

City of Annapolis

Compliance with New State Laws for Police Reforms

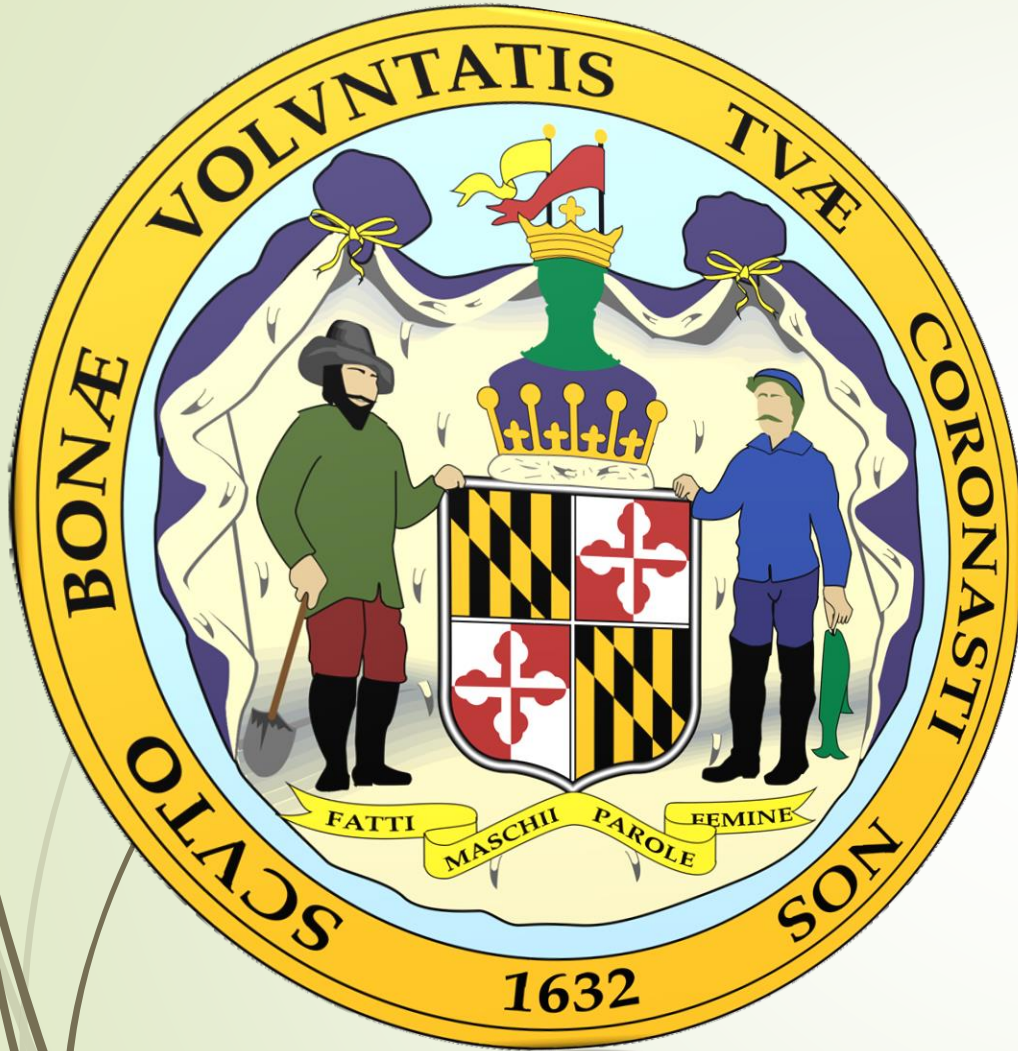


MM.DD.20XX

The Maryland State Legislature passed several House (HB) and Senate (SB) bills aimed at Police Reforms during the last legislative session, they are:

- HB 670
- HB 193
- HB 1248
- SB 178
- SB 600
- SB 71

Mandates within House Bill 670 have implications for fiscal impacts. This presentation will specifically address fiscal impacts to the city to comply with the new mandates as well as timelines for compliance.

