

HOUSE BILL 139

E4

5lr1683

(PRE-FILED)

By: **Delegate Young**

Requested: November 1, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Police Accountability – Deadline for Completion of Investigation**

3 FOR the purpose of requiring the investigating unit of a law enforcement agency to
4 complete its review of a certain complaint and forward its investigatory files to the
5 administrative charging committee within a certain period of time after the filing of
6 the complaint; and generally relating to police accountability.

7 BY repealing and reenacting, without amendments,

8 Article – Public Safety

9 Section 3–104

10 Annotated Code of Maryland

11 (2022 Replacement Volume and 2024 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Public Safety

14 Section 3–113

15 Annotated Code of Maryland

16 (2022 Replacement Volume and 2024 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Public Safety**

20 3–104.

21 (a) (1) Each county shall have one administrative charging committee to serve
22 countywide law enforcement agencies and local law enforcement agencies within the
23 county.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) A county administrative charging committee shall be composed of:

(i) the chair of the county's police accountability board, or another member of the accountability board designated by the chair of the accountability board;

(ii) two civilian members selected by the county's police accountability board; and

(iii) two civilian members selected by the chief executive officer of the county.

(b) (1) There shall be at least one statewide administrative charging committee to serve statewide and bi-county law enforcement agencies.

(2) A statewide administrative charging committee shall be composed of:

(i) three civilian members appointed by the Governor;

(ii) one civilian member appointed by the President of the Senate; and

(iii) one civilian member appointed by the Speaker of the House.

(c) Before serving as a member of an administrative charging committee, an individual shall receive training on matters relating to police procedures from the Maryland Police Training and Standards Commission.

(d) On completion of an investigation of a complaint of police misconduct involving a member of the public and a police officer, regardless of whether the complaint originated from within the law enforcement agency or from an external source, the law enforcement agency shall forward to the appropriate administrative charging committee the investigatory files for the matter.

(e) An administrative charging committee shall:

(1) review the findings of a law enforcement agency's investigation conducted and forwarded in accordance with subsection (d) of this section;

(2) make a determination that the police officer who is subject to investigation shall be:

(i) administratively charged; or

(ii) not administratively charged;

(3) if the police officer is charged, recommend discipline in accordance with the law enforcement agency's disciplinary matrix established in accordance with § 3-105

1 of this subtitle;

2 (4) review any body camera footage that may be relevant to the matters
3 covered in the complaint of misconduct;

4 (5) authorize a police officer called to appear before an administrative
5 charging committee to be accompanied by a representative;

6 (6) issue a written opinion that describes in detail its findings,
7 determinations, and recommendations; and

8 (7) forward the written opinion to the chief of the law enforcement agency,
9 the police officer, and the complainant.

10 (f) In executing its duties in accordance with subsection (e) of this section, an
11 administrative charging committee may:

12 (1) request information or action from the law enforcement agency that
13 conducted the investigation, including requiring additional investigation and the issuance
14 of subpoenas;

15 (2) if the police officer is not administratively charged, make a
16 determination that:

17 (i) the allegations against the police officer are unfounded; or

18 (ii) the police officer is exonerated; and

19 (3) record, in writing, any failure of supervision that caused or contributed
20 to a police officer's misconduct.

21 (g) An administrative charging committee shall meet once per month or as
22 needed.

23 (h) A member of an administrative charging committee shall maintain
24 confidentiality relating to a matter being considered by the administrative charging
25 committee until final disposition of the matter.

26 3-113.

27 (a) **(1)** The investigating unit of a law enforcement agency shall immediately
28 review a complaint by a member of the public alleging police officer misconduct.

29 **(2) THE INVESTIGATING UNIT SHALL COMPLETE ITS REVIEW AND**
30 **FORWARD ITS INVESTIGATORY FILES TO THE ADMINISTRATIVE CHARGING**
31 **COMMITTEE AS SOON AS POSSIBLE, BUT NOT LATER THAN 9 MONTHS AFTER THE**
32 **FILING OF A COMPLAINT.**

1 (b) An administrative charging committee shall review and make a determination
2 or ask for further review within 30 days after completion of the investigating unit's review.

3 (c) The process of review by the investigating unit through disposition by the
4 administrative charging committee shall be completed within 1 year and 1 day after the
5 filing of a complaint by a citizen.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2025.