pleased to offer the as-built survey services for the newly constructed water main and sewer main on Arundel Place from Baltimore Avenue to the property line of 4633 Arundel Place (approximately 280 LF of water main and 250 LF of sewer main), as shown on the attached plan. JMT will conduct necessary surveys to prepare drawings and documents that will meet WSSC's requirements for Sewer and Water Main As-builts.

Background

In 2017, the City of Hyattsville planned to construct a new building with car wash capability adjacent to the existing Department of Public Works facility at 4633 Arundel Place. JMT designed a new water main and a new sewer main along Arundel Place for the increased water demand and sewerage flow and assisted the City to obtain a Hydraulic Planning Analysis (HPA) and System Extension Permit (SEP) from WSSC. JMT did not perform any construction management services to the City.

The construction of the new building including the new water main and sewer main along Arundel Place is nearly completed. The WSSC required Sewer and Water Main As-built package must be submitted to WSSC prior to the building commissioning. The City therefore requested JMT to perform the as-built survey to prepare the necessary as-built drawings and documents.

Scope of Work

Initial Ground Control

JMT will recover and verify previously set control. Horizontal and Vertical datum for the project will be referenced to the Maryland State Plane Coordinate System (NAD 83/91) and the National Geodetic Vertical Datum of 1929 (NGVD 29), as previously established.

Secondary control may be necessary for completion of this project within areas inaccessible by the

primary control. Secondary control will be tied into the primary network to minimize error and identify blunders.

The sewer as-builts will be based on verifying locations of the manholes and inverts obtained by traditional survey methods. The water main as built will be based on test holes and elevations of the mains found thru the test holes process.

Data Reduction and Processing

Field data will be reduced in the office and checked for obvious errors. Field notes, both on paper and electronic, will be compiled and adjusted to create a final traverse. This final traverse will be used to complete location of the field collected topographic features. The raw field data will be processed into an AutoCAD drawing file. All office calculations, drafting, data reduction or adjustments will be under the direct supervision of a Maryland Licensed Professional Land Surveyor.

Manhole and Invert Location:

JMT survey crews will field collect the X,Y & Z values for the 3 new manholes. Each manhole, to be evaluated, will be subject to interior evaluation and photographs, collection of the invert or inverts elevation and the characteristics of the Manhole Rim and Lid.

Quality Control / Quality Assessment

JMT employs many QA/QC measures to minimize the occurrence of errors inherent to the surveying process. Field collected traverse angles will be observed in a 3 direct/reverse method to minimize angular errors. Primary and secondary traverse lines will be adjusted mathematically to identify and eliminate errors. Field run topo will be reviewed by both office and field personnel to check for correctness. Prior to delivery of the final product all plats will be checked by a licensed Maryland Professional Land Surveyor.

Utility Test Holes for Water Main:

For the purposes of the proposal, JMT SUE crews will perform up to five (5) test holes using air-vacuum excavation providing the personnel, equipment, supplies, management, and supervision. The test holes will verify the depth, size and basic material of the water main. Test holes will be performed using the following procedures:

- Notify Miss Utility and coordinate with WSSC.
- Obtain permits as needed.
- Test hole set-up.
- Remove grass, asphalt and/or concrete.
- Excavate the test hole to the top of the utility; bottom for duct/rectangular structure.
- Set a reference marker at grade and record information on target utility including: horizontal and vertical position, swing-ties to three physical features, size, material, condition, depth from grade, paving material and thickness, and soil condition.
- Tie vertical to on site benchmark provided through differential leveling.
- Backfill test hole with previously excavated material.
- Compact all backfill with a pneumatic tamper.
- Patch test hole with soil core previously removed or cold patch.

Location of Test Holes:

Survey crews will survey the reference marker set, swing ties to three physical features, and benchmark used. These features will be located using the standard MD SHA coding and field procedures, and referenced to the Maryland State Plane Coordinate System, horizontally (NAD 83/91). All inverts and vertical data will be referenced to the National Geodetic Vertical Datum of 1929 (NGVD 29).

Deliverables:

Sewer and Water Main As-Built Package as per WSSC's instructions (PDF copy attached) as follows:

1. Green Line copies of Water As-built Drawings, showing the most current revisions to the Drawings and Profile, including connection permit numbers with the water survey final as-built data as specified below.
2. Red Line copies of Sewer As-built Drawings, showing the most current revisions to the Drawings and Profile, including connection permit numbers with the sewer survey final as-built data as specified below.
3. Fire Hydrant Summary Sheet. (Not Applicable as no fire hydrant was installed at Arundel Place.)
4. Sewer As-built Data Work Sheet.
5. Water and sewer grade note sheets, including field notes.

All files are in PDF format.

Total Amount Not To Exceed

\$19,470.00

Exclusions:

1. As-built survey is performed for the newly constructed water main and sewer main within public Right of Way. Survey work within the property of 4633 Arundel Place is not included.
2. Some modifications to JMT's original water main and sewer main design were made on site during construction. JMT is not responsible for rejection of as-built drawings and documents resulting from these modifications.
3. JMT is not responsible for uploading the drawings and documents to WSSC's eBuilder.

Thank you for using JOHNSON, MIRMIRAN & THOMPSON to provide these services.

Very truly yours,

JOHNSON, MIRMIRAN & THOMPSON, INC.