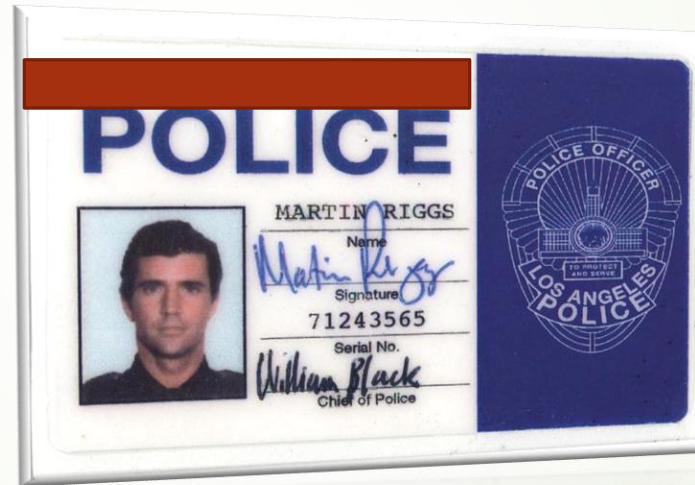


Maryland House Bill 670

Hb 670 contains a large portion of state reforms requiring budget enhancements

HB 670 Chapter 59 adds language to Maryland Criminal Procedure 2-109 requiring officer identification for stops:

Language- (A) AT THE COMMENCEMENT OF A TRAFFIC STOP OR OTHER STOP, ABSENT EXIGENT CIRCUMSTANCES, A POLICE OFFICER SHALL: (1) **DISPLAY PROPER IDENTIFICATION** TO THE STOPPED INDIVIDUAL; AND (2) PROVIDE THE FOLLOWING INFORMATION TO THE STOPPED INDIVIDUAL: (I) **THE OFFICER'S NAME**; (II) **THE OFFICER'S IDENTIFICATION NUMBER ISSUED BY THE LAW ENFORCEMENT AGENCY THE OFFICER IS REPRESENTING**; (III) **THE NAME OF THE LAW ENFORCEMENT AGENCY THE POLICE OFFICER IS REPRESENTING**; AND (IV) **THE REASON FOR THE TRAFFIC STOP OR OTHER STOP.**



Possible Fiscal Impact-

Cost to purchase new ID cards or ID card holders/ Shirts 5 shirts @ 60
*107=**32,000**

HB 670 Chapter 59 adds language to Maryland Public Safety Article 3-102,3-207g to require Police Accountability Boards:

Language: EACH COUNTY SHALL HAVE A POLICE ACCOUNTABILITY BOARD TO: (1) HOLD QUARTERLY MEETINGS WITH HEADS OF LAW ENFORCEMENT AGENCIES AND OTHERWISE WORK WITH LAW ENFORCEMENT AGENCIES AND THE **COUNTY GOVERNMENT TO IMPROVE MATTERS OF POLICING**; (2) APPOINT CIVILIAN MEMBERS TO CHARGING COMMITTEES AND TRIAL BOARDS; (3) RECEIVE COMPLAINTS OF POLICE MISCONDUCT FILED BY MEMBERS OF THE PUBLIC; AND (4) (I) ON A QUARTERLY BASIS, REVIEW OUTCOMES OF DISCIPLINARY MATTERS CONSIDERED BY CHARGING COMMITTEES; AND (II) ON OR BEFORE DECEMBER 31 EACH YEAR, SUBMIT A REPORT TO THE GOVERNING BODY OF THE COUNTY THAT: 1. IDENTIFIES ANY TRENDS IN THE DISCIPLINARY PROCESS OF POLICE OFFICERS IN THE COUNTY; AND 2. MAKES RECOMMENDATIONS ON CHANGES TO POLICY THAT WOULD IMPROVE POLICE ACCOUNTABILITY IN THE COUNTY.

(B) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, **THE LOCAL GOVERNING BODY SHALL: 1. ESTABLISH THE MEMBERSHIP OF A POLICE ACCOUNTABILITY BOARD; 2. ESTABLISH THE BUDGET AND STAFF FOR A POLICE ACCOUNTABILITY BOARD; 3. APPOINT A CHAIR OF THE POLICE ACCOUNTABILITY BOARD WHO HAS RELEVANT EXPERIENCE TO THE POSITION; AND 4. ESTABLISH THE PROCEDURES FOR RECORD KEEPING BY A POLICE ACCOUNTABILITY BOARD.** (II) **AN ACTIVE POLICE OFFICER MAY NOT BE A MEMBER OF A POLICE ACCOUNTABILITY BOARD.** (2) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF A POLICE ACCOUNTABILITY BOARD SHALL REFLECT THE RACIAL, GENDER, AND CULTURAL DIVERSITY OF THE COUNTY.

