

CITY OF BALTIMORE 22.146  
ORDINANCE  
Council Bill 22-0234

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Introduced by: Councilmember Conway, Bullock, Porter  
Introduced and read first time: April 25, 2022  
Assigned to: Rules and Legislative Oversight Committee

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Committee Report: Favorable, with amendments  
Council action: Adopted  
Read second time: June 23, 2022

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**AN ORDINANCE CONCERNING**

**Police Accountability**

FOR the purpose of establishing the Baltimore City Police Accountability Board; providing for the membership, staffing, budget, and procedures of the Board; requiring the Board to deliver a certain annual report; establishing the Administrative Charging Committee for the City; providing for the membership, staffing, budget, and procedures of the Committee; requiring a member of the Committee to maintain confidentiality; requiring the Committee to deliver a certain annual report; requiring the Director of the Baltimore City Office of Equity and Civil Rights to adopt rules and regulations to carry out this Ordinance; defining certain terms; requiring certain individuals assigned to either the Board or the Committee to file certain financial disclosures; and generally relating to police accountability.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies  
Sections 11-1 through 11-13 to be under the new subtitle designation  
"Subtitle 11. Police Accountability Board"  
Baltimore City Code  
(Edition 2000)

BY adding

Article 8 - Ethics  
Sections 7-8(33a)  
Baltimore City Code  
(Edition 2000)

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the**  
Laws of Baltimore City read as follows:

**Baltimore City Code**

**Article 1. Mayor, City Council, and Municipal Agencies**

**SUBTITLE 11. POLICE ACCOUNTABILITY BOARD**

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike-out~~ indicates matter stricken from the bill by  
amendment or deleted from existing law by amendment.

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1 § 11-1. DEFINITIONS.

2 (A) *IN GENERAL.*

3 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

4 (B) *ADMINISTRATIVELY CHARGED.*

5 "ADMINISTRATIVELY CHARGED" MEANS THAT A POLICE OFFICER HAS BEEN FORMALLY  
6 ACCUSED OF POLICE MISCONDUCT IN AN ADMINISTRATIVE PROCEEDING.

7 (C) *BOARD.*

8 "BOARD" MEANS THE BALTIMORE CITY POLICE ACCOUNTABILITY BOARD ESTABLISHED  
9 BY THIS SUBTITLE.

10 (D) *COMMITTEE.*

11 "COMMITTEE" MEANS THE ADMINISTRATIVE CHARGING COMMITTEE ESTABLISHED BY  
12 §11-10 OF THIS SUBTITLE.

13 (E) *DIRECTOR.*

14 "DIRECTOR" MEANS THE DIRECTOR OF THE BALTIMORE CITY OFFICE OF EQUITY AND  
15 CIVIL RIGHTS, OR ITS SUCCESSOR OFFICE.

16 (F) *DISCIPLINARY MATRIX.*

17 "DISCIPLINARY MATRIX" MEANS A WRITTEN, CONSISTENT, PROGRESSIVE, AND  
18 TRANSPARENT TOOL OR RUBRIC THAT PROVIDES RANGES OF DISCIPLINARY ACTIONS FOR  
19 DIFFERENT TYPES OF POLICE MISCONDUCT.

20 (G) *EXONERATED.*

21 "EXONERATED" MEANS THAT A POLICE OFFICER ACTED IN ACCORDANCE WITH THE LAW  
22 AND AGENCY POLICY.

23 (H) *LAW ENFORCEMENT AGENCY.*

24 "LAW ENFORCEMENT AGENCY" MEANS:

25 (1) THE BALTIMORE CITY POLICE DEPARTMENT;

26 (2) THE BALTIMORE CITY SCHOOL POLICE;

27 ~~(3) THE HOUSING AUTHORITY OF BALTIMORE CITY POLICE;~~

28 ~~(3)~~ (4) THE BALTIMORE CITY SHERIFF'S DEPARTMENT;

29 ~~(4)~~ ~~(5)~~ THE BALTIMORE CITY WATERSHED POLICE FORCE ENVIRONMENTAL POLICE;

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1            ~~(5) (6)~~ THE POLICE FOR OF THE BALTIMORE CITY COMMUNITY COLLEGE;

2            ~~(6) (7)~~ THE POLICE FOR OF MORGAN STATE UNIVERSITY; OR

3            ~~(7) (8)~~ THE POLICE DEPARTMENT OF JOHNS HOPKINS UNIVERSITY.

4            (I) *NOT ADMINISTRATIVELY CHARGED.*

5            "NOT ADMINISTRATIVELY CHARGED" MEANS THAT A DETERMINATION HAS BEEN MADE  
6            NOT TO ADMINISTRATIVELY CHARGE A POLICE OFFICER IN CONNECTION WITH ALLEGED  
7            POLICE MISCONDUCT.