Jonathan J. Ryan, PE, CCM, PMP
Senior Vice President

Enclosures

Cc: Soli Guille, JMT
Rusty Smith, JMT
Justin Hall, JMT
Brenda Hui, JMT

Johnson, Mirmiran & Thompson				
COST SUMMARY FORMAT				
PART I - GENERAL				
CLIENT: City of Hyattsville - Professional Consulting & Design Services	Hyattsville Police Relocation	DPW07132015	Task Order 058	
CONSULTANT: Johnson, Mirmiran & Thompson	JMT -16-1916-058 As-built Survey Services for Water Main and Sewer Main at Arundel Place	PROPOSAL DATE 15-Feb-21		
ADDRESS: 601 New Jersey Ave, Suite 210 Washington, DC 20001				
COST SUMMARY				
1. DIRECT LABOR (Specify labor categories)	HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Project Manager	20	\$125.00	\$ 2,500.00	
Senior Engineer	4	\$195.00	\$ 780.00	
Design Engineer	8	\$125.00	\$ 1,000.00	
CADD Technician	8	\$98.00	\$ 784.00	
Licensed Surveyor	4	\$167.00	\$ 668.00	
Survey Technician	9	\$98.00	\$ 882.00	
Party Chief - Sr. Surveyor	18	\$98.00	\$ 1,764.00	
Instrument Person	18	\$76.00	\$ 1,368.00	
Total Hours	0			
DIRECT LABOR SUBTOTAL:			\$ 9,746.00	
2. INDIRECT COSTS (Specify)	RATE	X DIRECT LABOR TOTAL =	ESTIMATED	
OVERHEAD AND PAYROLL BURDEN	0%		\$ -	
INDIRECT COSTS SUBTOTAL			\$ -	
3. TOTAL OF DIRECT LABOR & INDIRECT COSTS (Combined Sum of Items 1 & 2)				\$ 9,746.00
4. PROFIT - (Fixed Hourly Rate)				\$ -
5. TOTAL PROFESSIONAL FEE (Combined Sum of Items 3 & 4)				\$ 9,746.00
6. OTHER DIRECT COSTS (refer to attached itemization)				
7. EXPENSES	QTY.	COST	ESTIMATED COST	
a. Transportation (personal car)	400	\$ 0.56	\$ 224.00	
c. Photocopies (internal)	NA	included in contract	\$ -	
d. Photocopies (Outside Copying)	0	sheets X \$0.10/sheet	\$ -	
e. Drawing Prints		sheets X \$1/sheet	\$ -	
f. Mylar Prints		sheets X \$25/sheet		
			\$ -	
EXPENSES SUBTOTAL			\$ 224.00	
8. EQUIPMENT, MATERIALS, SUPPLIES (See attached itemization)	QTY.	COST	ESTIMATED COST	
a. Test Holes (up to 6')	5	\$1,200.00	\$ 6,000.00	
b. Test Holes (additional depth greater than 6' deep)	20	\$150.00	\$ 3,000.00	
c. Mobilization per day	2	\$250.00	\$ 500.00	
			\$ -	
EQUIPMENT SUBTOTAL:			\$ 9,500.00	
9. SUBCONSULTANT(S)			ESTIMATED COST	
			\$ -	
			\$ -	
SUBCONSULTANT(S) - SUBTOTAL:			\$ -	
10. SUBCONSULTANT MARKUP			ESTIMATED COST	
		0.10	\$ -	
		0.10	\$ -	
SUBCONSULTANT(S) - SUBTOTAL:			\$ -	
OTHER SUBTOTAL			\$ -	
OTHER DIRECT COSTS TOTAL: (Combined Sum of Items 7, 8, 9, 10)				\$ 9,724.00
TOTAL PRICE (Combined Sum of Items 5 & 10)				\$ 19,470.00



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-242-FY21

3/1/2021

9.f)

Submitted by: Hal Metzler
Submitting Department: Public Works
Agenda Section: Consent

Item Title:

Purchase of Solar Power LED Blinker Stop Signs

Suggested Action:

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.

Summary Background:

Over the past several years the City of Hyattsville has been utilizing solar powered Light Emitting Device (LED) blinker signs in various parts of the City where other traffic calming measures were less successful, more expensive, difficult, or too time consuming to install.

Next Steps:

Issue Purchase Order and install signs.

Fiscal Impact:

NTE \$13,000

City Administrator Comments:

Recommend support

Community Engagement:

None planned at this time

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Safe travels.

Traffic and Parking Control Co., Inc.

5100 West Brown Deer Road

Brown Deer, Wisconsin 53223

Phone (800) 236-0112 • TAPCOnet.com • Fax (800) 444-0331

SALES QUOTE

Customer Copy

Number	Q21002854
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BLINKERSTOPS		3/21/2021	Lindsey Mueller	Net 30 DAYS	PREPAID	BEST RATE

Item	Description	Quantity	UM	Price	Extension
2180-00209	Blinkersign, R1-1, 30", Stop, DG3, Red, Solar, 8 Red LEDs, Single Post Mount	8	EA	1,520.00	\$12,160.00
TAPCO OMNIA Partners Contract # 2020-200					
Thank you - Natalie Zaffke at TAPCO Ph# 262-649-1141 Email: natalie.zaffke@tapconet.com					

Shipment within _____
Acceptance By _____
Date _____
By _____

Merchandise	Freight	Tax	Total
\$12,160.00	\$0.00	\$0.00	\$12,160.00

All prices are listed in **US Dollars (USD)**

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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-247-FY21

3/1/2021

10.a)

Submitted by: Sean Corcoran

Submitting Department: City Clerk

Agenda Section: Action

Item Title:

COVID-19 Pandemic Relief Fund - Reappropriation for Professional Trades

Suggested Action:

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 Professional Trades fund. 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 Trade 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.

