

**CITY OF BALTIMORE
COUNCIL BILL 22-0234
(First Reader)**

Introduced by: Councilmember Conway, Bullock, Porter

Introduced and read first time: April 25, 2022

Assigned to: Rules and Legislative Oversight Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Baltimore Police Department, Office of Equity and Civil Rights, Baltimore City Sheriff's Office, Baltimore City School Police, Housing Authority of Baltimore City Police Department

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Police Accountability**

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

12 BY adding

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

18 BY adding

19 Article 8 - Ethics
20 Sections 7-8(33a)
21 Baltimore City Code
22 (Edition 2000)

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

25 **Baltimore City Code**

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

27 **SUBTITLE 11. POLICE ACCOUNTABILITY BOARD**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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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 (4) THE BALTIMORE CITY SHERIFF’S DEPARTMENT;
- 29 (5) THE BALTIMORE CITY WATERSHED POLICE FORCE;

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

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

3 (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.

18 (L) *SUPERIOR GOVERNMENTAL AUTHORITY.*

19 “SUPERIOR GOVERNMENTAL AUTHORITY” MEAN THE GOVERNING BODY THAT OVERSEES A
20 LAW ENFORCEMENT AGENCY.

21 (M) *UNFOUNDED.*

22 “UNFOUNDED” MEANS THAT THE ALLEGATIONS AGAINST A POLICE OFFICER ARE NOT
23 SUPPORTED BY FACT.

24 **§ 11-2. BOARD ESTABLISHED.**

25 THERE IS A BALTIMORE CITY POLICE ACCOUNTABILITY BOARD.

26 **§ 11-3. COMPOSITION AND QUALIFICATIONS.**

27 (A) *COMPOSITION.*

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

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- 1 (1) 1 EACH FROM THE 9 POLICE DISTRICTS IN BALTIMORE CITY;
- 2 (2) 1 REPRESENTATIVE FROM SAFE STREETS BALTIMORE;
- 3 (3) 1 REPRESENTATIVE FROM THE BALTIMORE COMMUNITY MEDIATION CENTER;
- 4 (4) 1 REPRESENTATIVE FROM HOUSE OF RUTH MARYLAND; AND
- 5 (5) 1 REPRESENTATIVE FROM THE MARYLAND VIOLENCE PREVENTION COALITION.

6 (B) *QUALIFICATIONS.*

7 (1) *DIVERSITY OF MEMBERSHIP.*

8 TO THE EXTENT PRACTICABLE THE MEMBERSHIP OF THE BOARD SHALL REFLECT THE
9 RACIAL, GENDER IDENTITY OR EXPRESSION, SEXUAL ORIENTATION, SOCIOECONOMIC,
10 AND CULTURAL DIVERSITY OF THE CITY.

11 (2) *IN GENERAL.*

12 EACH MEMBER OF THE BOARD MUST BE:

- 13 (I) A RESIDENT OF THE CITY OF BALTIMORE;
- 14 (II) AT LEAST 21 YEARS OF AGE; AND
- 15 (III) A LEGAL RESIDENT OR CITIZEN OF THE UNITED STATES.

16 (3) *EXCLUSIONS.*

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

- 19 (I) IS OR BECOMES AN OFFICER OR EMPLOYEE OF THE STATE, THE CITY, OR ANY
20 OTHER POLITICAL SUBDIVISION OF THE STATE, OR ANY OF THEIR RESPECTIVE
21 AGENCIES, INSTRUMENTALITIES, OR OTHER UNITS (OTHER THAN A STATE
22 COLLEGE, UNIVERSITY, OR OTHER INSTITUTION OF HIGHER EDUCATION);
- 23 (II) IS OR BECOMES A CANDIDATE FOR ELECTED PUBLIC OFFICE OF THE STATE, THE
24 CITY, OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE; OR
- 25 (III) HAS BEEN CONVICTED OF A FELONY OR A MISDEMEANOR WITH A STATUTORY
26 PENALTY OF MORE THAN 5 YEARS.

27 **§ 11-4. OFFICERS.**

28 (A) *CHAIR.*

- 29 (1) THE MAYOR SHALL APPOINT THE CHAIR OF THE BOARD FROM AMONG THE BOARD'S
30 MEMBERS.