8            (J) *POLICE MISCONDUCT.*

9            "POLICE MISCONDUCT" MEANS A PATTERN, A PRACTICE, OR CONDUCT BY A POLICE  
10           OFFICER OR LAW ENFORCEMENT AGENCY THAT INCLUDES:

11                (1) DEPRIVING PERSONS OF RIGHTS PROTECTED BY THE CONSTITUTION OR LAWS OF  
12                THE CITY, THE STATE, OR THE UNITED STATES;

13                (2) A VIOLATION OF A CRIMINAL STATUTE; AND

14                (3) A VIOLATION OF LAW ENFORCEMENT AGENCY STANDARDS AND POLICIES.

15            (K) *POLICE OFFICER.*

16            "~~POLICE OFFICER~~" MEANS ~~A MEMBER OF A LAW ENFORCEMENT AGENCY AUTHORIZED TO~~  
17            ~~MAKE ARRESTS~~ HAS THE MEANING STATED IN STATE PUBLIC SAFETY ARTICLE, § 3-101(H)  
18            { "POLICE OFFICER" }.

19            ~~(L) SUPERIOR GOVERNMENTAL AUTHORITY.~~

20            "~~SUPERIOR GOVERNMENTAL AUTHORITY~~" MEAN ~~THE GOVERNING BODY THAT OVERSEES A~~  
21            ~~LAW ENFORCEMENT AGENCY.~~

22            ~~(L) (M) UNFOUNDED.~~

23            "UNFOUNDED" MEANS THAT THE ALLEGATIONS AGAINST A POLICE OFFICER ARE NOT  
24            SUPPORTED BY FACT.

25            **§ 11-2. BOARD ESTABLISHED.**

26            THERE IS A BALTIMORE CITY POLICE ACCOUNTABILITY BOARD.



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1 § 11-3. COMPOSITION AND QUALIFICATIONS.

2 (A) COMPOSITION.

3 (1) IN GENERAL.

4 THE POLICE ACCOUNTABILITY BOARD IS COMPOSED OF ~~13~~ 17 MEMBERS APPOINTED BY  
5 THE MAYOR IN ACCORDANCE WITH CITY CHARTER ARTICLE IV, § 6, AS FOLLOWS:

6 (1) ~~1~~ EACH FROM THE 9 POLICE DISTRICTS IN BALTIMORE CITY;

7 (2) ~~1~~ REPRESENTATIVE FROM SAFE STREETS BALTIMORE;

8 (3) ~~1~~ REPRESENTATIVE FROM THE BALTIMORE COMMUNITY MEDIATION CENTER;

9 (4) ~~1~~ REPRESENTATIVE FROM HOUSE OF RUTH MARYLAND; AND

10 (5) ~~1~~ REPRESENTATIVE FROM THE MARYLAND VIOLENCE PREVENTION COALITION.

11 (2) NOMINATION AND APPOINTMENT.

12 (I) MAYORAL APPOINTMENT.

13 (A) 2 MEMBERS SHALL BE APPOINTED TO THE BOARD BY THE MAYOR IN  
14 ACCORDANCE WITH CITY CHARTER ARTICLE IV, § 6.

15 (B) 1 OF THE MEMBERS APPOINTED BY THE MAYOR UNDER THIS  
16 PARAGRAPH (2) MUST BE BETWEEN 18 AND 25 YEARS OF AGE.

17 (II) CITY COUNCIL CANDIDATES.

18 (A) EACH MEMBER OF THE CITY COUNCIL AND THE CITY COUNCIL  
19 PRESIDENT SHALL PROPOSE 1 CANDIDATE TO THE MAYOR FOR HIS OR  
20 HER CONSIDERATION FOR APPOINTMENT TO THE BOARD.

21 (B) THE MAYOR SHALL CONSIDER THE CANDIDATES PROPOSED BY THE  
22 CITY COUNCIL FOR APPOINTMENT TO THE BOARD AND MAY NOMINATE  
23 THE CANDIDATES AT HIS OR HER DISCRETION IN ACCORDANCE WITH  
24 CITY CHARTER ARTICLE IV, § 6.

25 (C) IF THE MAYOR REJECTS A CANDIDATE PROPOSED BY THE CITY  
26 COUNCIL THE MAYOR MUST PROVIDE A WRITTEN RESPONSE TO THE  
27 CITY COUNCIL JUSTIFYING WHY HE OR SHE REJECTED THE CANDIDATE.

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1 (B) *QUALIFICATIONS.*

2 (1) *DIVERSITY OF MEMBERSHIP.*

3 TO THE EXTENT PRACTICABLE THE MEMBERSHIP OF THE BOARD SHALL REFLECT THE  
4 RACIAL, GENDER IDENTITY OR EXPRESSION, SEXUAL ORIENTATION, SOCIOECONOMIC,  
5 AND CULTURAL DIVERSITY OF THE CITY.