Summary Background:

The current definition of artists eligible for the Pandemic Relief fund excludes certain categories of artistry. The Working Artists fund contains 80K, this broader definition and award adjustment would allow approximately 165 awards to licensed workers and small businesses impacted by COVID-19 related shutdowns and loss of foot traffic in Hyattsville business corridors.

Staff will be required to revise the existing application and will specify supplemental materials that will be required to be submitted by applicants, including a copy of applicable licenses and an affidavit from the licensed place of business.

Next Steps:

In order for the City to proceed with an April 1, 2021 start date for the program, the City Council will need to adopt action on, or prior to, March 15, 2021.

Fiscal Impact:

\$80,000

City Administrator Comments:

Click or tap here to enter text.

Community Engagement:

If approved by City Council, the City will prepare communications in advance of April 1, 2021.

Strategic Goals:

Goal 2 - Ensure the Long-Term Economic Viability of the City

Legal Review Required?

Complete



Council Agenda Form

MOTION #		DRAFT #
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: LEAVE BLANK	
SUBMITTED BY: Solomon		
CO-SPONSORS: Spell-Wolf, Schiabe, Simasek, Haba, Peabody, Suitter		
DEPARTMENT: Legislative		

TITLE OF MOTION: COVID-19 Pandemic Relief Fund – Reappropriation for Professional Trades

RECOMMENDATION:

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 Professional Trades fund. 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 Trade 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 FY2021 starting April 1, 2021 – June 30, 2021.

SUMMARY BACKGROUND:

The current definition of artists eligible for the Pandemic Relief fund excludes certain categories of artistry. The Working Artists fund contains 80K, this broader definition and award adjustment would allow approximately 165 award recipients to licensed workers and small businesses impacted by COVID shutdowns and loss of foot traffic in Hyattsville business corridors.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Staff will be required to revise the existing application and will specify supplemental materials that will be required to be submitted by applicants, including a copy of applicable licenses and an affidavit from the licensed place of business.

NEXT STEPS:

In order for the City to proceed with an April 1, 2021 start date for the program, the City Council will need to adopt action on, or prior to March 15, 2021.

CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT:

Staff anticipates that eligibility will remain limited to individuals residing in the incorporated limits of the City of Hyattsville.

'Tattoo' artisans are subject to regulations of Prince George's County Department of Health, but do not require licensing through the State of Maryland Department of Labor – Division of Occupational and Professional Licensing, as is required for barbers or cosmetologists.

It is unclear whether Pet Grooming professionals are required to maintain a State of Maryland or Prince George's County. Prince George's County does require a license to operate a Pet Grooming facility, however it does not appear that the individual professional needs to maintain any specific certification or license.

The absence of an assigned license to an individual will make it difficult to assess whether a specific applicant has performed the specified eligible task.

SUPPORTING DOCUMENTATION:**FISCAL IMPACT:****COMMUNITY ENGAGEMENT:**

If approved by City Council, the City will prepare communications in advance of April 1, 2021.

STRATEGIC GOALS AND ACTIONS:

Goal 2 - Ensure the long-term economic viability of the of the City, Action 2.5

LEGAL REVIEW REQUIRED?:

Provided that eligibility is limited to residents, legal review has been satisfied.



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Agenda Item Report

File #: HCC-244-FY21

3/1/2021

11.a)

Submitted by: Sean Corcoran
Submitting Department: City Clerk
Agenda Section: Discussion

Item Title:

COVID-19 Support for Hyattsville Non-Profits

Suggested Action:

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.

Summary Background:

Several local non-profits have assisted Hyattsville residents during the pandemic. These non-profits have performed functions necessary to stabilize our community in ways the City of Hyattsville could not. Continued support requires public assistance.

Program Details:

- Allocations will commence upon Council approval of the program in FY22.
- Eligible non-profits will include those federally defined as: Charitable Organizations, Churches and Religious Organizations, and Other Non-profits. Not applicable to Private Foundations or Political Organizations.
- Applicants must be physically based in the City of Hyattsville and provide services to Hyattsville residents.
- Program will be administered in 90-day cycles through FY22 or until funds have exhausted. The first cycle will cover reimbursements for expenditures during FY21. Remaining cycles will allow reimbursements for FY22 expenditures.
- The maximum award per applicant during any given cycle is \$5000.00
- Reimbursements for political or politically related services are not eligible.
- Qualifying Reimbursements: Organizations who have taken on direct requests of the City. Facility or spatial costs, wi-fi, call center costs. In general, mask/sanitizer/soap production, transport services, homeless services, food production or distribution, and education or training for individuals adjusting to stay at home life.
- Disqualifying Reimbursements: Expenses already fully reimbursed under other grant programs either offered by the City of Hyattsville or other external entities are not eligible. Organizations will be required to provide written consent documenting whether other grant funds have been provided to assist with expenses and must consent to return any City funding if the City is made aware of any expenses previously covered and reimbursed through the City of Hyattsville.

Next Steps:

Upon approval from the City Council the City staff will prepare to receive grant applications beginning July 1, 2021.

