



Montgomery  
County Council

**Committee:** PS  
**Committee Review:** At a future date  
**Staff:** Amanda Mihill, Legislative Attorney  
**Purpose:** To receive testimony – no vote expected  
**Keywords:** #TransparentAndAccountablePolicing

AGENDA ITEM #8  
January 21, 2020  
**Public Hearing**

## SUBJECT

Bill 33-19, Police – Community Policing  
Lead Sponsors: then-Council President Navarro and Councilmember Rice  
Co-Sponsors: Council Vice President Hucker, Councilmembers Albornoz, Jawando, Friedson, Glass,  
Council President Katz and Councilmember Riemer

## EXPECTED ATTENDEES

None

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Public Hearing – no vote expected

## DESCRIPTION/ISSUE

Bill 33-19 would set certain community policing guidelines, require the Montgomery County Police Department to make certain reports and make certain legislative findings.

## SUMMARY OF KEY DISCUSSION POINTS

- None

### This report contains:

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**MEMORANDUM**

January 16, 2020

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *AMH*

SUBJECT: Bill 33-19, Police – Community Policing

PURPOSE: Public Hearing – no Council vote required

Bill 33-19, Police – Community Policing, sponsored by Lead Sponsors then-Council President Navarro and Councilmember Rice and Co-Sponsors Council Vice President Hucker, Councilmembers Albornoz, Jawando, Friedson, Glass, Council President Katz and Councilmember Riemer, was introduced on October 15. A Public Safety Committee worksession is tentatively scheduled for February 13, 2020 at 2:00 p.m.

Bill 33-19 would set certain community policing guidelines, require the Montgomery County Police Department (MCPD) to make certain reports and make certain legislative findings. A memorandum from the Lead Sponsor is attached on ©6.<sup>1</sup>

In an e-mail to the Council President’s office, a representative of the Fraternal Order of Police was supportive of providing community policing guidelines to MCPD, but was not supportive of the reporting requirements.

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<sup>1</sup>#TransparentAndAccountablePolicing

Bill No. 33-19  
Concerning: Police – Community Policing  
Revised: 9/23/2019 Draft No. 3  
Introduced: October 15, 2019  
Expires: April 15, 2021  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsors: Council President Navarro and Councilmember Rice  
Co-Sponsor: Councilmembers Huckler, Albornoz, and Jawando

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**AN ACT** to:

- (1) set certain community policing guidelines;
- (2) require the Montgomery County Police Department to make certain reports;
- (3) make certain legislative findings; and
- (4) generally amend the law governing policing.

By amending

Montgomery County Code  
Chapter 35, Police  
Section 35-6

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1        **Sec. 1. Section 35-6 is amended as follows:**

2        **35-6. [Reserved] Community Policing.**

3        **(a) Legislative findings.**

4            **(1) The United States Department of Justice advises that:**

5                    **(A) Strong relationships of mutual trust between police agencies**  
6                    **and the communities they serve are critical to maintaining**  
7                    **public safety and effective policing.**

8                    **(B) Police officials rely on the cooperation of community**  
9                    **members to provide information about crime in their**  
10                   **neighborhoods, and to work with the police to devise**  
11                   **solutions to crime and disorder problems.**

12                   **(C) Community members' willingness to trust the police**  
13                   **depends on whether they believe that police actions reflect**  
14                   **community values and incorporate the principles of**  
15                   **procedural justice and legitimacy.**

16            **(2) The Police Executive Research Forum hosted a national meeting**  
17            **of police and community leaders. The following key issues and**  
18            **recommendations were determined to be useful to help police**  
19            **departments and their communities to develop collaborative**  
20            **strategies for moving forward. Police departments should:**

21                   **(A) acknowledge and discuss with communities the challenges**  
22                   **local police departments face;**

23                   **(B) be transparent and accountable;**

24                   **(C) take steps to reduce bias and improve cultural competency;**

25                   **(D) maintain focus on the importance of collaboration and be**  
26                   **visible in the community; and**

27                   (E) promote internal diversity and ensure professional growth  
28   opportunities.

29       (b) Community policing guidelines. To further community policing  
30                   objectives:

31                   (1) officers must strive to regularly initiate and engage in positive  
32   nonenforcement activities with their communities;

33                   (2) the Department must ensure cultural competency throughout the  
34   Department;

35                   (3) the Department must emphasize the recruitment of candidates with  
36   ties to the County;

37                   (4) the Department must increase community outreach initiatives and  
38   officers must attend community events on behalf of the  
39   Department;

40                   (5) the Department must provide adequate training in de-escalation  
41   tactics; and

42                   (6) the Department must maintain and expand the School Resource  
43   Officer Program, in recognition of its value to the community.

44       (c) Reporting requirements.

