

SENATE BILL 24

E4

7lr0036

(PRE-FILED)

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – State Police)**

Requested: October 5, 2016

Introduced and read first time: January 11, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Eyewitness Identification Policies – Repeal of Submission**
3 **Requirement**

4 FOR the purpose of repealing a requirement that certain law enforcement agencies submit
5 certain policies relating to certain identification procedures to the Department of
6 State Police; repealing a requirement that the Department compile certain policies;
7 repealing a requirement to allow public inspection of certain policies; and generally
8 relating to eyewitness identification policies.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 3–506
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2016 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Public Safety
16 Section 3–515(a)
17 Annotated Code of Maryland
18 (2011 Replacement Volume and 2016 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**

22 3–506.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) On or before December 1, 2007, each law enforcement agency in the State shall
2 adopt written policies relating to eyewitness identification that comply with the United
3 States Department of Justice standards on obtaining accurate eyewitness identification.

4 (b) [On or before January 1, 2008, each law enforcement agency in the State shall
5 file a copy of the written policy relating to eyewitness identification with the Department
6 of State Police.

7 (c) (1) On or before February 1, 2008, the Department of State Police shall
8 compile the written policy relating to eyewitness identification of each law enforcement
9 agency in the State.

10 (2) The Department of State Police shall allow public inspection of each
11 policy compiled.

12 (d) (1)] On or before January 1, 2016, each law enforcement agency in the State
13 shall:

14 [(i) 1.] (1) adopt the Police Training Commission's Eyewitness
15 Identification Model Policy; or

16 [2.] (2) adopt and implement a written policy relating to
17 identification procedures that complies with § 3-506.1 of this subtitle]; and

18 (ii) file a copy of the written policy with the Department of State
19 Police.

20 (2) On or before February 1, 2016, the Department of State Police shall
21 compile the written policies relating to identification procedures of each law enforcement
22 agency in the State.

23 (3) The Department of State Police shall allow public inspection of each
24 policy compiled under this subsection].

25 3-515.

26 (a) Except as provided in subsection (b) of this section, each law enforcement
27 agency shall post all of the official policies of the law enforcement agency, including public
28 complaint procedures and collective bargaining agreements:

29 (1) on the Web site of the Maryland Police Training and Standards
30 Commission; and

31 (2) on the agency's own Web site, if the agency maintains a Web site.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2017.