Fiscal Impact:

\$100K

City Administrator Comments:

The City will rely on a tax identification form and State Department of Assessments and Taxation (SDAT) property records as needed to determine owner/operator location. The City Treasurer, in consultation with the City Attorney, will determine the mechanics of drawing down the funds for Cycle 2 award recipients.

Community Engagement:

Click or tap here to enter text.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

Pending



Council Agenda Form

MOTION #		DRAFT #
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: LEAVE BLANK	
SUBMITTED BY:		
CO-SPONSORS: SOLOMON		
DEPARTMENT: Legislative		

TITLE OF MOTION: COVID-19 Support for Hyattsville Non-Profits

RECOMMENDATION: I move that Mayor and Council approve and appropriate a transfer of \$100k from the unencumbered fund balance to the FY2022 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 FY2022.

SUMMARY BACKGROUND: Several local non-profits have assisted Hyattsville residents during the pandemic. These non-profits have performed functions necessary to stabilize our community in ways the City of Hyattsville could not. Continued support requires public assistance.

Program Details:

- Allocations will commence upon Council approval of the program in FY22.
- Eligible non-profits will include those federally defined as: Charitable Organizations, Churches & Religious Organizations, Other Non-profits. Not applicable to Private Foundations or Political Organizations.
- Applicants must be physically based in the City of Hyattsville and provide services to Hyattsville residents.
- Program will be administered in 90day cycles through FY22 or until funds have exhausted. The first cycle will cover reimbursements for expenditures during FY21. Remaining cycles will allow reimbursements for FY22 expenditures.
- The maximum award per applicant during any given cycle is \$5000.00
- Reimbursements for political or politically related services are not eligible.
- Qualifying Reimbursements: Organizations who have taken on direct ask of the city. Facility or spatial costs, wifi, call center costs. In general, mask/sanitizer/soap production, transport services, homeless services, food production or distribution, education or training for individuals adjusting to stay at home life.
- Disqualifying Reimbursements: Expenses already fully reimbursed under other grant programs either offered by the City of Hyattsville or other external entities are not eligible. Organizations will be required to provide written consent documenting if other grants funds have been provided to assist with expenses, and must consent to return any City funding if the City is made aware of any expenses previously covered and also reimbursed through the City of Hyattsville.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: Managing grant applications and award recipients.

NEXT STEPS: Upon approval from the City Council the City Staff will prepare to receive grant applicants July 1.

CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT:

The City will rely on a tax ID form and SDAT property records as need need to determine owner/operator location. The City Treasure in consultation with the City Attorney will determine the mechanics of drawing down the funds for Cycle 2 award recipients.

SUPPORTING DOCUMENTATION: City of Hyattsville anticipated federal reimbursement for COVID-19 expenditures.

FISCAL IMPACT: 100K

COMMUNITY ENGAGEMENT:

STRATEGIC GOALS AND ACTIONS:

Goal 3 - Promote A Safe and Vibrant Community

LEGAL REVIEW REQUIRED?: An initial legal review has been performed, however additional feedback may be required.

DR

Nonentitlement Allocation Projections

All data reflects **estimated** awards. Actual award may vary. Estimates are based on data from CRS, (Uses Data from 2018 Census

Estimates reflect the total nonentitlement that underlying population generates - overlapping jurisdiction. "No Overlap" calculations assume that, in some states, certain township and city governments have e

Census Municipality	County	State	"No Overlap" Allocation	"All Overlap" Allocation
Aberdeen city		Maryland	\$2,966,265	\$3,565,591
Accident town		Maryland	\$57,651	\$69,299
Barclay town		Maryland	\$30,858	\$37,093
Barnesville town		Maryland	\$33,260	\$39,980
Barton town		Maryland	\$78,901	\$94,843
Bel Air town		Maryland	\$1,855,925	\$2,230,910
Berlin town		Maryland	\$890,268	\$1,070,144
Berwyn Heights town		Maryland	\$602,566	\$724,313
Betterton town		Maryland	\$58,390	\$70,188
Bladensburg town		Maryland	\$1,740,807	\$2,092,533
Boonsboro town		Maryland	\$661,326	\$794,945
Brookeville town		Maryland	\$26,608	\$31,984
Brookview town		Maryland	\$10,717	\$12,883
Brunswick city		Maryland	\$1,175,937	\$1,413,531
Burkittsville town		Maryland	\$30,119	\$36,205
Cambridge city		Maryland	\$2,270,016	\$2,728,666
Capitol Heights town		Maryland	\$835,942	\$1,004,842
Cecilton town		Maryland	\$124,357	\$149,482
Centreville town		Maryland	\$888,605	\$1,068,145
Charlestown town		Maryland	\$220,811	\$265,426
Chesapeake Beach town		Maryland	\$1,106,829	\$1,330,461
Chesapeake City town		Maryland	\$128,052	\$153,925
Chestertown town		Maryland	\$933,876	\$1,122,562
Cheverly town		Maryland	\$1,191,643	\$1,432,411
hevy Chase Section Five village		Maryland	\$131,378	\$157,923
evy Chase Section Three village		Maryland	\$146,161	\$175,692
Chevy Chase View town		Maryland	\$182,193	\$219,004
Chevy Chase Village town		Maryland	\$380,646	\$457,554
Chevy Chase town		Maryland	\$552,860	\$664,564
Church Creek town		Maryland	\$22,358	\$26,876
Church Hill town		Maryland	\$140,617	\$169,028
Clear Spring town		Maryland	\$66,705	\$80,183
College Park city		Maryland	\$5,949,160	\$7,151,171
Colmar Manor town		Maryland	\$269,963	\$324,508
Cottage City town		Maryland	\$250,746	\$301,408
Crisfield city		Maryland	\$475,068	\$571,054