45                   (1) By February 1 each year, the Montgomery County Department of  
46   Police must report the following information to the Executive and  
47   Council for the prior calendar year:

48   (A) the total number of sworn police officers in the Department;

49   (B) the total number of sworn racial minority police officers in  
50   the Department by race and ethnicity;

51   (C) the total number of sworn female police officers in the  
52   Department;

- 53                   (D) the number of sworn police officers in the Department that
- 54                                 reside in the County;
- 55                   (E) the number of recruiting events the Department sponsored
- 56                                 or participated in the County;
- 57                   (F) the number of instances of use of force that resulted in the
- 58                                 transport of a civilian to a hospital by an emergency vehicle,
- 59                                 when the injury occurred as a direct result of an officer's
- 60                                 actions;
- 61                   (G) the number of civilian complaints about the use of force by
- 62                                 an officer;
- 63                   (H) the number of officers who were suspended with pay;
- 64                   (I) the number of officers who were suspended without pay;
- 65                   (J) the percentage of patrol officers who were assigned to
- 66                                 neighborhood patrols;
- 67                   (K) the number of youth under the age of 18 years referred to
- 68                                 intervention programs by officers; and
- 69                   (L) a description of the Department's community policing
- 70                                 efforts, including community policing programs,
- 71                                 participation in town hall meetings, and efforts to engage
- 72                                 with schools, recreation centers, community centers, and
- 73                                 senior centers.

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## LEGISLATIVE REQUEST REPORT

Bill 33-19

*Police – Community Policing*

**DESCRIPTION:** Bill 33-19 would set certain community policing guidelines; require the Montgomery County Police Department to make certain reports; and make certain legislative findings.

**PROBLEM:** Community policing is an important policing tool, but there are currently no measures in County law providing guidance on community policing.

**GOALS AND OBJECTIVES:** To provide MCPD with guidance regarding community policing.

**COORDINATION:** MCPD

**FISCAL IMPACT:** To be requested.

**ECONOMIC IMPACT:** To be requested.

**EVALUATION:** To be researched.

**EXPERIENCE ELSEWHERE:** To be researched.

**SOURCE OF INFORMATION:** Amanda Mihill, Legislative Attorney (240) 777-7815

**APPLICATION WITHIN MUNICIPALITIES:** N/A

**PENALTIES:** Not applicable.



**MONTGOMERY COUNTY COUNCIL**

**ROCKVILLE, MARYLAND**

**COUNCIL PRESIDENT NANCY NAVARRO  
DISTRICT 4**

**CHAIR, GOVERNMENT OPERATIONS AND  
FISCAL POLICY COMMITTEE**

**EDUCATION AND CULTURE COMMITTEE**

**MEMORANDUM**

Tuesday October 1, 2019

**TO:** Councilmembers  
**FROM:** Nancy Navarro, President, County Council  
**SUBJECT:** Community Policing Bill- Introduction

I, alongside Councilmember Craig Rice, am transmitting for introduction a new Community Policing Bill. The bill provides broad guidelines which the Montgomery County Police Department (MCPD) can employ to promote core community policing values among officers, such as striving to ensure cultural competency throughout the Department, engaging in positive non-enforcement activities with members of the community, and appropriate training in de-escalation tactics. The bill also spells out specific reporting requirements for the MCPD and would require that it provides the Council and Executive certain data and information for the previous calendar year by February 1 of each year. Information collected would include data on officer demographics, use of force complaints, and descriptions of specific outreach/community policing initiatives.

This bill provides a more solid community policing framework for the Department to operate under. Montgomery County has changed, and we, as legislators, have a responsibility to guide our institutions to better reflect who we are as a community. I would like to thank my Council colleagues, and our partners in the law enforcement community, for their continued partnership as we strive to create a more inclusive, and responsive, county. Please let me know as soon as possible, if you would like to be a co-sponsor of this important bill.

STELLA B. WERNER COUNCIL OFFICE BUILDING • ROCKVILLE, MARYLAND 20850  
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ROCKVILLE, MARYLAND

MEMORANDUM

December 13, 2019

TO: Sidney Katz, President, County Council

FROM: Richard S. Madaleno, Director, Office of Management and Budget *RSM*  
Michael Coveyou, Acting Director, Department of Finance *mc*

SUBJECT: FEIS for Bill 33-19, Police – Community Policing

Please find attached the Fiscal and Economic Impact Statements for the above-referenced legislation.