6 (2) *IN GENERAL.*

7 EACH MEMBER OF THE BOARD MUST BE:

- 8 ~~(I) A RESIDENT OF THE CITY OF BALTIMORE;~~  
9 ~~(II) AT LEAST 21 YEARS OF AGE; AND~~  
10 ~~(III) A LEGAL RESIDENT OR CITIZEN OF THE UNITED STATES.~~

11 (3) *EXCLUSIONS.*

12 NO PERSON MAY BE APPOINTED TO THE BOARD, OR ONCE APPOINTED, CONTINUE TO  
13 SERVE ON THE BOARD IF THE PERSON:

- 14 (I) IS OR BECOMES A POLICE OFFICER OR AN OFFICER OR EMPLOYEE OF THE STATE,  
15 THE CITY, OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE, OR ANY OF  
16 THEIR RESPECTIVE AGENCIES, INSTRUMENTALITIES, OR OTHER UNITS (OTHER  
17 THAN A STATE COLLEGE, UNIVERSITY, OR OTHER INSTITUTION OF HIGHER  
18 EDUCATION) A LAW ENFORCEMENT AGENCY;
- 19 (II) IS OR BECOMES A CANDIDATE FOR ELECTED PUBLIC OFFICE OF THE STATE, THE  
20 CITY, OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE; ~~OR~~
- 21 ~~(III) HAS BEEN CONVICTED OF A FELONY OR A MISDEMEANOR WITH A STATUTORY~~  
22 ~~PENALTY OF MORE THAN 5 YEARS.~~
- 23 (III) IS OR BECOMES A PERSON REQUIRED TO FILE A FINANCIAL DISCLOSURE  
24 STATEMENT AS REQUIRED UNDER ARTICLE 8, §§ 7-7 {"ELECTED OFFICIALS  
25 AND STAFF"}, 7-8 {"AGENCY OFFICIALS AND STAFF"}, OR 7-9  
26 {"PROCUREMENT, LEGISLATIVE LIAISON, AND ENFORCEMENT PERSONNEL"} OF  
27 THE CITY CODE; OR
- 28 (IV) IS A FORMER POLICE OFFICER WHO DID NOT SEPARATE FROM A LAW  
29 ENFORCEMENT AGENCY IN GOOD STANDING.

30 (4) *PROHIBITIONS.*

31 NO MORE THAN 2 FORMER POLICE OFFICERS OR EMPLOYEES OF A LAW ENFORCEMENT  
32 AGENCY MAY SERVE ON THE BOARD AT ANY 1 TIME.



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1 § 11-4. OFFICERS.

2 (A) CHAIR.

3 (1) ~~THE MAYOR SHALL APPOINT THE CHAIR OF THE BOARD~~ THE CHAIR SHALL BE  
4 ELECTED FROM AMONG THE BOARD'S MEMBERS BY A MAJORITY VOTE OF THE  
5 MEMBERS OF THE BOARD.

6 (2) THE TERM OF THE CHAIR IS ~~1 YEAR~~ 2 YEARS.

7 (3) THE CHAIR MAY BE ~~REAPPOINTED~~ RE-ELECTED.

8 (B) VICE-CHAIR.

9 THE BOARD MAY ELECT A VICE-CHAIR AND OTHER OFFICERS FROM AMONG ITS MEMBERS.

10 § 11-5. TERM; REMOVAL; COMPENSATION.

11 (A) TERM.

12 (1) EACH MEMBER OF THE BOARD SERVES A ~~3~~ 4-YEAR TERM.

13 (2) A MEMBER OF THE BOARD MAY NOT SERVE MORE THAN 2 CONSECUTIVE FULL TERMS.

14 (3) A MEMBER OF THE BOARD APPOINTED TO FILL A VACANCY SERVES THE REST OF THE  
15 THEN CURRENT TERM.

16 (4) A MEMBER OF THE BOARD CONTINUES IN OFFICE UNTIL THEIR SUCCESSOR IS  
17 APPOINTED AND QUALIFIED.

18 (B) REMOVAL.

19 THE MAYOR, WITH THE APPROVAL OF AT LEAST ~~7~~ 9 BOARD MEMBERS, MAY REMOVE A  
20 MEMBER FOR:

21 (1) NEGLIGENCE OF DUTY;

22 (2) MISFEASANCE, MALFEASANCE, OR NONFEASANCE;

23 (3) A MEMBER'S INABILITY OR UNWILLINGNESS TO PERFORM THE DUTIES OF THE  
24 OFFICE;

25 (4) CONDUCT THAT IMPAIRS A MEMBER FROM PERFORMING THE DUTIES OF THE OFFICE;

26 (5) ~~VIOLATION OF LAW~~ A CONVICTION OF A FELONY OR A CRIME RELEVANT TO A  
27 MEMBER'S CREDIBILITY FOR WHICH THE PENALTY AND SENTENCE HAS NOT BEEN  
28 FULLY SATISFIED; OR

29 (6) INABILITY TO MEET THE QUALIFICATIONS FOR A BOARD MEMBER MANDATED BY  
30 CITY OR STATE LAW OR BY IMPLEMENTING REGULATIONS.

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1 (C) *COMPENSATION.*

2 THE MEMBERS OF THE BOARD:

3 (1) ~~SERVE WITHOUT COMPENSATION; BUT SHALL ONLY BE ENTITLED TO SUCH~~  
4 COMPENSATION AS PROVIDED FOR IN THE ORDINANCE OF ESTIMATES OR  
5 SUPPLEMENTARY APPROPRIATION LEGISLATION; AND

6 (2) ARE ENTITLED TO REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN THE  
7 PERFORMANCE OF THEIR DUTIES, AS PROVIDED IN THE ORDINANCE OF ESTIMATES  
8 OR SUPPLEMENTARY APPROPRIATION LEGISLATION.