Deer Park town	Maryland	\$68,368	\$82,182
Delmar town	Maryland	\$597,023	\$717,649
Denton town	Maryland	\$830,214	\$997,957
District Heights city	Maryland	\$1,105,720	\$1,329,128
Eagle Harbor town	Maryland	\$12,935	\$15,548
East New Market town	Maryland	\$69,292	\$83,293
Easton town	Maryland	\$3,047,753	\$3,663,543
Edmonston town	Maryland	\$275,506	\$331,171
Eldorado town	Maryland	\$10,532	\$12,660
Elkton town	Maryland	\$2,889,951	\$3,473,858
Emmitsburg town	Maryland	\$579,653	\$696,771
Fairmount Heights town	Maryland	\$281,604	\$338,501
Federalsburg town	Maryland	\$491,698	\$591,044
Forest Heights town	Maryland	\$475,068	\$571,054
Friendsville town	Maryland	\$89,248	\$107,281
Frostburg city	Maryland	\$1,582,451	\$1,902,181
Fruitland city	Maryland	\$977,299	\$1,174,759
Funkstown town	Maryland	\$161,128	\$193,683
Galena town	Maryland	\$107,172	\$128,826
Galestown town	Maryland	\$24,760	\$29,763
Garrett Park town	Maryland	\$194,018	\$233,219
Glen Echo town	Maryland	\$50,075	\$60,193
Glenarden city	Maryland	\$1,144,709	\$1,375,994
Goldsboro town	Maryland	\$42,869	\$51,530
Grantsville town	Maryland	\$160,389	\$192,795
Greenbelt city	Maryland	\$4,301,666	\$5,170,806
Greensboro town	Maryland	\$347,016	\$417,129
Hampstead town	Maryland	\$1,180,187	\$1,418,640
Hancock town	Maryland	\$284,745	\$342,277
Havre de Grace city	Maryland	\$2,548,479	\$3,063,392
Hebron town	Maryland	\$201,964	\$242,770
Henderson town	Maryland	\$26,239	\$31,540
Highland Beach town	Maryland	\$20,326	\$24,433
Hillsboro town	Maryland	\$29,195	\$35,094
Hurlock town	Maryland	\$373,809	\$449,336
Hyattsville city	Maryland	\$3,370,932	\$4,052,020
Indian Head town	Maryland	\$703,455	\$845,587
Keedysville town	Maryland	\$223,768	\$268,980
Kensington town	Maryland	\$438,666	\$527,298
Kitzmiller town	Maryland	\$56,173	\$67,523
La Plata town	Maryland	\$1,746,720	\$2,099,640
Landover Hills town	Maryland	\$304,517	\$366,043
Laurel city	Maryland	\$4,753,083	\$5,713,430
Laytonsville town	Maryland	\$69,847	\$83,959

Leonardtown town	Maryland	\$694,586	\$834,925
Loch Lynn Heights town	Maryland	\$97,564	\$117,276
Lonaconing town	Maryland	\$206,214	\$247,879
Luke town	Maryland	\$11,272	\$13,549
Manchester town	Maryland	\$896,735	\$1,077,918
Mardela Springs town	Maryland	\$64,303	\$77,296
Martin's Additions village	Maryland	\$184,040	\$221,225
Marydel town	Maryland	\$25,500	\$30,652
Middletown town	Maryland	\$866,246	\$1,041,269
Midland town	Maryland	\$77,423	\$93,066
Millington town	Maryland	\$112,346	\$135,045
Morningside town	Maryland	\$238,181	\$286,305
Mount Airy town	Maryland	\$1,746,536	\$2,099,418
Mount Rainier city	Maryland	\$1,497,453	\$1,800,009
Mountain Lake Park town	Maryland	\$384,896	\$462,663
Myersville town	Maryland	\$332,418	\$399,582
New Carrollton city	Maryland	\$2,395,481	\$2,879,482
New Market town	Maryland	\$134,519	\$161,699
New Windsor town	Maryland	\$259,430	\$311,848
North Beach town	Maryland	\$374,548	\$450,224
North Brentwood town	Maryland	\$102,368	\$123,051
North Chevy Chase village	Maryland	\$110,313	\$132,602
North East town	Maryland	\$671,119	\$806,717
Oakland town	Maryland	\$337,223	\$405,357
Ocean City town	Maryland	\$1,279,967	\$1,538,581
Oxford town	Maryland	\$111,607	\$134,157
Perryville town	Maryland	\$816,910	\$981,964
Pittsville town	Maryland	\$270,702	\$325,397
Pocomoke City city	Maryland	\$746,879	\$897,783
Poolesville town	Maryland	\$968,614	\$1,164,320
Port Deposit town	Maryland	\$140,802	\$169,251
Port Tobacco Village town	Maryland	\$2,772	\$3,332
Preston town	Maryland	\$129,900	\$156,146
Princess Anne town	Maryland	\$650,978	\$782,506
Queen Anne town	Maryland	\$39,543	\$47,532
Queenstown town	Maryland	\$126,389	\$151,926
Ridgely town	Maryland	\$304,886	\$366,488
Rising Sun town	Maryland	\$517,198	\$621,696
Riverdale Park town	Maryland	\$1,335,032	\$1,604,771
Rock Hall town	Maryland	\$234,485	\$281,862
Rockville city	Maryland	\$12,614,526	\$15,163,255
Rosemont village	Maryland	\$58,760	\$70,632
Seat Pleasant city	Maryland	\$882,507	\$1,060,815
Secretary town	Maryland	\$92,759	\$111,501

