



TALBOT COUNTY POLICE ACCOUNTABILITY BOARD RULES OF PROCEDURE

Pursuant to the Maryland Police Accountability Act of 2021 and Chapter 24 (Boards, Committees and Commissions), Article V of the Talbot County Code, the County Council of Talbot County (the “County Council”) has established the Talbot County Police Accountability Board (the “PAB”). One stated purpose of the PAB is to receive complaints of police misconduct made by the public and process those complaints in accordance with State and County law. Specifically, the law mandates that the PAB shall (1) hold quarterly meetings with heads of law enforcement agencies (“LEAs”) and otherwise work with LEAs and the county government to improve matters of policing; (2) appoint civilian members to the Talbot County Administrative Charging Committee (the “ACC”) and trial boards; (3) receive complaints of police misconduct involving members of the public; (4) review outcomes of disciplinary matters considered by the ACC on a quarterly basis; and (5) submit an annual report to the County Council that identifies any trends in the disciplinary process of police officers in Talbot County and makes recommendations on changes to policy that would improve police accountability therein.

These Rules of Procedure (“Rules”) are supplementary to those requirements set forth in Md. Code Ann., Public Safety § 3-101, *et seq.*, Code of Maryland Regulations (“COMAR”) Title 12, Subtitle 4, Chapter 9, and Chapter 24, Article V of the Talbot County Code, each as may be amended from time to time.

I. Basis of Authority

1. Md. Code Ann., Pub. Safety § 3-101, *et. seq*
2. COMAR 12.04.09.01, *et seq.*
3. Chapter 24, Article V of the Talbot County Code

II. Meetings

1. Meetings of the PAB shall be conducted in accordance with these Rules. Additionally, Robert’s Rules of Order shall serve as a guide for the efficient and professional conduct of PAB meetings; provided, however, that in the event of a conflict between these Rules and Robert’s Rules of Order, these Rules shall control.

2. Meetings shall be conducted on the second Tuesday of each month at 8:30 a.m. in the Bradley Meeting Room, Talbot County Courthouse, South Wing, 11 North Washington Street, Easton, Maryland 21601, 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 seven (7) days prior to the meeting, but may be considered for inclusion on the agenda by the Chairperson, at the Chairperson's discretion, if submitted less than seven (7) days before the meeting.
3. Quarterly meetings shall include the items set forth in (a) through (d) below; provided, however, that other items may be added as set forth in II (2) above.
 - (a) Call to Order;
 - (b) Approval of the Minutes from previous meeting(s);
 - (c) Roundtable with Heads of Law Enforcement Agencies; and
 - (d) Review Outcomes of Disciplinary Matters Considered by the ACC

III. Membership

1. The PAB shall consist of seven (7) voting members, including the Chairperson, the Vice Chairperson, and five (5) regular members. Changes in residency by any member shall be reported to the Chairperson as soon as practicable.
2. Chairperson. The Chairperson is appointed by the County Council and shall serve a term of five (5) years. The Chairperson shall preside over PAB meetings and shall have the following duties:
 - i. Establish a written meeting agenda;
 - ii. Call each meeting to order;
 - iii. Invite discussion among members before voting;
 - iv. Invite motions, seconds, and votes from members;
 - v. Ensure that a record is kept of all PAB business; and
 - vi. Serve as the PAB member of the ACC or select a designee thereto from the PAB's membership.

3. Vice Chairperson. The Vice Chairperson is appointed by the PAB. The Vice Chairperson acts and has the authority of the Chairperson during the Chairperson's absence; provided, however, that the Vice Chairperson is not authorized to serve as the PAB member of the ACC or select a designee thereto from the PAB's membership.
4. Regular Members. Regular PAB members may vote on any matter for which they reviewed the relevant evidence and were present, either in person or virtually, during discussion of the matter.
5. Quorum. A quorum shall consist of at least four (4) PAB members. No PAB business, to include consensus or voting, may be made without the presence of a quorum. When a quorum is present, a majority of those PAB members present may make a decision on any motion. A tie vote for or against a motion means that the motion fails.

IV. Responsibilities and Duties

1. Compliance with State and Local Laws.
 - (a) Ethics Code. All PAB members are subject to, and shall comply with, Chapter 60 (Ethics) of the Talbot County Code. PAB members shall recuse themselves from participating in a matter in which they may have a conflict of interest or an appearance of a conflict of interest. Additionally, the Ethics Code requires annual submission of a Financial Disclosure Statement.
 - (b) Open Meetings Act. Open and closed PAB meetings shall comply with the Maryland Open Meetings Act. All PAB members are encouraged to receive training on the Open Meetings Act and provide a copy of the certificate of completion to the Secretary.

V. Staff

The PAB shall have administrative and legal staff assigned to assist the PAB in carrying out its duties, as follows:

1. PAB Secretary. The Secretary provides administrative support to the PAB, including, but not limited to:
 - a. Attending all meetings and hearings;
 - b. Scheduling meetings per the direction of the Chairperson;
 - c. Tracking agenda items;
 - d. Preparing the agenda for any meeting after approval thereof by the Chairperson;
 - e. Posting of public meeting notices;

- f. Drafting minutes of meetings for adoption by the PAB;
 - g. Creating and maintaining the official record of all proceedings, to include attendance of PAB members; and
 - h. Taking custody of, handling, and storing all decisions, orders, exhibits, evidence, notes, and recordings;
2. Legal Counsel. The County Attorney shall serve as legal counsel to the PAB. The duties of the PAB's legal counsel include:
- a. Attending all meetings of the PAB;
 - b. Providing legal advice to the PAB ;
 - c. Assisting with drafting the annual report; and
 - d. Reviewing all official responses of complaints to or about the PAB.

VI. Public Participation

The public is entitled to observe the open session portions of PAB meetings. Public notice of the time, place, and date of PAB meetings shall be provided in accordance with the Open Meetings Act. Open session portions of PAB meetings shall be audio recorded. Public comments may only be permitted during a portion of the meeting designated to receive public comments. The public is not entitled to observe the closed session portions of PAB meetings, which are not recorded. Minutes of closed sessions shall be prepared; however, they shall not be released except upon:

1. A request from the Maryland Open Meetings Compliance Board when investigating a complaint regarding a closed session;
2. A valid court order or subpoena; or
3. A vote in support of releasing the closed session minutes by no less than a majority of the entire PAB. This vote must be held in an open meeting.

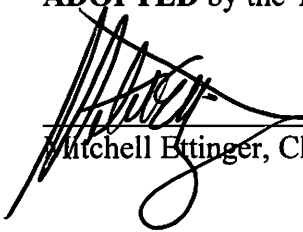
VII. Approval and Amendment of Rules of Procedure

These Rules shall be approved, and may be amended from time to time, by a majority of the entire PAB.

VIII. Severability

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

ADOPTED by the Talbot County Police Accountability Board this 10th day of January, 2023.



Mitchell Bttinger, Chair