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1 (2) THE TERM OF THE CHAIR IS 1 YEAR.

2 (3) THE CHAIR MAY BE REAPPOINTED.

3 (B) *VICE-CHAIR.*

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

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

6 (A) *TERM.*

7 (1) EACH MEMBER OF THE BOARD SERVES A 3-YEAR TERM.

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

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

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

13 (B) *REMOVAL.*

14 THE MAYOR, WITH THE APPROVAL OF AT LEAST 7 BOARD MEMBERS, MAY REMOVE A
15 MEMBER FOR:

16 (1) NEGLIGENCE OF DUTY;

17 (2) MISFEASANCE, MALFEASANCE, OR NONFEASANCE;

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

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

21 (5) VIOLATION OF LAW; OR

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

24 (C) *COMPENSATION.*

25 THE MEMBERS OF THE BOARD:

26 (1) SERVE WITHOUT COMPENSATION; BUT

27 (2) ARE ENTITLED TO REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN THE
28 PERFORMANCE OF THEIR DUTIES, AS PROVIDED IN THE ORDINANCE OF ESTIMATES.

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1 **§ 11-6. MEETINGS.**

2 (A) *IN GENERAL.*

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

5 (B) *QUORUM; VOTING.*

6 (1) A MAJORITY OF THE MEMBERS OF THE BOARD CONSTITUTES A QUORUM FOR THE
7 TRANSACTION OF BUSINESS.

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

10 **§ 11-7. DUTIES.**

11 THE BOARD MUST:

12 (1) HOLD QUARTERLY MEETINGS WITH THE SUPERIOR GOVERNMENTAL AUTHORITY OF
13 ONE OR MORE LAW ENFORCEMENT AGENCIES;

14 (2) APPOINT CIVILIAN MEMBERS TO THE ADMINISTRATIVE CHARGING COMMITTEE AND
15 TRIAL BOARDS;

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

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

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

20 (6) REFER EACH COMPLAINT OF POLICE MISCONDUCT FILED WITH THE BOARD TO THE
21 APPROPRIATE LAW ENFORCEMENT AGENCY WITHIN 3 DAYS AFTER RECEIPT FOR
22 INVESTIGATION.

23 **§ 11-8. REPORTS.**

24 THE BOARD MUST SUBMIT AN ANNUAL REPORT TO THE MAYOR AND CITY COUNCIL BY EACH
25 DECEMBER 31 THAT:

26 (1) IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS OF POLICE OFFICERS IN THE
27 CITY;

28 (2) RECOMMENDS CHANGES TO POLICY THAT WOULD IMPROVE POLICE ACCOUNTABILITY
29 IN THE CITY; AND

30 (3) DESCRIBES THE ACTIVITIES OF THE BOARD AND THE NUMBER OF COMPLAINTS
31 RECEIVED.

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§ 11-9. COMPLAINTS OF POLICE MISCONDUCT.

(A) IN GENERAL.

- (1) A COMPLAINT OF POLICE MISCONDUCT MAY BE FILED WITH THE BOARD OR THE LAW ENFORCEMENT AGENCY THAT EMPLOYS THE POLICE OFFICER WHO IS THE SUBJECT OF THE COMPLAINT.
- (2) IF A COMPLAINT IS FILED WITH THE BOARD, THE COMPLAINT MUST BE FORWARDED TO THE LAW ENFORCEMENT AGENCY THAT EMPLOYS THE POLICE OFFICER WHO IS THE SUBJECT OF THE COMPLAINT.

(B) RECEIPT OF COMPLAINTS.

THE BOARD SHALL RECEIVE COMPLAINTS OF POLICE MISCONDUCT:

- (1) FILED BY MEMBERS OF THE PUBLIC; OR
- (2) FORWARDED TO THEM FROM A LAW ENFORCEMENT AGENCY.

(C) PROCEDURE FOR FILING COMPLAINTS.

THE BOARD SHALL ESTABLISH A UNIFORM PROCEDURE FOR ALLOWING MEMBERS OF THE PUBLIC TO FILE COMPLAINTS OF POLICE MISCONDUCT.

(D) COMPLAINT REQUIREMENTS.

(1) INCLUSIONS.