9 § 11-6. MEETINGS.

10 (A) *IN GENERAL.*

11 THE BOARD MUST MEET AT THE CALL OF THE CHAIR AS FREQUENTLY AS REQUIRED TO  
12 PERFORM ITS DUTIES, BUT NOT LESS THAN 4 TIMES EACH YEAR.

13 (B) *QUORUM; VOTING.*

14 (1) A MAJORITY OF THE MEMBERS OF THE BOARD CONSTITUTES A QUORUM FOR THE  
15 TRANSACTION OF BUSINESS.

16 (2) AN AFFIRMATIVE VOTE BY THE MAJORITY OF A QUORUM IS NEEDED FOR ANY OFFICIAL  
17 ACTION.

18 § 11-7. DUTIES.

19 THE BOARD MUST:

20 (1) HOLD QUARTERLY MEETINGS WITH THE ~~SUPERIOR GOVERNMENTAL AUTHORITY~~ CHIEF  
21 OF ONE OR MORE EACH LAW ENFORCEMENT AGENCIES AGENCY;

22 (2) APPOINT CIVILIAN MEMBERS TO THE ADMINISTRATIVE CHARGING COMMITTEE AND  
23 TRIAL BOARDS;

24 (3) RECEIVE COMPLAINTS OF POLICE MISCONDUCT FILED BY A MEMBER OF THE PUBLIC;

25 (4) REVIEW THE OUTCOMES OF DISCIPLINARY MATTERS CONSIDERED BY THE  
26 ADMINISTRATIVE CHARGING COMMITTEE ON A QUARTERLY BASIS;

27 (5) ADVISE THE MAYOR AND THE CITY COUNCIL ON POLICING MATTERS; AND

28 (6) REFER EACH ~~COMPLAIN~~ COMPLAINT OF POLICE MISCONDUCT FILED WITH THE BOARD  
29 TO THE APPROPRIATE LAW ENFORCEMENT AGENCY WITHIN 3 DAYS AFTER RECEIPT FOR  
30 INVESTIGATION.



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1 § 11-8. REPORTS.

2 (A) IN GENERAL.

3 THE BOARD MUST PUBLICLY PUBLISH AND SUBMIT AN ANNUAL REPORT TO THE MAYOR  
4 AND CITY COUNCIL BY EACH DECEMBER 31 THAT:

- 5 (1) IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS OF POLICE OFFICERS IN THE  
6 CITY;
- 7 (2) RECOMMENDS CHANGES TO POLICY THAT WOULD IMPROVE POLICE ACCOUNTABILITY  
8 IN THE CITY; AND
- 9 (3) DESCRIBES THE ACTIVITIES OF THE BOARD AND THE NUMBER OF COMPLAINTS  
10 RECEIVED.

11 (B) BOARD WEBSITE.

12 THE BOARD MUST MAINTAIN A PUBLIC WEBSITE WHERE REPORTS REQUIRED UNDER  
13 SUBSECTION (A) OF THIS SECTION ARE PUBLICLY PUBLISHED.

14 § 11-9. COMPLAINTS OF POLICE MISCONDUCT.

15 (A) IN GENERAL.

16 ~~(1) A COMPLAINT OF POLICE MISCONDUCT MAY BE FILED WITH THE BOARD OR THE LAW~~  
17 ~~ENFORCEMENT AGENCY THAT EMPLOYS THE POLICE OFFICER WHO IS THE SUBJECT OF~~  
18 ~~THE COMPLAINT.~~

19 (1) A COMPLAINT OF POLICE MISCONDUCT MAY BE FILED WITH:

20 (I) THE BOARD OR ITS DESIGNEE; OR

21 (II) THE LAW ENFORCEMENT AGENCY THAT EMPLOYS THE POLICE OFFICER WHO IS  
22 THE SUBJECT OF THE COMPLAINT.

23 (2) IF A COMPLAINT IS FILED WITH THE BOARD, THE COMPLAINT MUST BE FORWARDED TO  
24 THE LAW ENFORCEMENT AGENCY THAT EMPLOYS THE POLICE OFFICER WHO IS THE  
25 SUBJECT OF THE COMPLAINT.

26 (3) IF A COMPLAINT IS FILED WITH A LAW ENFORCEMENT AGENCY, THE COMPLAINT MUST  
27 BE FORWARDED TO THE BOARD UPON RECEIPT WITHIN 2 WEEKS.

28 (B) RECEIPT OF COMPLAINTS.

29 THE BOARD SHALL RECEIVE COMPLAINTS OF POLICE MISCONDUCT:

30 (1) FILED BY MEMBERS OF THE PUBLIC; OR

31 (2) FORWARDED TO THEM FROM A LAW ENFORCEMENT AGENCY-; OR



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1           (3) FORWARDED TO THE BOARD BY THE BOARD'S DESIGNEE, AS AUTHORIZED UNDER  
2           § 11-9(A)(1)(I) OF THIS SUBTITLE.