Sharpsburg town	Maryland	\$118,074	\$141,931
Sharptown town	Maryland	\$119,737	\$143,930
Smithsburg town	Maryland	\$548,426	\$659,233
Snow Hill town	Maryland	\$376,581	\$452,668
Somerset town	Maryland	\$236,518	\$284,305
St. Michaels town	Maryland	\$189,584	\$227,889
Sudlersville town	Maryland	\$88,694	\$106,615
Sykesville town	Maryland	\$731,172	\$878,904
Takoma Park city	Maryland	\$3,283,162	\$3,946,516
Taneytown city	Maryland	\$1,259,457	\$1,513,927
Templeville town	Maryland	\$21,619	\$25,987
Thurmont town	Maryland	\$1,247,631	\$1,499,711
Trappe town	Maryland	\$184,225	\$221,447
Union Bridge town	Maryland	\$178,127	\$214,118
University Park town	Maryland	\$488,003	\$586,602
Upper Marlboro town	Maryland	\$124,357	\$149,482
Vienna town	Maryland	\$48,967	\$58,860
Walkersville town	Maryland	\$1,160,600	\$1,395,096
Washington Grove town	Maryland	\$103,661	\$124,606
Westernport town	Maryland	\$322,625	\$387,810
Westminster city	Maryland	\$3,445,768	\$4,141,976
Willards town	Maryland	\$186,812	\$224,557
Williamsport town	Maryland	\$389,146	\$467,771
Woodsboro town	Maryland	\$229,127	\$275,421

Census Bureau (2018 data), and HUD.

tions may reduce amounts provided to governments, and town totals will not sum to total allocations if populations are entirely distinct populations: "All Overlap" calculations assume those populations have maximum

ion.

i overlap.



City of Hyattsville

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Agenda Item Report

File #: HCC-248-FY21

3/1/2021

11.b)

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

Item Title:

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

Suggested Action:

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.

Summary Background:

The Maryland General Assembly is currently considering a range of police reform measures that can impact both the 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.

Next Steps:

Legal Review and Letter Drafting

Fiscal Impact:

N/A

City Administrator Comments:

For discussion.

Community Engagement:

TBD

Strategic Goals:

Goal 4 - Foster Excellence in all City Operations

Legal Review Required?

Pending



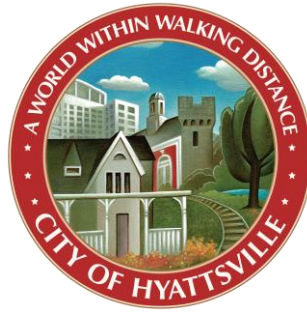
Council Agenda Form

MOTION #		DRAFT #
DATE SUBMITTED:	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 combines 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, as Hyattsville has had this in place since 2016.
- 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 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

Kevin Ward
Interim Mayor



Tracey E. Douglas
City Administrator

restrictions to reduce abuses and inappropriate use of SROs as identified in SB245 and HB522.

Mental Health Supports & Crisis Response

Mental Health Supports and Crisis Response services must be an integral part of any police reform measures.

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

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.



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

Article – Health – General

7.5–208.

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

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

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

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

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

(c) The Department shall administer the Program.

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

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

(ii) Meet national standards;

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

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

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

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

1. Mobile crisis teams;

2. On-demand walk-in services;

3. Crisis residential beds; and

4. Other behavioral health crisis programs and services that the Department considers eligible for Program funds; and

(ii) Shall be used to supplement, and not supplant, any other funding for behavioral health crisis response programs and services.

(3) A local behavioral health authority may submit a proposal requesting Program funding to the Department.

(4) IN AWARDING GRANTS UNDER THIS SECTION, THE DEPARTMENT SHALL REQUIRE THAT PROPOSALS CONTAIN RESPONSE STANDARDS THAT MINIMIZE LAW ENFORCEMENT INTERACTION FOR INDIVIDUALS IN CRISIS.

[(4)] (5) In awarding grants under this section, the Department shall prioritize proposals that:

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

(ii) Demonstrate efficiency in service delivery through regionalization, integration of the behavioral health crisis program or service with existing public safety and emergency resources, and other strategies to achieve economies of scale; [and]

(III) SERVE ALL MEMBERS OF THE IMMEDIATE COMMUNITY WITH CULTURAL COMPETENCY AND APPROPRIATE LANGUAGE ACCESS;

(IV) COMMIT TO GATHERING FEEDBACK FROM THE COMMUNITY ON AN ONGOING BASIS AND IMPROVING SERVICE DELIVERY CONTINUALLY BASED ON THIS FEEDBACK;

(V) DEMONSTRATE STRONG PARTNERSHIPS WITH COMMUNITY SERVICES THAT INCLUDE FAMILY MEMBER AND CONSUMER ADVOCACY ORGANIZATIONS AND REGIONAL STAKEHOLDERS;

(VI) EVIDENCE A PLAN OF LINKING INDIVIDUALS IN CRISIS TO PEER SUPPORT AND FAMILY SUPPORT SERVICES AFTER STABILIZATION; AND

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

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

(3) PRIORITIZES:

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

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

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

10–1402.

