

HOUSE BILL 985

E4

5lr2998

By: **Delegates Young, Acevero, Addison, Alston, Amprey, Boafu, Crutchfield, Davis, Martinez, McCaskill, Phillips, Roberson, Ruff, Simpson, Wims, and Wu**

Introduced and read first time: January 31, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Police Discipline – Administrative Charging Committees – Additional Charging**
3 **Committee**

4 FOR the purpose of authorizing the local governing body of a county to authorize the use of
5 a second administrative charging committee under certain circumstances; and
6 generally relating to administrative charging committees.

7 BY repealing and reenacting, with amendments,

8 Article – Public Safety

9 Section 3–104

10 Annotated Code of Maryland

11 (2022 Replacement Volume and 2024 Supplement)

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

13 That the Laws of Maryland read as follows:

14 **Article – Public Safety**

15 3–104.

16 (a) (1) **(I)** [Each] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF**
17 **THIS PARAGRAPH, EACH** county shall have one administrative charging committee to
18 serve countywide law enforcement agencies and local law enforcement agencies within the
19 county.

20 **(II) THE LOCAL GOVERNING BODY OF A COUNTY MAY**
21 **AUTHORIZE THE USE OF A SECOND ADMINISTRATIVE CHARGING COMMITTEE IF THE**
22 **LOCAL GOVERNING BODY DETERMINES THAT ONE ADMINISTRATIVE CHARGING**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **COMMITTEE IS INSUFFICIENT TO SERVE THE COUNTYWIDE LAW ENFORCEMENT**
2 **AGENCIES AND LOCAL LAW ENFORCEMENT AGENCIES WITHIN THE COUNTY.**

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

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

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

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

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

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

13 (i) three civilian members appointed by the Governor;

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

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

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

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

25 (e) An administrative charging committee shall:

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

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

30 (i) administratively charged; or

31 (ii) not administratively charged;

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

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

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

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

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

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

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

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

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

20 (ii) the police officer is exonerated; and

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

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

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

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