

Department of Legislative Services  
Maryland General Assembly  
2023 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 221  
Judiciary

(Delegate Grammer)

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Public Safety - Law Enforcement - Quotas (Community-Oriented Policing Act)

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This bill prohibits a law enforcement agency from (1) using the number of arrests made or citations issued by a law enforcement officer as *a* (rather than *the sole or primary*) criterion for promotion, demotion, dismissal, or transfer of the officer and (2) requesting enforcement actions or directing an officer to act for the purpose of increasing the number of citations or arrests delivered by the officer.

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Fiscal Summary

**State Effect:** Although the bill may have an operational impact on State law enforcement agencies, it is not anticipated to affect State finances.

**Local Effect:** Although the bill may have an operational impact on local law enforcement agencies, it is not anticipated to affect local government finances.

**Small Business Effect:** None.

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Analysis

**Current Law:** 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, these provisions do not preclude a law enforcement agency from (1) using arrest or citation data as management tools or in evaluating performance; (2) collecting, analyzing, and applying information concerning the number of arrests and citations in order to ensure that a particular law enforcement officer or group of law enforcement officers does not violate

an applicable legal obligation; or (3) assessing the proportion of arrests made and citations issued by a law enforcement officer or group of law enforcement officers.

**Additional Comments:** The Department of State Police (DSP) and the Natural Resources Police (NRP) advise that the bill may have an operational impact on law enforcement agencies as both agencies (and others) use enforcement statistics as a tool in evaluating the diligence and effectiveness of its police officers. DSP and NRP both advise that enforcement quotas are not used; however, the number of arrests made and citations issued by a law enforcement officer is a measurable aspect that can be used as an evaluation tool. Thus, prohibiting the use of such information may hinder an agency's ability to create work improvement plans and encourage improved diligence of its police officers.

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### **Additional Information**

**Prior Introductions:** Similar legislation has been introduced within the last three years. See HB 666 of 2022.

**Designated Cross File:** None.

**Information Source(s):** Caroline and Prince George's counties; Comptroller's Office; University System of Maryland; Department of Budget and Management; Department of General Services; Maryland Department of Health; Maryland Department of Labor; Department of Natural Resources; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

**Fiscal Note History:** First Reader - February 1, 2023  
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