3           (C) *PROCEDURE FOR FILING COMPLAINTS.*

4           THE BOARD ~~SHALL~~ MUST ESTABLISH A UNIFORM PROCEDURE FOR ALLOWING MEMBERS OF  
5           - THE PUBLIC TO FILE COMPLAINTS OF POLICE MISCONDUCT.

6           (D) *COMPLAINT REQUIREMENTS.*

7           (1) *INCLUSIONS.*

8           A COMPLAINT OF POLICE MISCONDUCT FILED WITH THE BOARD OR A LAW  
9           ENFORCEMENT AGENCY MUST INCLUDE:

10           (I) THE NAME OF THE POLICE OFFICER ACCUSED OF POLICE MISCONDUCT;

11           (II) A DESCRIPTION OF THE FACTS ON WHICH THE COMPLAINT IS BASED; AND

12           (III) CONTACT INFORMATION OF THE COMPLAINANT OR A PERSON FILING ON  
13           BEHALF OF THE COMPLAINANT FOR INVESTIGATIVE FOLLOW-UP.

14           (2) *EXCLUSIONS.*

15           A COMPLAINT OF POLICE MISCONDUCT NEED NOT BE NOTARIZED.

16       **§ 11-10. ADMINISTRATIVE CHARGING COMMITTEE.**

17           (A) *ESTABLISHMENT.*

18           THERE IS AN ADMINISTRATIVE CHARGING COMMITTEE FOR THE CITY.

19           (B) *COMPOSITION; QUALIFICATIONS; TRAINING.*

20           (1) *COMPOSITION.*

21           THE COMMITTEE COMPRISES 5 MEMBERS, OF WHICH:

22           (I) 1 IS THE CHAIR OF THE POLICE ACCOUNTABILITY BOARD, OR ANOTHER  
23           MEMBER OF THE BOARD DESIGNATED BY THE CHAIR;

24           (II) 2 ARE CIVILIAN MEMBERS APPOINTED BY THE POLICE ACCOUNTABILITY  
25           BOARD; AND

26           (III) 2 ARE CIVILIAN MEMBERS APPOINTED BY THE MAYOR.

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1 (2) *QUALIFICATIONS.*

2 (I) *DIVERSITY OF MEMBERSHIP.*

3 TO THE EXTENT PRACTICABLE THE MEMBERSHIP OF THE COMMITTEE SHALL  
4 REFLECT THE RACIAL, GENDER IDENTITY OR EXPRESSION, SEXUAL  
5 ORIENTATION, SOCIOECONOMIC, AND CULTURAL DIVERSITY OF THE CITY.

6 (II) *IN GENERAL.*

7 ~~EACH MEMBER OF THE BOARD MUST BE:~~

8 ~~(A) A RESIDENT OF THE CITY OF BALTIMORE; AND~~

9 ~~(B) HAVE EXPERIENCE:~~

10 ~~1. MANAGING OR EVALUATING THE MANAGEMENT OF A LAW~~  
11 ~~ENFORCEMENT AGENCY;~~

12 ~~2. EVALUATING CITIZEN COMPLAINTS AGAINST A POLICE OFFICER;~~  
13 ~~OR~~

14 ~~3. IN PERSONNEL DISCIPLINARY PROCEEDINGS AS A MANAGER,~~  
15 ~~EMPLOYEE REPRESENTATIVE, MEDIATOR, OR ARBITRATOR.~~

16 EACH MEMBER OF THE COMMITTEE MUST BE A RESIDENT OF THE CITY OF  
17 BALTIMORE.

18 (3) *TRAINING.*

19 BEFORE SERVING AS A MEMBER OF THE COMMITTEE, A PERSON MUST RECEIVE  
20 TRAINING ON MATTERS RELATING TO POLICE PROCEDURES FROM THE MARYLAND  
21 POLICE TRAINING AND STANDARDS COMMISSION.

22 (C) *TERM; REMOVAL; COMPENSATION.*

23 (1) *TERM.*

24 (I) EACH MEMBER OF THE COMMITTEE SERVES A 3-YEAR TERM.

25 (II) A MEMBER OF THE COMMITTEE MAY NOT SERVE MORE THAN 2 CONSECUTIVE  
26 FULL TERMS.

27 (III) A MEMBER OF THE COMMITTEE APPOINTED TO FILL A VACANCY SERVES THE  
28 REST OF THE UNEXPIRED TERM.

29 (IV) A MEMBERS OF THE COMMITTEE CONTINUES IN OFFICE UNTIL HIS OR HER  
30 SUCCESSOR IS APPOINTED AND QUALIFIED.

