

HARFORD COUNTY BILL NO. 23-004

Brief Title (Police Accountability Board Amendments)

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Mykhailo A. Deason
Council Administrator

Date 3-21-23

ENROLLED

John S. Vincent
Council President

Date 3-21-23

BY THE COUNCIL

Read the third time.

Passed: LSD 23-010

Failed of Passage: _____

By Order

Mykhailo A. Deason
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 22nd day of March, 2023 at 3:00 p.m.

Mykhailo A. Deason
Council Administrator



BY THE EXECUTIVE

[Signature]
COUNTY EXECUTIVE

APPROVED: Date 3-24-23

BY THE COUNCIL

This Bill No. 23-004 having been approved by the Executive and returned to the Council, becomes law on March 24, 2023.

EFFECTIVE DATE: May 23, 2023

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 23-004

Introduced by Council President Vincenti

Legislative Day No. 23-005 Date February 14, 2023

AN ACT to repeal and reenact with amendments Section 9-136, Establishment; membership, and Section 9-137, Meetings, budget and records, of Article XXII, Harford County Police Accountability Board, of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies, of the Harford County Code, as amended; to provide that the County Council shall appoint the membership and the chair; establish the budget and staff for the board; and generally relating to the police accountability board.

By the Council, February 14, 2023

Introduced, read first time, ordered posted and public hearing scheduled:

on: March 14, 2023

at: 6:00 PM

By Order: *Mylicia A. Dixon*, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on March 14, 2023, and concluded on March 14, 2023.

Mylicia A. Dixon, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 WHEREAS, the Maryland Police Accountability Act of 2021 (the “Act”), effective July
2 1, 2022, codified in the Annotated Code of Maryland, Public Safety Article, Sections 3-101
3 through 3-114, required each county to establish, inter alia, a police accountability board to review
4 law enforcement activities and law enforcement officers’ conduct; and

5 WHEREAS, Section 3-114 of the Public Safety Article required the Maryland Police
6 Training and Standards Commission to adopt regulations, codified under COMAR, to implement
7 the provisions of the Act; and

8 WHEREAS, the Maryland Police Training and Standards Commission has adopted
9 regulations effective January 9, 2023; and

10 WHEREAS, the adoption of the final regulations by the Maryland Police Training and
11 Standards Commission require certain amendments to Article XXII, Harford County Police
12 Accountability Board.

13 NOW, THEREFORE,

14 Section 1. Be It Enacted By The County Council of Harford County, Maryland that Section 9-
15 136, Establishment, membership; and Section 9-137, Meetings, budget and records, of Article XXII,
16 Harford County Police Accountability Board, of Part 3, Authoritative Boards and Commissions, of
17 Chapter 9, Boards, Commissions, Councils and Agencies, of the Harford County Code, as amended;
18 are repealed and reenacted, all to read as follows:

19 **Chapter 9. Boards, Commissions, Councils and Agencies**

20 **Part 3. Authoritative Boards and Commissions**

21 **ARTICLE XXII. HARFORD COUNTY POLICE ACCOUNTABILITY BOARD**

22 **§ 9-136. Establishment; membership.**

23 A. There is established a Harford County Police Accountability board as required under Title 3

- 1 of the Public Safety Article of the Annotated Code of Maryland.
- 2 B. The Board shall consist of 5 members.
- 3 C. Members shall be appointed by the [County Executive] COUNTY COUNCIL for terms
4 coterminous with [the Executive and shall be confirmed by] the County Council.
- 5 D. An individual may not be a member of the Board if the individual:
- 6 (1) is an active police officer as that term is defined in § 9-139 of the Harford County
7 Code, as amended, an employee of the Sheriff's Office or an employee of a local
8 municipal police agency; or
- 9 (2) Has been convicted of, or received probation before judgment for, a felony or
10 misdemeanor for which a sentence of imprisonment for 1 year or more could have
11 been imposed.
- 12 E. The [County Executive shall nominate, subject to confirmation by the] County Council[, the]
13 SHALL APPOINT A member to serve as the Chair of the Board; and this member shall have
14 relevant experience with the operation of a law enforcement agency.
- 15 F. To the extent practicable, the membership of the Board shall reflect the racial, gender and
16 cultural diversity of the County.
- 17 G. Members shall be County residents aged 21 years or older.
- 18 H. Members shall be a legal resident or citizen of the United States.
- 19 I. The County [Executive] COUNCIL may consult with the Harford County Police
20 Commission, community groups, business associations or any other organization within
21 Harford County to assist in the recruitment of individuals to serve as members.
- 22 J. To the extent practicable, members shall have experience in:
- 23 (1) Civil rights;

- 1 (2) Law enforcement;
- 2 (3) Criminal law;
- 3 (4) Community policing;
- 4 (5) Policing standards;
- 5 (6) Criminology;
- 6 (7) Personnel management and discipline;
- 7 (8) Juvenile service administration; and
- 8 (9) Other life experience that may be valuable to the Board.

9 K. Prospective members of the Board shall submit to a criminal background check.

10 L. Each member shall sign an agreement to maintain the confidentiality of all matters related to
11 individual complaints until final disposition and all appeals have been exhausted.

12 **§ 9-137. MEETINGS, BUDGET AND RECORDS.**

13 A. Three members constitutes a quorum for the purpose of conducting business.

14 B. The Board shall meet quarterly each year but may hold special meetings at any time at the
15 call of the Chair.

16 C. Any member missing 3 consecutive meetings in any 1 calendar year may be asked to resign.

17 D. The County [Executive] COUNCIL shall [propose] ESTABLISH a budget for the Board
18 and assign staff, as needed, for the Board. As needed, the County Attorney shall retain
19 special legal counsel to serve as counsel to the Board.

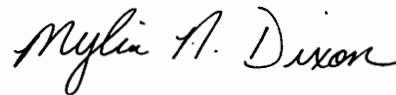
20 E. The Board shall keep accurate and complete records of its business, and the Harford County
21 Law Department shall serve as the custodian of the records. The Board shall keep records
22 of all business of the Board for 5 years from the date of the generation or collection of the
23 record.

1 F. The members of the Board shall be reimbursed for necessary expenses incurred in the
2 performance of their duties.

3 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the
4 date it becomes law.

EFFECTIVE:

The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.



Council Administrator