

HOUSE BILL 954

E4

5lr0712

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

Introduced and read first time: February 13, 2015

Assigned to: Judiciary

A BILL ENTITLED

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 with certain information on officer-involved deaths and deaths in the
5 line of duty; requiring the Department to report annually certain information on
6 officer-involved deaths and deaths in the line of duty to the General Assembly;
7 requiring the Department to adopt certain procedures for reporting certain deaths;
8 requiring the Department to report certain information on officer-involved deaths
9 and deaths in the line of duty to the General Assembly by a certain date; defining
10 certain terms; and generally relating to the reporting of officer-involved deaths and
11 deaths in the line of duty.

12 BY adding to

13 Article – Public Safety

14 Section 2–315

15 Annotated Code of Maryland

16 (2011 Replacement Volume and 2014 Supplement)

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

19 **Article – Public Safety**

20 **2–315.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) “DEATH IN THE LINE OF DUTY” MEANS THE DEATH OF A LAW**
2 **ENFORCEMENT OFFICER OCCURRING WHILE THE OFFICER IS ACTING IN THE**
3 **OFFICER’S OFFICIAL CAPACITY WHILE ON DUTY OR WHILE THE OFFICER IS OFF**
4 **DUTY, BUT PERFORMING ACTIVITIES THAT ARE WITHIN THE SCOPE OF THE**
5 **OFFICER’S OFFICIAL DUTIES.**

6 **(3) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN §**
7 **2–101 OF THIS TITLE.**

8 **(4) (I) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED**
9 **IN § 3–101 OF THIS ARTICLE.**

10 **(II) “LAW ENFORCEMENT OFFICER” INCLUDES A PRIVATE**
11 **SECURITY OFFICER PERFORMING DUTIES AS PART OF A CONTRACT WITH A LAW**
12 **ENFORCEMENT AGENCY.**

13 **(5) “OFFICER–INVOLVED DEATH” MEANS THE DEATH OF AN**
14 **INDIVIDUAL RESULTING DIRECTLY FROM AN ACT OR OMISSION OF A LAW**
15 **ENFORCEMENT OFFICER WHILE THE OFFICER IS ON DUTY OR WHILE THE OFFICER**
16 **IS OFF DUTY, BUT PERFORMING ACTIVITIES THAT ARE WITHIN THE SCOPE OF THE**
17 **OFFICER’S OFFICIAL DUTIES.**

18 **(B) EVERY YEAR, BEGINNING JANUARY 1, 2016, EACH LOCAL LAW**
19 **ENFORCEMENT AGENCY SHALL PROVIDE THE DEPARTMENT WITH INFORMATION**
20 **ABOUT EACH OFFICER–INVOLVED DEATH AND DEATH IN THE LINE OF DUTY THAT**
21 **INVOLVES A LAW ENFORCEMENT OFFICER EMPLOYED BY THE AGENCY, TO INCLUDE:**

22 **(1) THE AGE, GENDER, GENDER IDENTITY, SEXUAL ORIENTATION,**
23 **ETHNICITY, RACE, AND LANGUAGE PREFERENCE OF A DECEASED INDIVIDUAL WHO**
24 **IS NOT A LAW ENFORCEMENT OFFICER;**

25 **(2) THE AGE, GENDER, GENDER IDENTITY, SEXUAL ORIENTATION,**
26 **ETHNICITY, RACE, AND LANGUAGE PREFERENCE OF THE OFFICER INVOLVED;**

27 **(3) THE MANNER OF THE OFFICER OR DECEASED INDIVIDUAL’S**
28 **DEATH; AND**

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

30 **(5) THE DISPOSITION OF ANY INVESTIGATION, INQUIRY, OR**
31 **DISCIPLINARY PROCEEDING RESULTING FROM THE DEATH.**

1 **(C) THE DEPARTMENT SHALL ADOPT PROCEDURES FOR THE COLLECTION**
2 **AND ANALYSIS OF THE INFORMATION DESCRIBED IN SUBSECTION (B) OF THIS**
3 **SECTION.**

4 **(D) THE DEPARTMENT SHALL ANALYZE AND DISSEMINATE THE**
5 **INFORMATION PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.**

6 **(E) THE DEPARTMENT SHALL MAKE AN ANNUAL REPORT ON THE**
7 **INCIDENCE OF OFFICER-INVOLVED DEATHS AND DEATHS IN THE LINE OF DUTY IN**
8 **THE STATE TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE**
9 **STATE GOVERNMENT ARTICLE, ON OR BEFORE JUNE 30 OF EACH YEAR.**

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

11 (a) On or before October 15, 2016, the Department of State Police shall report to
12 the General Assembly, in accordance with § 2-1246 of the State Government Article, on the
13 number of officer-involved deaths and deaths in the line of duty that occurred during the
14 previous 10 calendar years.

15 (b) The report shall include information as required by § 2-315(b) of the Public
16 Safety Article as enacted by this Act.

17 (c) Each local law enforcement agency shall provide the Department of State
18 Police with the information described in § 2-315(b) of the Public Safety Article as enacted
19 by this Act.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2015.