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1 (2) *REMOVAL.*

2 THE MAYOR MAY REMOVE A MEMBER FOR:

3 (I) NEGLECT OF DUTY;

4 (II) MISFEASANCE, MALFEASANCE, OR NONFEASANCE;

5 (III) A MEMBER'S INABILITY OR UNWILLINGNESS TO PERFORM THE DUTIES OF THE  
6 OFFICE;

7 (IV) CONDUCT THAT IMPAIRS A MEMBER FROM PERFORMING THE DUTIES OF THE  
8 OFFICE;

9 (V) ~~VIOLATION OF LAW~~ A CONVICTION OF A FELONY OR A CRIME RELEVANT TO A  
10 MEMBER'S CREDIBILITY FOR WHICH THE PENALTY AND SENTENCE HAS NOT  
11 BEEN FULLY SATISFIED; OR

12 (VI) INABILITY TO MEET THE QUALIFICATIONS FOR A COMMITTEE MEMBER  
13 MANDATED BY CITY OR STAT LAW, OR IMPLEMENTING REGULATIONS.

14 (3) *COMPENSATION.*

15 THE MEMBERS OF THE COMMITTEE:

16 (I) SERVE WITH COMPENSATION, AS PROVIDED FOR IN THE ORDINANCE OF  
17 ESTIMATES OR SUPPLEMENTARY APPROPRIATION LEGISLATION; AND

18 (II) ARE ENTITLED TO REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN  
19 THE PERFORMANCE OF THEIR DUTIES, AS PROVIDED IN THE ORDINANCE OF  
20 ESTIMATES OR SUPPLEMENTARY APPROPRIATION LEGISLATION.

21 (D) *CHAIR.*

22 (1) THE COMMITTEE SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS AT THE FIRST  
23 MEETING OCCURRING ON OR AFTER JULY 1.

24 (2) THE CHAIR OF THE COMMITTEE MAY NOT SERVE MORE THAN 2 CONSECUTIVE FULL  
25 TERMS.

26 (E) *MEETINGS; QUORUM; VOTING.*

27 (1) *IN GENERAL.*

28 THE COMMITTEE SHALL MEET ONCE PER MONTH OR AS NEEDED.



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1 (2) *QUORUM; VOTING.*

2 (I) A MAJORITY OF THE MEMBERS OF THE COMMITTEE CONSTITUTES A QUORUM  
3 FOR THE TRANSACTION OF BUSINESS.

4 (II) AN AFFIRMATIVE VOTE BY THE MAJORITY OF A QUORUM IS NEEDED FOR ANY  
5 OFFICIAL ACTION.

6 (F) *DUTIES.*

7 THE COMMITTEE MUST:

8 (I) REVIEW THE FINDINGS OF EACH LAW ENFORCEMENT AGENCY'S INVESTIGATION  
9 FORWARDED BY THE AGENCY TO THE COMMITTEE;

10 (II) REVIEW ANY BODY CAMERA FOOTAGE THAT MAY BE RELEVANT TO THE MATTERS  
11 COVERED IN THE COMPLAINT OF POLICE MISCONDUCT;

12 (III) AUTHORIZE A POLICE OFFICER CALLED BEFORE THE COMMITTEE TO BE  
13 ACCOMPANIED BY A REPRESENTATIVE;

14 (IV) WITHIN 30 DAYS AFTER RECEIPT OF THE LAW ENFORCEMENT AGENCY'S  
15 INVESTIGATORY FILE, UNLESS THE COMMITTEE REQUESTS FURTHER REVIEW  
16 UNDER SUBSECTION (G) OF THIS SECTION, DETERMINE IF THE POLICE OFFICER WHO  
17 IS THE SUBJECT OF THE CHARGED INVESTIGATION SHOULD BE ADMINISTRATIVELY  
18 CHARGED OR NOT ADMINISTRATIVELY CHARGED;

19 (V) IF THE COMMITTEE DETERMINES THAT A POLICE OFFICER SHOULD BE  
20 ADMINISTRATIVELY CHARGED, RECOMMEND DISCIPLINE PURSUANT TO THE  
21 DISCIPLINARY MATRIX;

22 (VI) IF THE COMMITTEE DETERMINES THAT A POLICE OFFICER SHOULD NOT BE  
23 ADMINISTRATIVELY CHARGED, ~~DETERMINE IF~~ MAKE A DETERMINATION THAT:

24 (A) THE ALLEGATIONS AGAINST THE POLICE OFFICER ARE UNFOUNDED;  
25 ~~INCLUDING SITUATIONS WHERE EXISTING LAW ENFORCEMENT AGENCY~~  
26 ~~POLICY FAILS TO PROPERLY ADDRESS THE SITUATION FOR WHICH THE~~  
27 ~~OFFICER WAS CHARGED; OR~~

28 (B) THE POLICE OFFICER IS EXONERATED;

29 (VII) ISSUE A WRITTEN OPINION FOR EACH COMPLAINT DESCRIBING IN DETAIL THE  
30 COMMITTEE'S FINDINGS, DETERMINATIONS, AND RECOMMENDATIONS; AND

31 (VIII) FORWARD THE WRITTEN OPINION TO THE ~~SUPERIOR GOVERNMENTAL AUTHORITY~~  
32 CHIEF OF THE APPROPRIATE LAW ENFORCEMENT AGENCY, THE ACCUSED POLICE  
33 OFFICER, AND THE COMPLAINANT.

