

# **Charles County**

## **Police Accountability Board**

### **Rules of Procedure**

The Maryland Police Accountability Act of 2021 requires that each Maryland county establish a Police Accountability Board (PAB). The purpose of the board is to receive complaints of police misconduct made by the public and process those complaints in accordance with state law. Additionally, the PAB shall (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 involving members of the public; (4) review outcomes of disciplinary matters considered by charging committees on a quarterly basis; and (5) submit an annual report to the County Commissioners that identifies any trends in the disciplinary process of police officers in the county and makes recommendations on changes to policy that would improve police accountability in the County. These Rules of Procedure are supplementary to requirements set forth in the Annotated Code of Maryland.

#### **I. Basis of Authority**

1. Md. Code, Pub. Safety § 3-102, et. seq;
2. Charles County Resolution #2021-23

#### **II. Meetings**

1. Meetings of the PAB will generally follow Robert's Rules of Order as a guide for efficient and professional conduct, to include portions of meetings held in open and closed sessions.
2. The Charles County Code of Civility shall be applied to the conduct of all members during meetings.
3. Attendance of all members is expected at all meetings of the PAB. In the event that an absence is expected, the members shall notify the Chairperson, pursuant to the Attendance Policy approved by the Board of County Commissioners for all County boards, committees, and commissions.
4. Meetings shall be conducted on the fourth Thursday of July, October, January, and April, in the Charles County Government Building located at 200 Baltimore Street, La Plata, MD, and/or remotely via secure video connection, as determined by the Chairperson. Additional meetings may be added at the discretion of the Chairperson. Agenda items requested by members shall be submitted to the Chairperson at least fourteen (14) days prior to the meeting, but may be considered for inclusion on the agenda by the Chairperson, at his or her discretion, if submitted less than fourteen (14) days before the meeting.
5. Quarterly Meeting Format.
  - i. Call to Order
  - ii. Approval of the Minutes
  - iii. Review Outcomes of Disciplinary Matters Considered by the Charging Committee.
  - iv. Roundtable with Heads of Law Enforcement Agencies

### **III. Membership**

#### **1. Membership.**

The PAB shall consist of nine (9) voting members. These positions consist of the Chairperson; the Vice Chairperson; and seven (7) regular members. Two members shall reside in each of the four (4) Commissioner Districts, and one (1) member may reside in any Commissioner District. Changes in residency by a member shall immediately be reported to the PAB Chairperson.

- (a) Chairperson. The Chairperson is elected by the Board of County Commissioners annually. The Chairperson is responsible for the following:
  - (i) Schedule meetings;
  - (ii) Establish a written meeting agenda;
  - (iii) Call each meeting to order;
  - (iv) Invite discussion among members before voting;
  - (v) Invite motions, seconds and votes from members;
  - (vi) Ensure that a record is kept of all business of the PAB;
  - (vii) Serve as PAB member to the Administrative Charging Committee or select a designee from the PAB membership;
  - (viii) Promptly report to the County Commissioners any concern or event involving a member that may harm the public trust of the PAB. These concerns/events include but are not limited to:
    - i. Conflicts of interest;
    - ii. Criminal charges;
    - iii. Criminal investigations;
    - iv. Criminal convictions.
- (b) Vice Chairperson. The Vice Chairperson is appointed by the members of the PAB. The Vice Chairperson acts and has the authority of the Chairperson during the Chairperson's absence.
- (c) Regular Members. These Board members may vote in any matter in which they were present for, or watched the video and reviewed the evidence of, as long as they are present during the vote.

#### **2. Quorum.**

At least Five (5) members must be in attendance for a meeting of the PAB to be called to order and for the conduct of business. No decisions, to include consensus or voting, of the PAB may be made without the presence of a quorum. A majority of those present may make a decision on any motion.

