

Economic Impact Statement

Montgomery County, Maryland

Bill 32-23

Police – Policing Advisory Commission – Amendments

SUMMARY

The Office of Legislative Oversight (OLO) anticipates that Bill 32-23 would have an insignificant impact on economic conditions in the County in terms of the Council's priority indicators.

BACKGROUND AND PURPOSE OF BILL 32-23

The Police Advisory Commission (PAC) was established by Bill 14-19, which was enacted on December 3, 2019, and took effect on March 13, 2020.¹ The Commission was established in response to the ongoing public dialogue around policing practices and as an effort to increase community involvement in matters of public safety by advising the Council on policing matters and recommending policies, programs, legislation, or regulations regarding policing.

In 2021, the Maryland Legislature passed the Maryland Police Accountability Act, which mandated the creation of three distinct police oversight boards. These boards include a Police Accountability Board, an Administrative Charging Committee, and a Trial Board.² The Police Accountability Board (PAB) is composed of nine members appointed by the County Executive and holds quarterly meetings with heads of law enforcement agencies and County officials to enhance policing practices. The Board also receives complaints of police misconduct filed by members of the public and on a quarterly basis, reviews outcomes of disciplinary matters considered by the charging committee. To comply with this new policy change, on April 19, 2022, Bill 49-21 was enacted to establish the Police Accountability Board for the County.³

Due the implementation of this state law, in May 25, 2023, Expedited Bill 27-23, Police – Policing Advisory Commission – Repeal, was introduced by the County Council in order to repeal the Police Advisory Commission, out of concerns that it would duplicate the functions of the Police Accountability Board.⁴ Specifically, according to the sponsor of this expedited bill, because of the establishment of the Police Accountability Board and the Administrative Charging Committee it is important to clarify the role of the Policing Advisory Commission. The bill sponsors are now proposing amendments to the bill rather than repealing the PAC.

Hence, on July 25, 2023, the County Council introduced Bill 32-23, Police – Policing Advisory Commission – Amendments.⁵ The purpose of Bill 32-23 is to amend the provisions in the County Code that provide for and govern the Policing Advisory Commission (PAC). This Bill would:

¹ Bill 14-19.

² House Bill 670.

³ Bill 49-21.

⁴ Sokoni to County Council, Memorandum.

⁵ Bill 32-33.

- (1) Rename the Policing Advisory Commission so that it will now be known as Community Advisory Commission on Public Safety.
- (2) Amend the law regarding the Policing Advisory Commission regarding appointment of members. This includes introducing term limits of two consecutive three-year terms, staggering of initial terms, changing the number and eligibility for commissioners and changing voting eligibility of commissioners.
- (3) Remove the selection of one member by each Councilmember and make all four existing County Executive selections be Council selections so these 13 total members are selected by a vote of the entire Council; additionally, make the two current ex-officio members full voting members – the Fraternal Order of Police (FOP) and the Police Department representatives – for a total of 15 voting members.

INFORMATION SOURCES, METHODOLOGIES, AND ASSUMPTIONS

Per Section 2-81B of the Montgomery County Code, the purpose of this Economic Impact Statement is to assess the impacts of Bill 32-23 on County-based private organizations and residents in terms of the Council’s priority economic indicators and whether the Bill would likely result in a net positive or negative impact on overall economic conditions in the County.⁶ OLO sees no direct connection between the changes to the law and economic outcomes. For this reason, OLO anticipates that the Bill would have insignificant impacts on private organizations, residents, and overall economic conditions in the County in terms of the indicators prioritized by the Council.

VARIABLES

Not applicable

IMPACTS

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Not applicable

DISCUSSION ITEMS

Not applicable

⁶ Montgomery County Code, [Sec. 2-81B](#).

WORKS CITED

[House Bill 670](#). Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures.

Khandikile Sokoni to County Council. Memorandum. [Introduction Staff Report for Expedited Bill 27-23](#). May 22, 2023.

Montgomery County Code. [Sec. 2-81B, Economic Impact Statements](#).

Montgomery County Council. [Introduction Staff Report for Bill 32-23, Police – Policing Advisory Commission – Amendments](#). Introduced on July 25, 2023.

Montgomery County Council. [Bill 14-19 Police – Policing Advisory Commission – Established. December 2, 2019](#).

Montgomery County Council. [Bill 49-21 Police – Police Accountability Board – Administrative Charging Committee – Established. April 19, 2022](#).

CAVEATS

Two caveats to the economic analysis performed here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the Bill under consideration.

CONTRIBUTIONS

Stephen Roblin (OLO) prepared this report.