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1 (G) *AUTHORITY OF THE COMMITTEE.*

2 THE COMMITTEE HAS THE AUTHORITY TO:

- 3 (I) REQUEST INFORMATION OR ACTION FROM THE LAW ENFORCEMENT AGENCY THAT  
4 CONDUCTED THE INVESTIGATION, INCLUDING REQUIRING ADDITIONAL  
5 INVESTIGATION;
- 6 (II) ISSUE SUBPOENAS FOR DOCUMENTS OR WITNESSES NECESSARY TO EXECUTE THE  
7 COMMITTEE'S DUTIES; AND
- 8 (III) RECORD, IN WRITING, ANY FAILURE OF SUPERVISION THAT CAUSED OR  
9 CONTRIBUTED TO THE OFFICER'S POLICE MISCONDUCT.

10 (H) *LAW ENFORCEMENT AGENCY - DELIVERY OF INVESTIGATORY FILES.*

11 ~~ON COMPLETION OF AN INVESTIGATION OF A COMPLAINT MADE BY A MEMBER OF THE~~  
12 ~~PUBLIC AGAINST A POLICE OFFICER, THE LAW ENFORCEMENT AGENCY SHALL FORWARD TO~~  
13 ~~THE COMMITTEE THE INVESTIGATORY FILES FOR THE MATTER.~~

14 ON COMPLETION OF AN INVESTIGATION OF A COMPLAINT OF POLICE MISCONDUCT  
15 INVOLVING A MEMBER OF THE PUBLIC AND A POLICE OFFICER, REGARDLESS OF WHETHER  
16 THE COMPLAINT ORIGINATED FROM WITHIN THE LAW ENFORCEMENT AGENCY OR FROM  
17 AN EXTERNAL SOURCE, THE LAW ENFORCEMENT AGENCY SHALL FORWARD TO THE  
18 COMMITTEE THE INVESTIGATORY FILES FOR THE MATTER.

19 (I) *CONFIDENTIALITY.*

20 EACH MEMBER OF THE COMMITTEE MUST MAINTAIN CONFIDENTIALITY RELATING TO THE  
21 MATTER BEING CONSIDERED BY THE COMMITTEE UNTIL THE FINAL DISPOSITION OF THE  
22 MATTER.

23 § 11-11. RULES AND REGULATIONS.

24 SUBJECT TO TITLE 4 {"ADMINISTRATIVE PROCEDURE ACT – REGULATIONS"} OF THE CITY  
25 GENERAL PROVISIONS ARTICLE, THE DIRECTOR MUST ADOPT RULES AND REGULATIONS TO  
26 CARRY OUT THIS SUBTITLE.

27 § 11-12. DIRECTOR; STAFF; BUDGET.

28 (A) *DIRECTOR.*

29 THE DIRECTOR OF THE BALTIMORE CITY OFFICE OF EQUITY AND CIVIL RIGHTS, OR ITS  
30 SUCCESSOR OFFICE, SERVES AS THE DIRECTOR OF THE BALTIMORE CITY POLICE  
31 ACCOUNTABILITY BOARD AND IS RESPONSIBLE FOR ASSISTING THE BOARD IN PERFORMING  
32 ITS RESPONSIBILITIES.



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1 (B) *STAFF.*

2 IN CONSULTATION WITH THE BOARD, THE DIRECTOR MAY ASSIGN STAFF FROM THE OFFICE  
3 OF EQUITY AND CIVIL RIGHTS TO ASSIST THE POLICE ACCOUNTABILITY BOARD AND THE  
4 ADMINISTRATIVE CHARGING COMMITTEE.

5 (C) *BUDGET.*

6 THE DIRECTOR MAY EXPEND FUNDS AS AUTHORIZED IN THE ORDINANCE OF ESTIMATES OR  
7 IN ANY SUPPLEMENTARY APPROPRIATIONS.

8 (D) PUBLIC RECORDS REQUESTS — PERSONNEL RECORDS.

9 (1) IN GENERAL.

10 (i) AT THE TIME A FORMER POLICE OFFICER IS NOMINATED TO THE BOARD UNDER  
11 § 11-3(A)(2) {"NOMINATION AND APPOINTMENT"} OF THIS SUBTITLE THE  
12 DIRECTOR SHALL SUBMIT WRITTEN PUBLIC RECORDS REQUESTS FOR THE  
13 FORMER POLICE OFFICER'S PERSONNEL RECORDS.

14 (ii) WRITTEN PUBLIC RECORDS REQUEST SHALL BE SUBMITTED TO ALL KNOWN  
15 LAW ENFORCEMENT AGENCIES, POLICE FORCES, SHERIFF'S OFFICES, OR  
16 SECURITY FORCES OR LAW ENFORCEMENT ORGANIZATIONS, REGARDLESS OF  
17 JURISDICTION, THAT EMPLOYED THE FORMER POLICE OFFICER.

18 (2) ACCESS TO PERSONNEL RECORDS.

19 ACCESS TO PERSONNEL RECORDS RECEIVED RESULTING FROM REQUESTS SUBMITTED  
20 UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE LIMITED TO THOSE INDIVIDUALS  
21 DIRECTLY INVOLVED WITH THE NOMINATION AND APPOINTMENT PROCESS FOR BOARD  
22 MEMBERS.