(C) (1) A COMPLAINT OF POLICE MISCONDUCT FILED WITH A POLICE ACCOUNTABILITY BOARD SHALL INCLUDE: (I) THE NAME OF THE POLICE OFFICER ACCUSED OF 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) A COMPLAINT NEED NOT BE NOTARIZED.

(D) A COMPLAINT OF POLICE MISCONDUCT FILED WITH A POLICE ACCOUNTABILITY BOARD SHALL BE FORWARDED TO THE APPROPRIATE LAW ENFORCEMENT AGENCY WITHIN 3 DAYS AFTER RECEIPT BY THE BOARD.

Possible Fiscal Impact

Annapolis may be required to share cost of budget for board members

- **Unknown cost/must meet with County**



HB 670 Chapter 59 adds language to Maryland Public Safety Article 3-106 to change Trial Board Procedures

Language: EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH LAW ENFORCEMENT AGENCY SHALL ESTABLISH A TRIAL BOARD PROCESS IN ACCORDANCE WITH THIS SECTION TO ADJUDICATE MATTERS FOR WHICH A POLICE OFFICER IS SUBJECT TO DISCIPLINE. (2) **A SMALL LAW ENFORCEMENT AGENCY MAY USE THE TRIAL BOARD PROCESS OF ANOTHER LAW ENFORCEMENT AGENCY BY MUTUAL AGREEMENT. (B) A TRIAL BOARD SHALL BE COMPOSED OF: (1) AN ACTIVELY SERVING OR RETIRED ADMINISTRATIVE LAW JUDGE OR A RETIRED JUDGE OF THE DISTRICT COURT OR A CIRCUIT COURT, APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNTY; (2) A CIVILIAN WHO IS NOT A MEMBER OF AN ADMINISTRATIVE CHARGING COMMITTEE, APPOINTED BY THE COUNTY'S POLICE ACCOUNTABILITY BOARD; AND (3) A POLICE OFFICER OF EQUAL RANK TO THE POLICE OFFICER WHO IS ACCUSED OF MISCONDUCT APPOINTED BY THE HEAD OF THE LAW ENFORCEMENT AGENCY.** (C) BEFORE SERVING AS A MEMBER OF A TRIAL BOARD, AN INDIVIDUAL SHALL RECEIVE TRAINING ON MATTERS RELATING TO POLICE PROCEDURES FROM THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION.



Possible Fiscal Impact

Consensus among several agencies and Maryland Police Training Commission is that Trial Board Judges would be paid for trial board service at a rate of 300 to 400 dollars per hour to include writing the trial board findings and summary which might take up to two weeks to complete.

- Annapolis must abide by the decision of the County for the appointment of the Judge



HB 670 Chapter 59 adds language to Maryland Public Safety Article 3-108(b) to require all law enforcement agencies to establish a database for Complaints and appoint a victim rights advocate

Language-A LAW ENFORCEMENT AGENCY SHALL DESIGNATE AN EMPLOYEE AS A VICTIMS' RIGHTS ADVOCATE TO ACT AS THE CONTACT FOR THE PUBLIC WITHIN THE AGENCY ON MATTERS RELATED TO POLICE MISCONDUCT. (2) A VICTIMS' RIGHTS ADVOCATE SHALL: (I) EXPLAIN TO A COMPLAINANT: 1. THE COMPLAINT, INVESTIGATION, ADMINISTRATIVE CHARGING COMMITTEE, AND TRIAL BOARD PROCESS; 2. ANY DECISION TO TERMINATE AN INVESTIGATION; 3. AN ADMINISTRATIVE CHARGING COMMITTEE'S DECISION OF ADMINISTRATIVELY CHARGED, NOT ADMINISTRATIVELY CHARGED, UNFOUNDED, OR EXONERATED; AND 4. A TRIAL BOARD'S DECISION (II) PROVIDE A COMPLAINANT WITH AN OPPORTUNITY TO REVIEW A POLICE OFFICER'S STATEMENT, IF ANY, BEFORE COMPLETION OF AN INVESTIGATION BY A LAW ENFORCEMENT AGENCY'S INVESTIGATIVE UNIT; (III) NOTIFY A COMPLAINANT OF THE STATUS OF THE CASE AT EVERY STAGE OF THE PROCESS; AND (IV) PROVIDE A CASE SUMMARY TO A COMPLAINANT WITHIN 30 DAYS AFTER FINAL DISPOSITION OF THE CASE. **EACH LAW ENFORCEMENT AGENCY SHALL CREATE A DATABASE THAT ENABLES A COMPLAINANT TO ENTER THE COMPLAINANT'S CASE NUMBER TO FOLLOW THE STATUS OF THE CASE AS IT PROCEEDS THROUGH: (1) INVESTIGATION; (2) CHARGING; (3) OFFER OF DISCIPLINE; (4) TRIAL BOARD; (5) ULTIMATE DISCIPLINE; AND (6) APPEAL.**