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

(b) The Crisis Response System shall:

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

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

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

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

10–1403.

(a) The Crisis Response System shall include:

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

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

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

(III) AUTHORITY FOR 9-1-1 TO DISPATCH MOBILE CRISIS TEAMS; AND

[(iii)] (IV) Programs that may include:

1. A clinical crisis telephone line for suicide prevention and crisis intervention;
2. A hotline for behavioral health information, referral, and assistance;
3. Clinical crisis walk-in services, including:
 - A. Triage for initial assessment;
 - B. Crisis stabilization until additional services are available;
 - C. Linkage to treatment services and family and peer support groups; and
 - D. Linkage to other health and human services programs;
4. Critical incident stress management teams, providing disaster behavioral health services, critical incident stress management, and an on-call system for these services;
5. Crisis residential beds to serve as an alternative to hospitalization;
6. A community crisis bed and hospital bed registry, including a daily tally of empty beds;
7. Transportation coordination, ensuring transportation of patients to urgent appointments or to emergency psychiatric facilities;
8. Mobile crisis teams [operating 24 hours a day and 7 days a week to provide assessments, crisis intervention, stabilization, follow-up, and referral to urgent care, and to arrange appointments for individuals to obtain behavioral health services];
9. 23-hour holding beds;

10. Emergency psychiatric services;

11. Urgent care capacity;

12. Expanded capacity for assertive community treatment;

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

14. Individualized family intervention teams.

(2) Community awareness promotion and training programs; and

(3) An evaluation of outcomes of services through:

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

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

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

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

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

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

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

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

[(d)] (E) This subtitle may not be construed to affect petitions for emergency 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)

1lr0542
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)

1lr0602
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:

16 **Article – Criminal Law**

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.



enforcement agency, and the Center.

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

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

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

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

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

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

1. De-escalation;

2. Disability awareness;

3. Maintaining a positive school climate;

4. Constructive interactions with students; **[and]**

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

6. PROHIBITED CONDUCT.

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

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

(2) On or before March 1, 2019, the Center shall develop and submit to the Maryland Police Training and Standards Commission for approval a model training 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.



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

(1) Has a mental disorder; and

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

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

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

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

(iii) Any other interested person.

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

(i) The examination or observation; or

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

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

(i) Be signed and verified by the petitioner;

(ii) State the petitioner's:

1. Name;

2. Address; and

3. Home and work telephone numbers;

(iii) State the emergency evaluatee's:

1. Name; and

2. Description;

(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.



disqualifying an applicant for a position as police officer; requiring, at certain intervals beginning on a certain date, a law enforcement agency that maintains a SWAT team to report certain information to the Governor's Office of Crime Prevention, Youth, and Victim Services using a certain format; requiring the Commission, in consultation with the Office, to develop a standardized format that certain law enforcement agencies shall use in reporting certain data relating to the activation and deployment of certain SWAT teams to the Office and to certain local officials; requiring a law enforcement agency to compile certain information as a report in a certain format and to submit the report to the Office no later than a certain date following the period that is the subject of the report; requiring the Office to analyze and summarize certain reports of law enforcement agencies and to submit a report of the analyses and summaries to the Governor, the General Assembly, and each law enforcement agency before a certain date each year; providing that, if a law enforcement agency fails to comply with certain reporting requirements, the Office shall report the noncompliance to the Commission; providing that the Commission shall contact a certain law enforcement agency and request that the agency comply with certain reporting requirements under certain circumstances; providing that, if a certain law enforcement agency fails to comply with certain reporting requirements within a certain period after being contacted by the Commission, the Office and the Commission jointly shall make a certain report to the Governor and the Legislative Policy Committee of the General Assembly and publish the report on its website; requiring each law enforcement agency to require the use of body-worn cameras on or before a certain date; altering a certain provision of law requiring each law enforcement agency to establish a certain early intervention policy to require a system instead of a policy, repeal the requirement that the system be confidential and nonpunitive, and alter the purpose and function of the system; requiring the Commission to develop guidelines for a certain early intervention system; requiring that a certain shooting or other incident be investigated by a certain investigative agency; requiring a law enforcement agency to notify a certain investigative agency of a certain shooting or other incident at a certain time and cooperate with the investigative agency in a certain investigation; requiring a certain investigative agency to submit a certain report to a certain State's Attorney and publicize the report at a certain time; requiring the Governor to annually include certain funding in the State budget; requiring each police officer to sign a certain pledge; providing that a police officer may only use certain force; requiring a police officer to take certain steps to gain compliance and de-escalate conflict under certain circumstances; requiring a police officer to intervene to prevent or terminate the use of certain force by a certain police officer; requiring a police officer to render certain first aid to a certain subject and request certain assistance at a certain time; requiring a police supervisor to respond to the scene of a certain incident and gather and review certain recordings; requiring a police officer to document certain incidents in a certain manner; requiring a law enforcement agency to adopt a certain policy; requiring a police officer to undergo certain training; requiring a police officer to sign a certain training completion document; providing that a police officer may only use deadly force for a certain purpose; requiring all police officers to undergo less-lethal force training and be trained and equipped with certain less-lethal 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,

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

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

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

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

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

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

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

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

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

Article 4 – Baltimore City

16–2.

