

# HOUSE BILL 24

P4, E4

4lr0931

(PRE-FILED)

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By: **Delegate Cluster**

Requested: November 13, 2013

Introduced and read first time: January 8, 2014

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

### 2 **Correctional Officers' Bill of Rights – Investigations**

3 FOR the purpose of altering the time period after which a certain appointing authority  
4 may not bring charges recommending the imposition of discipline against a  
5 correctional officer; providing that a certain limitation does not apply to charges  
6 that relate to criminal activity; clarifying that a certain limitation does not  
7 apply to charges that relate to excessive use of force; and generally relating to  
8 the Correctional Officers' Bill of Rights.

9 BY repealing and reenacting, with amendments,  
10 Article – Correctional Services  
11 Section 10–907  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2013 Supplement)

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

### 16 **Article – Correctional Services**

17 10–907.

18 (a) The appointing authority may not bring charges recommending the  
19 imposition of discipline more than [90 days] **1 YEAR** after the Internal Investigative  
20 Unit or the appointing authority acquires knowledge of the action that gives rise to the  
21 discipline.

22 (b) An appointing authority may not recommend disciplinary action against  
23 a correctional officer for excessive use of force against an inmate based solely on the

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 uncorroborated statement of the inmate unless the appointing authority determines  
2 that there exists any indicia of reliability to support the inmate's allegation.

3 (c) [This section does not limit the right of the Department to investigate  
4 claims of excessive force against inmates to ensure the safety and security of its  
5 correctional facilities, or for any other legitimate purpose.] **THE 1-YEAR LIMITATION  
6 OF SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO CHARGES THAT  
7 RELATE TO CRIMINAL ACTIVITY OR EXCESSIVE USE OF FORCE.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2014.