

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

House Bill 954
Judiciary

(Delegate A. Washington, *et al.*)

Judicial Proceedings

Public Safety - Deaths Involving a Law Enforcement Officer - Reports

This bill requires each local law enforcement agency, by March 1, 2016, and by March 1 of each subsequent year, to provide the Governor’s Office of Crime Control and Prevention (GOCCP) with information for the previous calendar year about each “officer-involved death” and “death in the line of duty” that involved a law enforcement officer employed by the agency. GOCCP must develop specified procedures, analyze and disseminate the information it receives from local law enforcement agencies, and meet specified reporting requirements.

The bill takes effect July 1, 2015.

Fiscal Summary

State Effect: None. The bill’s analysis and reporting requirements can be met with GOCCP’s existing budgeted resources.

Local Effect: Local law enforcement agencies can likely provide the required information with existing local resources.

Small Business Effect: None.

Analysis

Bill Summary: The information in the reports provided to DSP must include, at a minimum:

- the age, gender, ethnicity, and race of a deceased individual;
- the age, gender, ethnicity, and race of the officer involved;

- a brief description of the circumstances surrounding the death;
- the date, time, and location of the death; and
- the law enforcement agency of the officer who (1) died, if the incident involved an officer who died in the line of duty or (2) detained, arrested, or was in the process of arresting the deceased, if the incident involved an officer-involved death.

GOCCP must adopt procedures for the collection and analysis of the information required to be included in the reports. GOCCP must analyze and disseminate the information reported by each agency and submit an annual report on the incidence of officer-involved deaths and deaths in the line of duty in Maryland to the General Assembly by June 30 of each year.

By October 15, 2016, GOCCP must report on the number of officer-involved deaths and deaths in the line of duty that occurred during the previous three calendar years. This report must include the same information required to be provided by local law enforcement agencies. Each local law enforcement agency must provide GOCCP with the three-year report information by August 15, 2016.

An “officer-involved death” means the death of an individual resulting directly from an act or omission of a law enforcement officer while the officer is on duty or while the officer is off duty, but performing activities that are within the scope of the officer’s official duties.

The term “death in the line of duty” means the death of a law enforcement officer occurring while the officer is acting in the officer’s official capacity while on duty or while the officer is off duty, but performing activities that are within the scope of the officer’s official duties.

Current Law/Background: Two national systems collect data which include homicides committed by law enforcement officers in the line of duty:

- the National Center for Health Statistics maintains the National Vital Statistics System which aggregates data from locally filed death certificates. State laws require that death certificates be filed with local registrars, but the certificates do not systematically document whether a killing was legally justified nor whether a law enforcement officer was involved; and
- the FBI maintains the Uniform Crime Reporting Program (UCR) which relies on the voluntary participation of state and local law enforcement agencies in submitting reports about crimes.

Since 1975, the Maryland UCR Program requires all law enforcement agencies in the State to report on the incidence of crime and law enforcement over the previous year. The information is collected by DSP in order to publish an annual UCR called *Crime in Maryland*. The data is also provided to the FBI for assembly and publication of the annual, national UCR.

While the State's annual UCR contains data on the number of law enforcement officers killed or assaulted in the line of duty, it does not contain the information required to be reported under this bill.

Local Expenditures: A limited survey of local jurisdictions indicates that local law enforcement agencies can comply with the bill's requirements with existing resources.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Harford and Montgomery counties, Baltimore City, Department of State Police, Governor's Office of Crime Control and Prevention, Department of Legislative Services

Fiscal Note History: First Reader - March 10, 2015
min/lgc Revised - House Third Reader - March 31, 2015
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Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510