

MARYLAND POLICE AND CORRECTIONAL TRAINING **COMMISSIONS** 

# POLICE MISCONDUCT COMPLAINT PROCESS

# POLICE ACCOUNTABILITY BOARD

Receives complaint from public PSA § 3-102 (a)(3)

Forwards complaint to appropriate law enforcement agency within three days PSA § 3-102 (d)

## LAW ENFORCEMENT AGENCY

Receives complaint from public PSA § 3-103 (a)

> Investigates complaint PSA § 3-104 (d)

#### LAW ENFORCEMENT AGENCY

Upon completion of investigation, forwards investigatory file to county Administrative Charging Committee PSA § 3-104(d)

## MARYLAND STATE AGENCY

Upon completion of investigation, forwards investigatory file to Maryland State Administrative Charging Committee PSA § 3-104 (d)

## ADMINISTRATIVE CHARGING COMMITTEE

Reviews investigatory file and within 30 days determines whether to charge officer or request further review PSA § 3-113 (b)

Officer not charged

Issues written opinion detailing findings and determinations; recommends discipline according to matrix; within 30 days from receipt of investigation but no longer than 1 year and 1 day PSA § 3-104 (e) (3); § 3-113 (b), (c)

Officer charged

Officer seeks

judicial review

within 30 days

PSA § 106 (k) (1)

Law enforcement agency head offers discipline recommended by Administrative Charging Committee or a higher degree according to the matrix within 15 days PSA § 3-105 (c)

and matter is final PSA § 105 (c) (3)

Make a determination that allegations are unfounded or officer is exonerated PSA § 3-104 (f) (2)

Issues written opinion detailing findings and determinations within 30 days from receipt but no longer than 1 year and 1 day from receipt of complaint PSA § 104 (e) (6); 3-113 (b), (c)

Officer accepts discipline, discipline is imposed

Officer does not accept discipline PSA § 105 (c) (4)

# TRIAL BOARD

Matter referred to the trial board for a hearing PSA § 105 (c) (4)

Trial Board hearing and decision

Officer does not seek judicial review within 30 days

Circuit Court adjudicates petition for judicial review

Trial Board decision is final

Disposition by the Administrative Charging Committee shall be completed within 1 year and 1 day after filing of a complaint by a citizen PSA 3-113 (c)