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

16–3.

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

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

Article – Criminal Procedure

1–203.

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

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

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

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

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

Article – Education

15–106.11.

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

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

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

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

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

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

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

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

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

1 **(2) WORK AS A POLICE OFFICER FOR AT LEAST 5 YEARS DURING THE**
2 **8-YEAR PERIOD AFTER GRADUATION.**

3 **(D) THE MARYLAND HIGHER EDUCATION COMMISSION SHALL ADOPT**
4 **REGULATIONS TO IMPLEMENT THIS SECTION.**

5 **Article – Public Safety**

6 3–203.

7 (a) The Commission consists of the following members:

8 (1) the President of the Maryland Chiefs of Police Association;

9 (2) the President of the Maryland Sheriffs Association;

10 (3) the Attorney General of the State;

11 (4) the Secretary of State Police;

12 (5) the agent in charge of the Baltimore office of the Federal Bureau of
13 Investigation;

14 (6) one member representing the Maryland State Lodge of Fraternal Order
15 of Police;

16 (7) one member representing the Maryland State’s Attorneys’ Association;

17 (8) [the Chair of the Maryland Municipal League Police Executive
18 Association;

19 (9) the President of Maryland Law Enforcement Officers, Inc.;

20 (10)] the Police Commissioner of Baltimore City;

21 [(11) the President of the Police Chiefs’ Association of Prince George’s
22 County;

23 (12) a representative from the Wor–Wic Program Advisory Committee –
24 Criminal Justice;

25 (13) two members of the Senate of Maryland, appointed by the President of
26 the Senate;

27 (14) two members of the House of Delegates, appointed by the Speaker of
28 the House;] 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.

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

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

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

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

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

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

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

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

3-508.

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

(2) “COMMISSION” MEANS THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION.

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

(4) “OFFICE” MEANS THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.

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

(6) “SWAT TEAM” MEANS A SPECIAL UNIT COMPOSED OF TWO OR 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) COMPILE THE DATA DESCRIBED IN SUBSECTION (B) OF THIS SECTION FOR EACH 6-MONTH PERIOD AS A REPORT IN THE FORMAT REQUIRED UNDER SUBSECTION (C) OF THIS SECTION; AND

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

(I) THE OFFICE; AND

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

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

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

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

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

(II) PUBLISH THE REPORT ON ITS WEBSITE.

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

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

(3) IF THE LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE 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

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

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

3-516.

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

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

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

3-523.

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

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

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

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

(5) “SERIOUS INJURY” HAS THE MEANING STATED IN § 3-201 OF THE CRIMINAL LAW ARTICLE.

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

SERIOUS INJURY SHALL BE INVESTIGATED BY THE INDEPENDENT INVESTIGATIVE AGENCY.

(C) A LAW ENFORCEMENT AGENCY SHALL:

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

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

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

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

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

3-524.

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

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

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

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

(4) "LESS-LETHAL WEAPON" MEANS A WEAPON THAT IS EXPECTED 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.



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

10–192.11.

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

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

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

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

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

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

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

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

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

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

(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)

1lr0781
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.



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

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

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

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

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

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

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

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

(b) (1) This subsection applies to:

(i) a correctional employee;

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

Article – General Provisions

4–101.

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

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

4–311.

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

(b) A custodian shall allow inspection by:

(1) the person in interest;

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

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

(i) home address;

(ii) home telephone number; and

(iii) personal cell phone number.

(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:

16 **Article – Education**

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.



(b) (1) (i) On or before September 1, 2018, the Center, in consultation with local school systems, shall:

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

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

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

1. De-escalation;

2. Disability awareness;

3. Maintaining a positive school climate;

4. Constructive interactions with students; and

5. Implicit bias and disability and diversity awareness with specific attention to racial and ethnic disparities.

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

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

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

(3) Each local law enforcement agency shall:

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

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

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-246-FY21

3/1/2021

13.a)

Submitted by: Sean Corcoran

Submitting Department: City Clerk

Agenda Section: Community Notices and Meetings

Item Title:

Main City Calendar March 2 - March 15, 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 1 – March 15, 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

Creative Minds at Home

Tuesday, March 2nd and Tuesday, March 9th, 11:00 AM (Virtual)

Board of Supervisors of Elections Meeting

Tuesday, March 2nd, 4:00 PM (Virtual Meeting)

Education Advisory Committee Meeting

Thursday, March 4th, 6:30 PM (Virtual Meeting)

Shade Tree Board Meeting

Friday, March 5th, 1:30 PM (Virtual Meeting)

Election 2021: Candidate Information Session

Saturday, March 6th, 10:00 AM (Virtual)

Hyattsville Environment Committee Meeting

Tuesday, March 9th, 7:00 PM

Humane Gardening Workshop

Wednesday, March 10th, 7:00 PM (Virtual Meeting)

Police and Public Safety Citizens' Advisory Committee Meeting

Wednesday, March 10th, 7:30 PM (Virtual Meeting)

Ethics Commission Meeting

Thursday, March 11th, 5:00 PM (Virtual Meeting)

Election 2021: Deadline for Candidate Registration

Friday, March 12th, 5:00 PM

City Council Meeting: FY22 Budget Introduction

Monday, March 15th, 7:00 PM (Virtual Meeting)

Main City Calendar: March 2 – March 15, 2021

All events scheduled for March 16, 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, March 15, 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, March 15, 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.