

HOUSE BILL 585

E4

3lr1272

By: **Delegates Williams, Crutchfield, Lopez, Moon, Simpson, Woods, and Young**
Introduced and read first time: February 3, 2023
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Use of Force Incident Reports**

3 FOR the purpose of altering the reporting requirement applicable to a law enforcement
4 officer or police officer involved in a use of force incident in the line of duty; requiring
5 a local law enforcement agency to publish certain information on its public website;
6 and generally relating to use of force incident reports.

7 BY repealing and reenacting, with amendments,
8 Article – Public Safety
9 Section 3–514
10 Annotated Code of Maryland
11 (2022 Replacement Volume)

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

14 **Article – Public Safety**

15 3–514.

16 (a) (1) Each law enforcement agency shall require a police officer who was
17 involved in a use of force incident in the line of duty to file an incident report regarding the
18 use of force by the end of the officer’s shift unless the officer is disabled.

19 (2) The incident report required under paragraph (1) of this subsection
20 shall include:

21 (i) the type of encounter;

22 (ii) the type of force used;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(iii) the location of the incident where force was used;

(IV) THE LAW ENFORCEMENT OFFICER'S JUSTIFICATION FOR THE USE OF FORCE;

[(iv)] (v) whether the individual against whom force was used was arrested;

[(v)] (VI) what charges, if any, for which the individual against whom force was used was arrested;

[(vi)] (VII) whether the individual against whom force was used requested or required medical care;

[(vii)] (VIII) whether the law enforcement officer requested or required medical care; and

[(viii)] (IX) demographic information about any individuals against whom force was used and any law enforcement officer involved in the incident, including race, ethnicity, gender, **[and]** age, **AND DISABILITY**.

(b) (1) On or before July 1, 2023, and July 1 each year thereafter, each law enforcement agency shall submit to the Maryland Police Training and Standards Commission the aggregate data of police officers' use of force reported in accordance with subsection (a) of this section for the previous calendar year, aggregated by numbers of complaints administratively charged, not charged, unfounded, and exonerated.

(2) ON OR BEFORE JANUARY 1, 2024, AND EVERY 3 MONTHS THEREAFTER, EACH LOCAL LAW ENFORCEMENT AGENCY SHALL PUBLISH ON ITS PUBLIC WEBSITE THE TOTAL NUMBER OF USE OF FORCE INCIDENTS REPORTED UNDER SUBSECTION (A) OF THIS SECTION FOR THE PRECEDING 3 MONTHS IN WHICH THE LOCAL LAW ENFORCEMENT AGENCY DETERMINED THAT:

(I) THE USE OF FORCE WAS CONSISTENT WITH ITS POLICIES AND APPLICABLE LAWS; AND

(II) THE USE OF FORCE WAS NOT CONSISTENT WITH ITS POLICIES AND APPLICABLE LAWS.

[(2)] (3) On or before July 15 each year, the Maryland Police Training and Standards Commission shall post on its website and submit to the General Assembly, in accordance with § 2-1257 of the State Government Article, a compendium of the information submitted by law enforcement agencies under paragraph (1) of this subsection.

[(3)] (4) If a law enforcement agency has not submitted the report

1 required under paragraph (1) of this subsection by July 1 for the previous calendar year,
2 the Governor's Office of Crime Prevention, Youth, and Victim Services may not make any
3 grant funds available to that law enforcement agency.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2023.