

HOUSE BILL 954

E4

(5lr0712)

ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by **Delegates A. Washington, Morales, Anderson, D. Barnes, Carter, Conaway, Patterson, Smith, and Sydnor**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Deaths Involving a Law Enforcement Officer – Reports**

3 FOR the purpose of requiring local law enforcement agencies to provide the ~~Department of~~
4 ~~State Police~~ Governor’s Office of Crime Control and Prevention with certain
5 information on officer-involved deaths and deaths in the line of duty; requiring the
6 ~~Department~~ Governor’s Office of Crime Control and Prevention to report annually
7 certain information on officer-involved deaths and deaths in the line of duty to the
8 General Assembly; requiring the ~~Department~~ Governor’s Office of Crime Control and
9 Prevention to adopt certain procedures for reporting certain deaths; requiring the
10 ~~Department~~ Governor’s Office of Crime Control and Prevention to report certain
11 information on officer-involved deaths and deaths in the line of duty to the General
12 Assembly by a certain date; defining certain terms; and generally relating to the
13 reporting of officer-involved deaths and deaths in the line of duty.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY adding to
 2 Article – Public Safety
 3 Section ~~2-315~~ 3-507
 4 Annotated Code of Maryland
 5 (2011 Replacement Volume and 2014 Supplement)

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

8 **Article – Public Safety**

9 ~~**2-315. 3-507.**~~

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 11 INDICATED.

12 (2) “DEATH IN THE LINE OF DUTY” MEANS THE DEATH OF A LAW
 13 ENFORCEMENT OFFICER OCCURRING WHILE THE OFFICER IS ACTING IN THE
 14 OFFICER’S OFFICIAL CAPACITY WHILE ON DUTY OR WHILE THE OFFICER IS OFF
 15 DUTY, BUT PERFORMING ACTIVITIES THAT ARE WITHIN THE SCOPE OF THE
 16 OFFICER’S OFFICIAL DUTIES.

17 (3) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN §
 18 2-101 OF THIS TITLE.

19 (4) (I) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED
 20 IN § 3-101 OF THIS ARTICLE.

21 (II) “LAW ENFORCEMENT OFFICER” INCLUDES A PRIVATE
 22 SECURITY OFFICER PERFORMING DUTIES AS PART OF A CONTRACT WITH A LAW
 23 ENFORCEMENT AGENCY.

24 (5) “OFFICER-INVOLVED DEATH” MEANS THE DEATH OF AN
 25 INDIVIDUAL RESULTING DIRECTLY FROM AN ACT OR OMISSION OF A LAW
 26 ENFORCEMENT OFFICER WHILE THE OFFICER IS ON DUTY OR WHILE THE OFFICER
 27 IS OFF DUTY, BUT PERFORMING ACTIVITIES THAT ARE WITHIN THE SCOPE OF THE
 28 OFFICER’S OFFICIAL DUTIES.

29 (B) EVERY YEAR, ~~BEGINNING JANUARY 1, 2016~~ ON OR BEFORE MARCH 1,
 30 2016, AND MARCH 1 OF EACH SUBSEQUENT YEAR, EACH LOCAL LAW ENFORCEMENT
 31 AGENCY SHALL PROVIDE THE ~~DEPARTMENT~~ GOVERNOR’S OFFICE OF CRIME
 32 CONTROL AND PREVENTION WITH INFORMATION, FOR THE PREVIOUS CALENDAR
 33 YEAR, ABOUT EACH OFFICER-INVOLVED DEATH AND DEATH IN THE LINE OF DUTY

1 THAT ~~INVOLVES~~ INVOLVED A LAW ENFORCEMENT OFFICER EMPLOYED BY THE
2 AGENCY, TO INCLUDE AT A MINIMUM:

3 (1) THE AGE, GENDER, ETHNICITY, ~~GENDER IDENTITY, SEXUAL~~
4 ~~ORIENTATION, ETHNICITY, RACE, AND LANGUAGE PREFERENCE~~ AND RACE OF A
5 DECEASED INDIVIDUAL ~~WHO IS NOT A LAW ENFORCEMENT OFFICER~~;

6 (2) THE AGE, GENDER, ETHNICITY, ~~GENDER IDENTITY, SEXUAL~~
7 ~~ORIENTATION, ETHNICITY, RACE, AND LANGUAGE PREFERENCE~~ AND RACE OF THE
8 OFFICER INVOLVED;

9 (3) ~~THE MANNER OF THE OFFICER OR DECEASED INDIVIDUAL'S~~
10 ~~DEATH~~ A BRIEF DESCRIPTION OF THE CIRCUMSTANCES SURROUNDING THE DEATH;
11 ~~AND~~

12 (4) THE DATE, TIME, AND LOCATION OF THE DEATH; AND

13 (5) ~~THE DISPOSITION OF ANY INVESTIGATION, INQUIRY, OR~~
14 ~~DISCIPLINARY PROCEEDING RESULTING FROM THE DEATH~~ THE LAW ENFORCEMENT
15 AGENCY OF THE OFFICER WHO:

16 (I) DIED, IF THE INCIDENT INVOLVED AN OFFICER WHO DIED IN
17 THE LINE OF DUTY; OR

18 (II) DETAINED, ARRESTED, OR WAS IN THE PROCESS OF
19 ARRESTING THE DECEASED, IF THE INCIDENT INVOLVED AN OFFICER-INVOLVED
20 DEATH.

21 (C) THE DEPARTMENT GOVERNOR'S OFFICE OF CRIME CONTROL AND
22 PREVENTION SHALL ADOPT PROCEDURES FOR THE COLLECTION AND ANALYSIS OF
23 THE INFORMATION DESCRIBED IN SUBSECTION (B) OF THIS SECTION.

24 (D) THE DEPARTMENT GOVERNOR'S OFFICE OF CRIME CONTROL AND
25 PREVENTION SHALL ANALYZE AND DISSEMINATE THE INFORMATION PROVIDED
26 UNDER SUBSECTION (B) OF THIS SECTION.

27 (E) THE DEPARTMENT GOVERNOR'S OFFICE OF CRIME CONTROL AND
28 PREVENTION SHALL MAKE AN ANNUAL REPORT ON THE INCIDENCE OF
29 OFFICER-INVOLVED DEATHS AND DEATHS IN THE LINE OF DUTY IN THE STATE TO
30 THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE
31 GOVERNMENT ARTICLE, ON OR BEFORE JUNE 30 OF EACH YEAR.

32 SECTION 2. AND BE IT FURTHER ENACTED, That:

HOUSE BILL 954

1 (a) On or before October 15, 2016, the ~~Department of State Police~~ Governor's
 2 Office of Crime Control and Prevention shall report to the General Assembly, in accordance
 3 with § 2-1246 of the State Government Article, on the number of officer-involved deaths
 4 and deaths in the line of duty that occurred during the previous ~~10~~ 3 calendar years.

5 (b) The report shall include information as required by § ~~2-315(b)~~ 3-507(b) of the
 6 Public Safety Article as enacted by this Act.

7 (c) ~~Each~~ On or before August 15, 2016, each local law enforcement agency shall
 8 provide the ~~Department of State Police~~ Governor's Office of Crime Control and Prevention
 9 with the information described in § ~~2-315(b)~~ 3-507(b) of the Public Safety Article as enacted
 10 by this Act for the previous 10 3 calendar year period.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 12 ~~October~~ July 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.