

HOUSE BILL 1292

E4

8lr0420

By: **Delegates Lierman, Moon, Dumais, and Korman**

Introduced and read first time: February 9, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Law Enforcement – Prohibition on Sexual Activity During**
3 **Investigations**

4 FOR the purpose of requiring each law enforcement agency to adopt a written policy that
5 prohibits a law enforcement officer from engaging in a certain sexual act, sexual
6 contact, or vaginal intercourse with a certain person during the course of an
7 investigation; defining certain terms; and generally relating to law enforcement.

8 BY adding to

9 Article – Public Safety

10 Section 3–520

11 Annotated Code of Maryland

12 (2011 Replacement Volume and 2017 Supplement)

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

15 **Article – Public Safety**

16 **3–520.**

17 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
18 **INDICATED.**

19 **(2) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN**
20 **§ 2–101 OF THIS ARTICLE.**

21 **(3) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN §**
22 **3–101 OF THIS TITLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(4) “SEXUAL ACT” HAS THE MEANING STATED IN § 3-301 OF THE**
2 **CRIMINAL LAW ARTICLE.**

3 **(5) “SEXUAL CONTACT” HAS THE MEANING STATED IN § 3-301 OF THE**
4 **CRIMINAL LAW ARTICLE.**

5 **(6) “VAGINAL INTERCOURSE” HAS THE MEANING STATED IN § 3-301**
6 **OF THE CRIMINAL LAW ARTICLE.**

7 **(B) EACH LAW ENFORCEMENT AGENCY IN THE STATE SHALL ADOPT A**
8 **WRITTEN POLICY THAT PROHIBITS A LAW ENFORCEMENT OFFICER, DURING THE**
9 **COURSE OF AN INVESTIGATION, FROM ENGAGING IN A SEXUAL ACT, SEXUAL**
10 **CONTACT, OR VAGINAL INTERCOURSE WITH A VICTIM, A WITNESS, OR A SUSPECT IN**
11 **THAT INVESTIGATION.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2018.