

HOUSE BILL 1456

E4

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By: **Delegate Palakovich Carr**

Introduced and read first time: February 7, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement Agencies – Reporting Requirements**

3 FOR the purpose of requiring certain law enforcement agencies to report certain
4 information annually to the Maryland Police Training and Standards Commission
5 and the Governor's Office of Crime Control and Prevention; authorizing the
6 Maryland Police Training and Standards Commission and the Governor's Office of
7 Crime Control and Prevention to notify the Comptroller regarding the failure of a
8 certain law enforcement agency to submit certain information; authorizing the
9 Comptroller to withhold certain State funds to be paid to a certain law enforcement
10 agency until certain information is submitted by the law enforcement agency;
11 defining a certain term; and generally relating to law enforcement agencies and
12 reporting requirements.

13 BY repealing and reenacting, without amendments,
14 Article – Public Safety
15 Section 3–507
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2019 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Public Safety
20 Section 3–518
21 Annotated Code of Maryland
22 (2018 Replacement Volume and 2019 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follows:

25 **Article – Public Safety**

26 3–507.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) (1) In this section the following words have the meanings indicated.

(2) “Death in the line of duty” means the death of a law enforcement officer occurring while the officer is acting in the officer’s official capacity while on duty or while the officer is off duty, but performing activities that are within the scope of the officer’s official duties.

(3) “Law enforcement agency” has the meaning stated in § 2–101 of this article.

(4) (i) “Law enforcement officer” has the meaning stated in § 3–101 of this title.

(ii) “Law enforcement officer” includes a private security officer performing duties as part of a contract with a law enforcement agency.

(5) “Officer-involved death” means the death of an individual resulting directly from an act or omission of a law enforcement officer while the officer is on duty or while the officer is off duty, but performing activities that are within the scope of the officer’s official duties.

(b) Every year, on or before March 1, 2016, and March 1 of each subsequent year, each local law enforcement agency shall provide the Governor’s Office of Crime Control and Prevention with information, for the previous calendar year, about each officer-involved death and death in the line of duty that involved a law enforcement officer employed by the agency, to include at a minimum:

(1) the age, gender, ethnicity, and race of a deceased individual;

(2) the age, gender, ethnicity, and race of the officer involved;

(3) a brief description of the circumstances surrounding the death;

(4) the date, time, and location of the death; and

(5) the law enforcement agency of the officer who:

(i) died, if the incident involved an officer who died in the line of duty; or

(ii) detained, arrested, or was in the process of arresting the deceased, if the incident involved an officer-involved death.

(c) The Governor’s Office of Crime Control and Prevention shall adopt procedures for the collection and analysis of the information described in subsection (b) of this section.

(d) The Governor's Office of Crime Control and Prevention shall analyze and disseminate the information provided under subsection (b) of this section.

(e) The Governor's Office of Crime Control and Prevention shall make an annual report on the incidence of officer-involved deaths and deaths in the line of duty in the State to the General Assembly, in accordance with § 2-1257 of the State Government Article, on or before June 30 of each year.

3-518.

(A) IN THIS SECTION, "COMMISSION" MEANS THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION.

(B) Each law enforcement agency shall annually report to the [Maryland Police Standards and Training] Commission, in accordance with § 3-207 of this title:

(1) the number of serious officer-involved incidents;

(2) the number of officers disciplined; and

(3) the type of discipline administered to each officer who was disciplined.

(C) EACH LAW ENFORCEMENT AGENCY SHALL ANNUALLY REPORT TO THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION ON THE NUMBER OF OFFICER-INVOLVED DEATHS AND DEATHS IN THE LINE OF DUTY IN ACCORDANCE WITH § 3-507 OF THIS SUBTITLE.

(D) (1) IF A LAW ENFORCEMENT AGENCY FAILS TO SUBMIT INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE COMMISSION SHALL NOTIFY THE COMPTROLLER REGARDING THE FAILURE TO SUBMIT REQUIRED INFORMATION.

(2) IF A LAW ENFORCEMENT AGENCY FAILS TO SUBMIT INFORMATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION SHALL NOTIFY THE COMPTROLLER REGARDING THE FAILURE TO SUBMIT REQUIRED INFORMATION.

(3) ON NOTIFICATION FROM THE COMMISSION OR THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION THAT A LAW ENFORCEMENT AGENCY HAS FAILED TO SUBMIT INFORMATION REQUIRED UNDER THIS SECTION, THE COMPTROLLER SHALL WITHHOLD ANY STATE FUNDS TO BE PAID TO THAT LAW ENFORCEMENT AGENCY UNTIL THE AGENCY HAS SUBMITTED THE REQUIRED INFORMATION.

(4) STATE FUNDS WITHHELD BY THE COMPTROLLER SHALL BE

1 WITHHELD UNTIL THE COMMISSION OR THE GOVERNOR'S OFFICE OF CRIME
2 CONTROL AND PREVENTION DIRECTS THE COMPTROLLER TO RELEASE THE MONEY
3 TO THE LAW ENFORCEMENT AGENCY AFTER THE REQUIRED INFORMATION HAS
4 BEEN SUBMITTED.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2020.