Internal Affairs Case 00023
Complainant –Mable Simmons
Accused- Officer Nobody
Case Status- Sustained, trial board
scheduled



Possible Fiscal Impacts

Cost for creation of interactive database/database administrator server cost \$148,000 rough estimate, as well as ongoing service fees of \$5,000-\$10,000

Victim advocate could be current personnel within Internal Affairs or new position for a civilian employee at salary +fringe \$70,000-90,000

11 **HB 670 Chapter 59 adds language to Maryland Public Safety Article 3-515, requiring departments to post complaint & PIA processes:**

Language-EACH LAW ENFORCEMENT AGENCY SHALL POST IN A PROMINENT PUBLIC LOCATION AN EXPLANATION OF THE PROCEDURES FOR FILING: (1) A COMPLAINT OF POLICE OFFICER MISCONDUCT; AND (2) A REQUEST TO OBTAIN RECORDS RELATING TO AN ADMINISTRATIVE OR CRIMINAL INVESTIGATION OF MISCONDUCT BY A POLICE OFFICER UNDER THE PUBLIC INFORMATION ACT.

Possible Fiscal Impact



Professional Framing and mounting cost for multiple signs place throughout building \$500.00- \$1000.00 one-time cost

HB 670 Chapter 59 adds Language to Maryland Public Safety Article 3-207(k) to require testing of applicants and members for implicit bias

Language- THE COMMISSION SHALL (1) DEVELOP A TEST AND TRAINING FOR IMPLICIT BIAS, SUBJECT TO THE AVAILABILITY OF IMPLICIT BIAS TESTING STANDARDS THAT ARE GENERALLY ACCEPTED BY EXPERTS IN THE FIELD OF POLICE PSYCHOLOGY;

REQUIRE ALL LAW ENFORCEMENT AGENCIES TO USE THE IMPLICIT BIAS TEST IN THE HIRING PROCESS;

REQUIRE ALL NEW POLICE OFFICERS TO COMPLETE IMPLICIT BIAS TESTING AND TRAINING; AND

REQUIRE ALL INCUMBENT POLICE OFFICERS TO UNDERGO IMPLICIT BIAS TESTING AND TRAINING ON AN ANNUAL BASIS.

Possible Fiscal Impact

Cost for Annual training/possible cost for academy training

- Extending time to train
- Extending time at Academy to test

Estimated cost are between \$5000- \$10,000 annually

HB 670 Chapter 59 adds language to Maryland Public Safety Article 3-209(a),(e) to require police officers to undergo Mental Health Screening and Take Agility test:

Language- The Commission shall certify as a police officer each individual who (2) submits to a [psychological evaluation] MENTAL HEALTH SCREENING BY A LICENSED MENTAL HEALTH PROFESSIONAL; (3) SUBMITS TO A PHYSICAL AGILITY ASSESSMENT AS DETERMINED BY THE COMMISSION; AS A CONDITION OF CERTIFICATION, A POLICE OFFICER SHALL SUBMIT TO A MENTAL HEALTH ASSESSMENT EVERY 2 YEARS AND AN ANNUAL PHYSICAL AGILITY ASSESSMENT TO ESTABLISH CONTINUING FITNESS TO CARRY OUT THE OFFICER'S ASSIGNED DUTIES AS A POLICE OFFICER.

Possible Fiscal Impact

Cost for Annual psychological screening/ develop protocols for physical agility/Psy-
\$40,000-\$100,000

Note: Workers Comp claims could increase if officers suffer injuries during agility testing

\$182,500	\$168,000	\$168,000 +
<i>Fiscal Year 2022</i>	<i>Fiscal Year 2023</i>	<i>Fiscal Year 2024</i>

Mandates must be up and running on or before July 1, 2022, which will require budget enhancement for this year's budget