### **IV. Recusal**

All PAB members shall adhere to the Code of Ethics for Charles County. A member of the Board shall recuse himself or herself from participating in a matter in which the member may have a

conflict of interest or an appearance of a conflict of interest.

## **V. Responsibilities and Duties**

### **1. Compliance with State and Local Laws.**

(a) Code of Civility. All Board members and staff shall comply with the County Code of Civility and shall conduct themselves at meetings and hearings in a fair, understanding, and gracious manner. The Board shall seek to be considerate of all individuals, attitudes, and differences of opinion involved in official Board business.

(b) Code of Ethics. Board members are subject to and must comply with the County Code of Ethics. The Ethics Code requires annual submission of a Financial Disclosure Statement.

(c) Open Meetings Act. All Board members shall complete the Open Meetings Act Training on the Maryland Attorney General's website, within 90 days of appointment to their position, and provide a copy of the certificate of completion to the Clerk.

(d) Education. All Board members shall complete PAB police training conducted by the Maryland Police Training and Standards Commission at the earliest available date as determined by the Commission. In addition, Board members are strongly encouraged to seek other educational opportunities to inform their work with the Board, such as participation in a police citizen academy and police ride along program.

## **VI. Staff**

The PAB shall have administrative and legal staff assigned to assist the PAB in carrying out its duties.

(1) The Clerk to the PAB (the "Clerk"). The Clerk provides administrative support to the Board, including, but not limited to:

- i. Attending all meetings and hearings;
- ii. Scheduling meetings per the direction of the Chairperson;
- iii. Tracking agenda items;
- iv. Preparing the agenda for any meeting after approval of the Agenda by the Chairperson;
- v. Posting of meeting notices to the designated electronic publishing system accessible by the public;
- vi. Drafting minutes of meetings for adoption by the Board Creating and maintaining the official record of all proceedings, to include attendance of members;
- vii. Taking custody of, handling, and storing all decisions, orders, exhibits, evidence, notes, and recordings;

(2) Legal Counsel. Legal counsel may be from the County Attorneys' Office or be a privately practicing attorney of the Maryland State Bar. The duties of the legal counsel include:

- (i) Attending all meetings of the PAB;
- (ii) Providing legal advice to the Board;
- (iii) Assist with drafting the annual report;
- (iv) Reviewing all official responses of complaints to or about the Board.

## **VII. Public Participation**

The public is entitled to observe the open session portions of the meetings. Notice of the time, place, and date shall be provided in accordance with the Open Meetings Act. Open session portions of the meetings shall be audio recorded. Public comments are permitted during the portion of the meeting designated to receive comments. Closed session portions of the meetings shall not be observed by the public and shall not be recorded. Minutes of closed session shall be prepared. No minutes from a closed meeting will be released except by:

- (a) A request from the Maryland Open Meetings Compliance Board when investigating a complaint regarding a closed session.
- (b) A court order or subpoena that has been reviewed and validated by the Board's legal counsel.
- (c) A vote in support of releasing the closed session minutes by no less than six members of the Board. This vote must be held in an open meeting.

## **VIII. Approval of Rules of Procedure**

The PAB Rules of Procedure shall be approved by a majority of the PAB. Following approval by the PAB, the Rules shall be submitted to the Board of County Commissioners for final approval. Any amendments to the Rules shall first be approved by a majority of the PAB, then submitted to the Board of County Commissioners for final approval.

## **IX. Severability**

If any provision of these Rules are held illegal or unenforceable in a judicial proceeding, such provision shall be severed and shall become inoperative. The remainder of the Rules shall remain in effect.

Approved by the Police Accountability Board of July 14, 2022.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

County Commissioners of  
Charles County, Maryland

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Reuben B. Collins, II, Esq., President

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Bobby Rucci, Vice President

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Gilbert O. Bowling, III

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Thomasina O. Coates, M.S.

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Amanda M. Stewart, M.Ed.

ATTEST:

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Carol DeSoto, Clerk to the Commissioners