

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 7

Resolution No. 23-21

Introduced by Ms. Rodvien

By the County Council, April 5, 2021

1 RESOLUTION in support of the Anne Arundel County Police Department adapting its  
2 policies to allow disciplinary hearings to be streamed over the internet

3  
4 WHEREAS, § 3-107 of the Public Safety Article of State Code requires that, before  
5 a law enforcement agency takes disciplinary action against a law enforcement  
6 officer, the law enforcement officer who has not been convicted of a felony is first  
7 entitled to a hearing on the issues by a hearing board; and

8  
9 WHEREAS, § 3-107 further requires that a hearing conducted by a hearing board  
10 be open to the public, unless the chief finds a hearing must be closed for good cause,  
11 including to protect a confidential informant, an undercover officer, or a child  
12 witness; and

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14 WHEREAS, Index Code 304 of the Anne Arundel County Police Department's  
15 Rules and Regulations lists the policies and procedures for Administrative Hearing  
16 & Suspension Boards; and

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18 WHEREAS, in following State law, Index Code 304 states that "all hearing boards  
19 are open to the public, unless the Chief of Police finds a hearing must be closed for  
20 good cause, including protecting a confidential informant, an undercover officer,  
21 or a child witness"; and

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23 WHEREAS, Index Code 304 also includes a disclaimer that "video and/or audio  
24 recording, photographing, or live streaming of a hearing is prohibited except as  
25 required under the Law Officers Bill of Rights to create and preserve a record for  
26 review or appeal" and cites § 3-107 of the Public Safety Article of State Code as  
27 the basis for this disclaimer; and

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29 WHEREAS, § 3-107 of the Public Safety Article does not prohibit video and/or  
30 audio recording, photographing, or live streaming of a hearing; and

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32 WHEREAS, in a change of policy recently, the Anne Arundel County Police  
33 Department invited members of the public to attend and watch Hearing Board  
34 proceedings through a private broadcast to five district stations and community  
35 buildings; and

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37 WHEREAS, some County residents, including some people of color, may feel tense  
38 or intimidated in police facilities; and

1       WHEREAS, the Anne Arundel County Police Department’s Hearing Board stands  
2       out as a public body that now has an opportunity to increase public access though  
3       available technology, such as internet streaming, thereby allowing people to  
4       witness an important decision-making process without compromising their health  
5       and safety; and

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7       WHEREAS, the ability of the public to attend and witness the decision making of  
8       public bodies ensures the accountability of government to the citizens of the  
9       County, increases the faith of the public in government, and enhances the  
10      effectiveness of the public in fulfilling its role in a democratic society;<sup>1</sup> now,  
11      therefore, be it

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13      *Resolved by the County Council of Anne Arundel County, Maryland, That*  
14      it respectfully urges the County Executive to request the Anne Arundel County Police  
15      Department to adapt its policies and allow disciplinary hearings to be streamed over the  
16      internet, either in audio-only or video format, to the fullest extent possible, while ensuring  
17      that all of the hearing participants’ personal identifier information is protected, so that  
18      wider access is provided to all County residents; and be it further

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20      *Resolved, That a copy of this Resolution be sent to County Executive Steuart Pittman.*

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<sup>1</sup> Taken from the Legislative Policy of the Maryland Open Meetings Act. MD Code, General Provisions § 3-102.