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

- (I) THE NAME OF THE POLICE OFFICER ACCUSED OF POLICE MISCONDUCT;
- (II) A DESCRIPTION OF THE FACTS ON WHICH THE COMPLAINT IS BASED; AND
- (III) CONTACT INFORMATION OF THE COMPLAINANT OR A PERSON FILING ON BEHALF OF THE COMPLAINANT FOR INVESTIGATIVE FOLLOW-UP.

(2) EXCLUSIONS.

A COMPLAINT OF POLICE MISCONDUCT NEED NOT BE NOTARIZED.

§ 11-10. ADMINISTRATIVE CHARGING COMMITTEE.

(A) ESTABLISHMENT.

THERE IS AN ADMINISTRATIVE CHARGING COMMITTEE FOR THE CITY.

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

2 (1) *COMPOSITION.*

3 THE COMMITTEE COMPRISES 5 MEMBERS, OF WHICH:

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

6 (II) 2 ARE CIVILIAN MEMBERS APPOINTED BY THE POLICE ACCOUNTABILITY
7 BOARD; AND

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

9 (2) *QUALIFICATIONS.*

10 (I) *DIVERSITY OF MEMBERSHIP.*

11 TO THE EXTENT PRACTICABLE THE MEMBERSHIP OF THE BOARD SHALL
12 REFLECT THE RACIAL, GENDER IDENTITY OR EXPRESSION, SEXUAL
13 ORIENTATION, SOCIOECONOMIC, AND CULTURAL DIVERSITY OF THE CITY.

14 (II) *IN GENERAL.*

15 EACH MEMBER OF THE BOARD MUST BE:

16 (A) A RESIDENT OF THE CITY OF BALTIMORE; AND

17 (B) HAVE EXPERIENCE:

18 1. MANAGING OR EVALUATING THE MANAGEMENT OF A LAW
19 ENFORCEMENT AGENCY;

20 2. EVALUATING CITIZEN COMPLAINTS AGAINST A POLICE OFFICER;
21 OR

22 3. IN PERSONNEL DISCIPLINARY PROCEEDINGS AS A MANAGER,
23 EMPLOYEE REPRESENTATIVE, MEDIATOR, OR ARBITRATOR.

24 (3) *TRAINING.*

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

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

29 (1) *TERM.*

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

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

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

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

7 (2) *REMOVAL.*

8 THE MAYOR MAY REMOVE A MEMBER FOR:

9 (I) NEGLIGENCE OF DUTY;

10 (II) MISFEASANCE, MALFEASANCE, OR NONFEASANCE;

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

13 (IV) CONDUCT THAT IMPAIRS A MEMBER FROM PERFORMING THE DUTIES OF THE
14 OFFICE;

15 (V) VIOLATION OF LAW; OR

16 (VI) INABILITY TO MEET THE QUALIFICATIONS FOR A COMMITTEE MEMBER
17 MANDATED BY CITY OR STAT LAW, OR IMPLEMENTING REGULATIONS.
18

19 (3) *COMPENSATION.*

20 THE MEMBERS OF THE COMMITTEE:

21 (I) SERVE WITH COMPENSATION, AS PROVIDED FOR IN THE ORDINANCE OF
22 ESTIMATES; AND

23 (II) ARE ENTITLED TO REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN
24 THE PERFORMANCE OF THEIR DUTIES, AS PROVIDED IN THE ORDINANCE OF
25 ESTIMATES.

26 (D) *CHAIR.*

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

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

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

2 (1) *IN GENERAL.*

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

4 (2) *QUORUM; VOTING.*

5 (I) A MAJORITY OF THE MEMBERS OF THE COMMITTEE CONSTITUTES A QUORUM
6 FOR THE TRANSACTION OF BUSINESS.

