

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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2015

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.

14 BY adding to

15 Article – Public Safety

16 Section ~~2-315~~ 3-507

17 Annotated Code of Maryland

18 (2011 Replacement Volume and 2014 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**

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.



1 ~~2-315.~~ 3-507.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "DEATH IN THE LINE OF DUTY" MEANS THE DEATH OF A LAW
5 ENFORCEMENT OFFICER OCCURRING WHILE THE OFFICER IS ACTING IN THE
6 OFFICER'S OFFICIAL CAPACITY WHILE ON DUTY OR WHILE THE OFFICER IS OFF
7 DUTY, BUT PERFORMING ACTIVITIES THAT ARE WITHIN THE SCOPE OF THE
8 OFFICER'S OFFICIAL DUTIES.

9 (3) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN §
10 ~~2-101~~ OF THIS TITLE.

11 (4) (I) "LAW ENFORCEMENT OFFICER" HAS THE MEANING STATED
12 IN § ~~3-101~~ OF THIS ARTICLE.

13 (II) "LAW ENFORCEMENT OFFICER" INCLUDES A PRIVATE
14 SECURITY OFFICER PERFORMING DUTIES AS PART OF A CONTRACT WITH A LAW
15 ENFORCEMENT AGENCY.

16 (5) "OFFICER-INVOLVED DEATH" MEANS THE DEATH OF AN
17 INDIVIDUAL RESULTING DIRECTLY FROM AN ACT OR OMISSION OF A LAW
18 ENFORCEMENT OFFICER WHILE THE OFFICER IS ON DUTY OR WHILE THE OFFICER
19 IS OFF DUTY, BUT PERFORMING ACTIVITIES THAT ARE WITHIN THE SCOPE OF THE
20 OFFICER'S OFFICIAL DUTIES.

21 (B) EVERY YEAR, ~~BEGINNING JANUARY 1, 2016~~ ON OR BEFORE MARCH 1,
22 2016, AND MARCH 1 OF EACH SUBSEQUENT YEAR, EACH LOCAL LAW ENFORCEMENT
23 AGENCY SHALL PROVIDE THE ~~DEPARTMENT~~ GOVERNOR'S OFFICE OF CRIME
24 CONTROL AND PREVENTION WITH INFORMATION, FOR THE PREVIOUS CALENDAR
25 YEAR, ABOUT EACH OFFICER-INVOLVED DEATH AND DEATH IN THE LINE OF DUTY
26 THAT ~~INVOLVES~~ INVOLVED A LAW ENFORCEMENT OFFICER EMPLOYED BY THE
27 AGENCY, TO INCLUDE:

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

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

1 (3) THE MANNER OF THE OFFICER OR DECEASED INDIVIDUAL'S
2 DEATH; ~~AND~~

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

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

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

9 (D) ~~THE DEPARTMENT~~ GOVERNOR'S OFFICE OF CRIME CONTROL AND
10 PREVENTION SHALL ANALYZE AND DISSEMINATE THE INFORMATION PROVIDED
11 UNDER SUBSECTION (B) OF THIS SECTION.

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

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

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

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

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

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