23 (3) RETENTION AND DISPOSITION OF PERSONNEL RECORDS.

24 ALL PERSONNEL RECORDS COLLECTED UNDER THIS SUBSECTION SHALL BE RETAINED  
25 FOR THE DURATION OF THE NOMINATION AND APPOINTMENT PROCESS, AND THEN  
26 DESTROYED.

27 § 11-13. RECORDS.

28 (A) *RECORD RETENTION.*

29 THE DIRECTOR MUST MAINTAIN RECORDS OF THE POLICE ACCOUNTABILITY BOARD AND  
30 THE ADMINISTRATIVE CHARGING COMMITTEE IN ACCORDANCE WITH A RECORD  
31 RETENTION SCHEDULE CREATED WITH THE ASSISTANCE OF THE BALTIMORE CITY  
32 RECORDS MANAGEMENT OFFICER IN ACCORDANCE WITH CITY AND STATE LAW.



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1 (B) *CONFIDENTIALITY OF RECORDS.*

2 ALL RECORDS PROHIBITED FROM DISCLOSURE UNDER THE MARYLAND PUBLIC  
3 INFORMATION ACT OR OTHER APPLICABLE LAW REGARDING THE CONFIDENTIALITY OF  
4 THESE RECORDS MUST BE KEPT CONFIDENTIAL BY:

5 (1) MEMBERS OF THE BOARD;

6 (2) MEMBERS OF THE COMMITTEE;

7 (3) THE DIRECTOR; ~~AND~~

8 (4) STAFF FROM THE OFFICE OF EQUITY AND CIVIL RIGHTS; AND

9 (5) ANY OTHER PERSON WHO BECOMES A CUSTODIAN OF THE RECORDS THAT ARE  
10 HANDLED BY THE BOARD OR THE COMMITTEE.

11 Article 8. Ethics

12 Subtitle 7. Financial Disclosure

13 Part II. Who Must File

14 § 7-8. Persons required to file - Agency officials and staff.

15 The following officials and employees must file the financial disclosure statements required  
16 by this subtitle.

17 ...

18 (33A) *POLICE ACCOUNTABILITY BOARD.*

19 (I) MEMBERS OF THE BOARD.

20 (II) MEMBERS OF THE ADMINISTRATIVE CHARGING COMMITTEE.

21 (III) DIRECTOR.

22 (IV) ALL NON-CLERICAL EMPLOYEES ASSIGNED TO THE BOARD OR THE  
23 COMMITTEE.

24 ~~SECTION 2. AND BE IT FURTHER ORDAINED, That, to establish staggering of terms of the~~  
25 ~~initial Board members of the Baltimore City Police Accountability Board, 4 5 Board members~~  
26 ~~shall have a term of 1 year, 4 5 Board members shall have a term of 2 years, and 5 Board~~  
27 ~~members, one of which shall be the chair, shall have a term of 3 years.~~

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1 ~~SECTION 3. AND BE IT FURTHER ORDAINED, That, to establish staggering of terms of the~~  
2 ~~initial Committee members of the Administrative Charging Committee, 1 Committee member~~  
3 ~~shall have a term of 1 year, 2 Committee members shall have a term of 2 years, and 2 Committee~~  
4 ~~members shall have a term of 3 years.~~

5 **SECTION 4-2. AND BE IT FURTHER ORDAINED,** That, in accordance with House Bill No. 670,  
6 enacted as Chapter 59 of the Laws of Maryland by the Maryland General Assembly during its  
7 2021 Session, the Baltimore City Police Accountability Board may not engage in any of the  
8 activities listed in § 3-102 of the Public Safety Article of the Annotated Code of Maryland until  
9 July 1, 2022.

10 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Baltimore City Office of Equity and  
11 Civil Rights shall temporarily serve as the Board's designee, as provided for in § 11-9(a) of this  
12 Ordinance {"Complaints of police misconduct . . . In general."}, and accept complaints of police  
13 misconduct beginning July 1, 2022, and continuing until the Board establishes a uniform  
14 procedure for filing complaints as required by § 11-9(c) {"Complaints of police misconduct . . .  
15 Procedure for filing complaints."} of this Ordinance.

16 **SECTION 5-4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup>  
17 day after the date it is enacted.

**Council Bill 22-0234**

Certified as duly passed this 27th day of June, 2022



\_\_\_\_\_  
President, Baltimore City Council

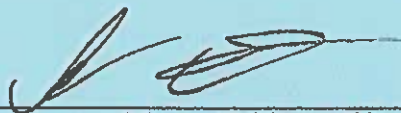
Certified as duly delivered to His Honor, the Mayor,

this 30th day of June, 2022



\_\_\_\_\_  
Chief Clerk

Approved this 30th day of June, 2022



\_\_\_\_\_  
Mayor, Baltimore City

Approved for Form and Legal Sufficiency  
This 29th Day of June, 2022.

*Elena R DiPietro*

\_\_\_\_\_  
Chief Solicitor