

HOUSE BILL 885

E4

5lr1766
CF SB 625

By: **Delegates Hornberger, Arentz, Arikan, Buckel, Chisholm, Fair, Grammer, Griffith, Hutchinson, Jacobs, A. Johnson, S. Johnson, M. Morgan, T. Morgan, Nawrocki, Otto, Reilly, Schmidt, and Valentine**
Introduced and read first time: January 30, 2025
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Police Accountability – Investigation Records Relating to**
3 **Unfounded and Exonerated Complaints**

4 FOR the purpose of requiring that certain investigation records relating to a complaint of
5 misconduct by a police officer be removed from the police officer's personnel record a
6 certain amount of time after an administrative charging committee or a trial board
7 issues a finding that the complaint is unfounded or exonerated; and generally
8 relating to police accountability.

9 BY repealing and reenacting, without amendments,
10 Article – Public Safety
11 Section 3–101(a), (d), and (k)
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2024 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Public Safety
16 Section 3–112
17 Annotated Code of Maryland
18 (2022 Replacement Volume and 2024 Supplement)

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

21 **Article – Public Safety**

22 3–101.

23 (a) In this title the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



(d) “Exonerated” means that a police officer acted in accordance with the law and agency policy.

(k) “Unfounded” means that the allegations against a police officer are not supported by fact.

3–112.

(A) [A] IN THIS SECTION, “INVESTIGATION RECORD” MEANS A record relating to an administrative or criminal investigation of misconduct by a police officer, including an internal affairs investigatory record, a hearing record, and records relating to a disciplinary decision[.].

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, AN INVESTIGATION RECORD may not be:

(1) expunged; or

(2) destroyed by a law enforcement agency.

(C) IF A COMPLAINT OF MISCONDUCT BY A POLICE OFFICER RESULTS IN A FINDING OF UNFOUNDED OR EXONERATED BY AN ADMINISTRATIVE CHARGING COMMITTEE UNDER § 3–104 OF THIS SUBTITLE OR A TRIAL BOARD UNDER § 3–106 OF THIS SUBTITLE, ALL INVESTIGATION RECORDS RELATING TO THE COMPLAINT SHALL BE REMOVED FROM THE POLICE OFFICER’S PERSONNEL RECORD 3 YEARS AFTER THE ADMINISTRATIVE CHARGING COMMITTEE OR THE TRIAL BOARD ISSUES ITS FINDING.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.