**Section 2
Title**

**Section 3
Title**

Projected cost are estimated, actual cost may be higher or lower

Three Year Fiscal Impacts

FUNDING

Funding could come from a variety of sources



**Budget
Enhancements**



Grants

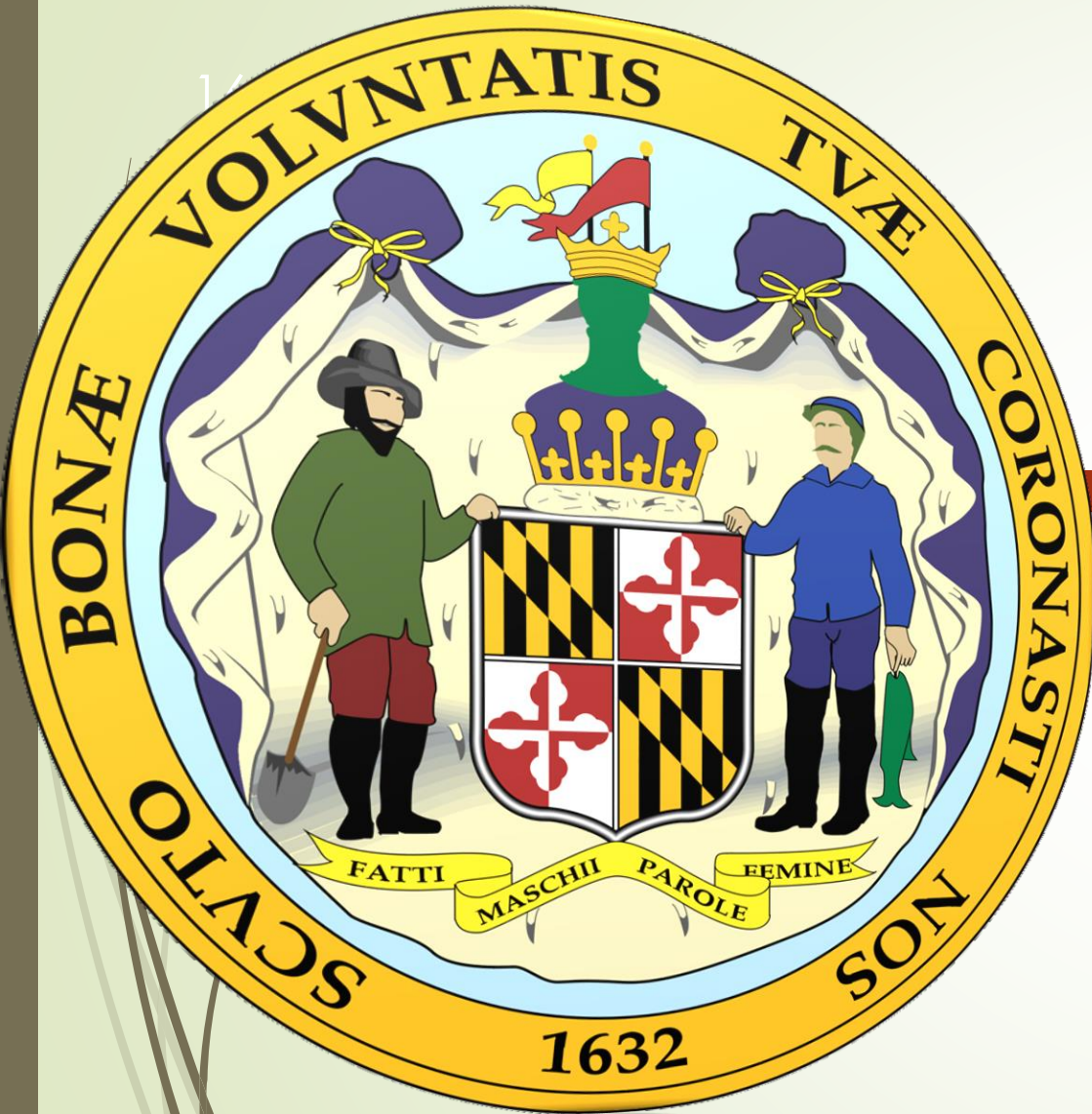
Currently searching for
grant opportunities



**State
Appropriations**

Unknown if State will
appropriate funds





SUMMARY

There are extensive changes in the law regarding Police Reforms

The cost of compliance is projected to be over \$300,000 and some cost must appropriate in Fiscal Year 2022

The Cities Compliance Working Group will have its first meeting on Aug 2, 2021

A Summary of the legislation was sent to each Alderperson by Attorney Kerry Berger

**THANK
YOU!**

Presented by Ronda McCoy, Administrative Manager APD

July 7, 2021