RSM:cm

c: Andrew Kleine, Chief Administrative Officer  
Fariba Kassiri, Deputy Chief Administrative Officer  
Caroline Sturgis, Assistant Chief Administrative Officer  
Debbie Spielberg, Special Assistant to the County Executive  
Dale Tibbitts, Special Assistant to the County Executive  
Lisa Austin, Office of the County Executive  
Barry Hudson, Director, Public Information Office  
Chief Marcus Jones, Department of Police  
Rob Hagedoorn, Department of Finance  
Dennis Hetman, Department of Finance  
David Platt, Department of Finance  
Monika Coble, Office of Management and Budget  
Trevor Lobaugh, Office of Management and Budget  
Chrissy Mireles, Office of Management and Budget

**Fiscal Impact Statement**  
**Bill 33-19, Police - Community Policing**

**1. Legislative Summary**

Bill 33-19 would set certain community policing guidelines and require the county's police department to provide annual reports on officer demographics, complaints and outreach initiatives. Specifically, it emphasizes the recruitment of new officers and employees from within or ties to the county, mandates an increase in police community outreach initiatives, directs the maintenance and expansion of the School Resource Officer (SRO) program, and requires adequate training in de-escalation tactics and cultural competency.

**2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.**

The items listed below are options the Montgomery County Police Department (MCPD) is exploring to implement the guidelines of Bill 33-19. The estimated annual cost of implementing these actions ranges from \$190,000 to \$362,800.

- 1) Provide cultural competency training to all 1,300 plus officers and certain civilian staff (dispatchers, PSAs) through internal resources, a community partnership, or a qualified outside vendor.
- 2) Additional overtime to increase community outreach and attendance at community events. Additional overtime funds will be allocated to the Community Engagement Division (CED) and each of the six police districts.
- 3) Additional outreach funds to support activities that will attract residents to community events including giveaways, educational materials, food, rental space and entertainment. Additional outreach funds will be allocated to the Community Engagement Division (CED) and each of the six police districts.
- 4) Provide de-escalation training through a train-the-trainer course for a subset of officers within MCPD.

**3. Revenue and expenditure estimates covering at least the next 6 fiscal years.**

Annual expenditures are estimated to range from \$190,000 to \$362,800. The total cost over the next six fiscal years would range from \$1,140,000 to \$2,176,800.

**4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.**

Not applicable.

**5. An estimate of expenditures related to County's information technology (IT) systems, including Enterprise Resource Planning (ERP) systems.**

Not applicable.

**6. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.**

Not applicable, Bill 33-19 does not authorize future spending.

**7. An estimate of the staff time needed to implement the bill.**

- 1) De-escalation training: 8 hours x 1,300 officers = 10,400 hours (16 hours = 20,800) annually
- 2) Cultural Competency training: 8 hours x 1,300 officers = 10,400 hours annually

**8. An explanation of how the addition of new staff responsibilities would affect other duties.**

The addition of new recurring mandatory training limits the MCPD's ability to introduce other training on topical subjects, due to the time commitments of other required training set by the Maryland Police and Corrections Training Commission (MPCTC) and with the daily operational needs of the department.

**9. An estimate of costs when an additional appropriation is needed.**

Estimated costs are detailed in items #2 and #3.

**10. A description of any variable that could affect revenue and cost estimates.**

Cost estimates will vary dependent on the implementation of the options identified in item #2. Other factors include the costs for *qualified and vetted* course instructors and materials for the de-escalation and cultural competency training.

**11. Ranges of revenue or expenditures that are uncertain or difficult to project.**

Not applicable.

**12. If a bill is likely to have no fiscal impact, why that is the case.**

Not applicable:

**13. Other fiscal impacts or comments.**

The Chief of Police is in the planning stages of a reorganization that will include an emphasis on Community Policing.

**14. The following contributed to and concurred with this analysis:**

Acting Assistant Chief Paul J. Liquorie, Patrol Services Bureau  
Captain Sonia Pruitt, MCPD Community Engagement Division  
Neil Shorb, MCPD Management and Budget Division  
Karla Thomas, MCPD Management and Budget Division  
Trevor Lobaugh, Office of Management and Budget

Richard Madaleno  
Richard S. Madaleno, Director  
Office of Management and Budget

12/12/19  
Date

**Economic Impact Statement  
Bill 33-19, Police – Community Policing**

**Background:**

This legislation would:

- Set certain community policing guidelines;
- Require the Montgomery County Police Department to make certain reports; and
- Make certain legislative findings

**1. The sources of information, assumptions, and methodologies used.**

The Department of Finance (Finance) did not make assumptions or used methodologies in the preparation of the economic impact statement (EIS). There were no sources of information used by Finance in the preparation of the EIS

**2. A description of any variable that could affect the economic impact estimates.**

Not applicable.


**3. The Bill's positive or negative effect, if any on employment, spending, savings, investment, incomes, and property values in the County.**

Since Bill 33-19 establishes policing guidelines and requires the Montgomery County Police Department to prepare reports, the legislation has no economic impact.

**4. If a Bill is likely to have no economic impact, why is that the case?**

Please see paragraph 3

**5. The following contributed to or concurred with this analysis: David Platt and Rob Hagedoorn, Finance.**

  
\_\_\_\_\_  
Michael Coveyou, Acting Director  
Department of Finance

11/12/19  
\_\_\_\_\_  
Date