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

9 (F) *DUTIES.*

10 THE COMMITTEE MUST:

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

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

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

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

22 (V) IF THE COMMITTEE DETERMINES THAT A POLICE OFFICER SHOULD BE
23 ADMINISTRATIVELY CHARGED, RECOMMEND DISCIPLINE PURSUANT TO THE
24 DISCIPLINARY MATRIX;

25 (VI) IF THE COMMITTEE DETERMINES THAT A POLICE OFFICER SHOULD NOT BE
26 ADMINISTRATIVELY CHARGED, DETERMINE IF:

27 (A) THE ALLEGATIONS AGAINST THE POLICE OFFICER ARE UNFOUNDED,
28 INCLUDING SITUATIONS WHERE EXISTING LAW ENFORCEMENT AGENCY
29 POLICY FAILS TO PROPERLY ADDRESS THE SITUATION FOR WHICH THE
30 OFFICER WAS CHARGED; OR

31 (B) THE POLICE OFFICER IS EXONERATED;

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

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1 (VIII) FORWARD THE WRITTEN OPINION TO THE SUPERIOR GOVERNMENTAL AUTHORITY
2 OF THE APPROPRIATE LAW ENFORCEMENT AGENCY, THE ACCUSED POLICE
3 OFFICER, AND THE COMPLAINANT.

4 (G) *AUTHORITY OF THE COMMITTEE.*

5 THE COMMITTEE HAS THE AUTHORITY TO:

6 (I) REQUEST INFORMATION OR ACTION FROM THE LAW ENFORCEMENT AGENCY THAT
7 CONDUCTED THE INVESTIGATION, INCLUDING REQUIRING ADDITIONAL
8 INVESTIGATION;

9 (II) ISSUE SUBPOENAS FOR DOCUMENTS OR WITNESSES NECESSARY TO EXECUTE THE
10 COMMITTEE’S DUTIES; AND

11 (III) RECORD, IN WRITING, ANY FAILURE OF SUPERVISION THAT CAUSED OR
12 CONTRIBUTED TO THE OFFICER’S POLICE MISCONDUCT.

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

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

17 (I) *CONFIDENTIALITY.*

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

21 **§ 11-11. RULES AND REGULATIONS.**

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

25 **§ 11-12. DIRECTOR; STAFF; BUDGET.**

26 (A) *DIRECTOR.*

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

31 (B) *STAFF.*

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

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1 (C) *BUDGET.*

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

4 **§ 11-13. RECORDS.**

5 (A) *RECORD RETENTION.*

6 THE DIRECTOR MUST MAINTAIN RECORDS OF THE POLICE ACCOUNTABILITY BOARD AND
7 THE ADMINISTRATIVE CHARGING COMMITTEE IN ACCORDANCE WITH A RECORD
8 RETENTION SCHEDULE CREATED WITH THE ASSISTANCE OF THE BALTIMORE CITY
9 RECORDS MANAGEMENT OFFICER IN ACCORDANCE WITH CITY AND STATE LAW.

10 (B) *CONFIDENTIALITY OF RECORDS.*

11 ALL RECORDS PROHIBITED FROM DISCLOSURE UNDER THE MARYLAND PUBLIC
12 INFORMATION ACT MUST BE KEPT CONFIDENTIAL BY:

- 13 (1) MEMBERS OF THE BOARD;
- 14 (2) MEMBERS OF THE COMMITTEE;
- 15 (3) THE DIRECTOR; AND
- 16 (4) STAFF FROM THE OFFICE OF EQUITY AND CIVIL RIGHTS.

17 **Article 8. Ethics**

18 **Subtitle 7. Financial Disclosure**

19 ***Part II. Who Must File***

20 **§ 7-8. Persons required to file - Agency officials and staff.**

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

23 . . .

24 (33A) *POLICE ACCOUNTABILITY BOARD.*

- 25 (I) MEMBERS OF THE BOARD.
- 26 (II) MEMBERS OF THE ADMINISTRATIVE CHARGING COMMITTEE.
- 27 (III) DIRECTOR.
- 28 (IV) ALL NON-CLERICAL EMPLOYEES ASSIGNED TO THE BOARD OR THE
29 COMMITTEE.

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

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

9 **SECTION 4. AND BE IT FURTHER ORDAINED,** That, in accordance with House Bill No. 670,
10 enacted as Chapter 59 of the Laws of Maryland by the Maryland General Assembly during its
11 2021 Session, the Baltimore City Police Accountability Board may not engage in any of the
12 activities listed in § 3-102 of the Public Safety Article of the Annotated Code of Maryland until
13 July 1, 2022.

14 **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
15 after the date it is enacted.