

Department of Legislative Services
 Maryland General Assembly
 2021 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 1286 (Delegate Grammer)
 Judiciary

Law Enforcement Performance Measurements - Required Reporting

This bill requires, by April 1 and October 1 each year, each local law enforcement agency to report to the Maryland Police Training and Standards Commission (MPTSC) specified information regarding performance measures used by the agency to evaluate law enforcement officers employed by the agency. By May 1 and November 1 each year, MPTSC must aggregate and report all data received from local law enforcement agencies to the General Assembly.

Fiscal Summary

State Effect: General fund expenditures increase by \$58,500 in FY 2022. Future years reflect annualization and ongoing costs. Revenues are not affected.

(in dollars)	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	58,500	68,100	70,100	72,600	75,200
Net Effect	(\$58,500)	(\$68,100)	(\$70,100)	(\$72,600)	(\$75,200)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: While some local law enforcement agencies may incur minimal costs to report the required information, it is assumed that most local law enforcement agencies can implement the bill with existing resources. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: Each local law enforcement agency must report the following information to MPTSC: (1) a description of each performance measure used by the agency to determine the effectiveness of law enforcement officers; (2) the criteria used to determine the effectiveness of each performance measure; (3) a description of each enforcement quota used by the agency to determine the effectiveness of law enforcement officers; and (4) the criteria used to determine the effectiveness of each enforcement quota.

Current Law: MPTSC operates approved police training schools and prescribes standards for and certifies schools that offer police and security training. In consultation and cooperation with various entities, it also sets minimum qualifications for instructors and certifies qualified instructors for approved training schools.

MPTSC certifies persons as police officers who have met commission standards, including submission to a criminal history records check and a specified psychological consultation. An individual who is not satisfactorily trained in the 12-month probationary period may not be employed as a police officer, and a police officer may not serve after certification has been revoked, suspended, or allowed to lapse.

A law enforcement agency is prohibited from (1) establishing a formal or informal quota for the law enforcement agency or its law enforcement officers or (2) using the number of arrests made or citations issued by a law enforcement officer as the sole or primary criterion for promotion, demotion, dismissal, or transfer of the officer. However, a law enforcement agency is not precluded from using arrest or citation data as management tools or in evaluating performance or for other technical purposes.

State Expenditures: General fund expenditures for MPTSC increase by \$58,508 in fiscal 2022, which accounts for the bill's October 1, 2021 effective date. This estimate reflects the cost of hiring one administrator to (1) receive reported information from more than 100 local law enforcement agencies, which likely have varying performance measures; (2) aggregate the information it receives; and (3) report the data to the General Assembly, as required by the bill. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$52,927
Operating Expenses	<u>5,581</u>
Total FY 2022 State Expenditures	\$58,508

Future year expenditures reflect a full salary with annual increases and employee turnover and ongoing operating expenses.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Howard, Montgomery, and Prince George's counties; City of Bowie; Department of Public Safety and Correctional Services; Department of Legislative Services

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rh/lgc

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