

# HOUSE BILL 1086

E4

1lr1171

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By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2011

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Police Departments – Use of Force – Reports**

3 **PG 308–11**

4 FOR the purpose of requiring the county police department and each municipal police  
5 department in Prince George's County and the sheriff's office in the county to  
6 collect, analyze, and maintain certain information about the use of force by law  
7 enforcement officers; requiring the county police department, each municipal  
8 police department, and the sheriff's office in the county to report certain  
9 information to the Office of the State's Attorney for Prince George's County on  
10 or before a certain date and annually thereafter; prohibiting the identification of  
11 certain offenders in the reports; defining certain terms; and generally relating  
12 to the use of force in Prince George's County.

13 BY adding to

14 Article – Public Safety

15 Section 3–508

16 Annotated Code of Maryland

17 (2003 Volume and 2010 Supplement)

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

20 **Article – Public Safety**

21 **3–508.**

22 **(A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.**

23 **(B) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
24 **MEANINGS INDICATED.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) “FORCE” MEANS THE USE OF:**

2                   **(I) A FIREARM, AS DEFINED IN § 5-101 OF THIS ARTICLE;**

3                   **(II) AN ELECTRONIC CONTROL DEVICE, AS DEFINED BY §**  
4 **4-109 OF THE CRIMINAL LAW ARTICLE;**

5                   **(III) A TEAR GAS DEVICE; OR**

6                   **(IV) ANY OTHER WEAPON.**

7           **(3) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN**  
8 **§ 3-101 OF THIS ARTICLE.**

9           **(C) THE COUNTY POLICE DEPARTMENT, EACH MUNICIPAL POLICE**  
10 **DEPARTMENT, AND THE SHERIFF’S OFFICE IN THE COUNTY SHALL COLLECT,**  
11 **ANALYZE, AND MAINTAIN STATISTICAL INFORMATION ABOUT EACH INSTANCES**  
12 **OF THE USE OF FORCE BY A LAW ENFORCEMENT OFFICER IN THE COUNTY OR**  
13 **MUNICIPAL CORPORATION, INCLUDING:**

14                   **(1) THE NUMBER OF INSTANCES IN WHICH FORCE WAS USED**  
15 **DURING AN ARREST OR WHILE AN INDIVIDUAL WAS IN POLICE CUSTODY;**

16                   **(2) A DESCRIPTION OF AND EXPLANATION FOR EACH USE OF**  
17 **FORCE; AND**

18                   **(3) ANY OTHER RELEVANT INFORMATION.**

19           **(D) SUBJECT TO SUBSECTIONS (E) AND (F) OF THIS SECTION, ON OR**  
20 **BEFORE APRIL 1, 2012, AND ON OR BEFORE EACH APRIL 1 THEREAFTER, THE**  
21 **COUNTY POLICE DEPARTMENT, EACH MUNICIPAL POLICE DEPARTMENT, AND**  
22 **THE SHERIFF’S OFFICE IN THE COUNTY SHALL REPORT TO THE OFFICE OF THE**  
23 **STATE’S ATTORNEY FOR PRINCE GEORGE’S COUNTY ON THE INFORMATION**  
24 **COLLECTED UNDER SUBSECTION (C) OF THIS SECTION FOR THE PRECEDING**  
25 **CALENDAR YEAR.**

26           **(E) EACH REPORT SHALL BREAK DOWN THE INCIDENTS IN WHICH**  
27 **FORCE WAS USED BY DISTRICT OR MUNICIPAL CORPORATION.**

28           **(F) A REPORT REQUIRED BY THIS SECTION MAY NOT NAME OR**  
29 **OTHERWISE IDENTIFY A PARTICULAR KNOWN OR SUSPECTED OFFENDER.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
2 effect October 1, 2011.