
By: Senators Conway, McFadden, Sfikas, Kelley, Young, Hughes, Blount, Della, and Hoffman

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 12, 1997

Rule 32(a) suspended

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Task Force to Examine the Disposition of Firearms and Illegal Drugs**
3 **Confiscated in Baltimore City**

4 FOR the purpose of establishing a Task Force to Examine the Disposition of Firearms
5 and Illegal Drugs Confiscated in Baltimore City; providing for the membership,
6 staff, compensation, duties, and termination of the Task Force; and generally
7 relating to the establishment of a Task Force to Examine the Disposition of
8 Firearms and Illegal Drugs Confiscated in Baltimore City.

9 BY adding to

10 Article 41 - Governor - Executive and Administrative Departments
11 Section 18-313
12 Annotated Code of Maryland
13 (1997 Replacement Volume)

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

16 **Article 41 - Governor - Executive and Administrative Departments**

17 18-313.

18 (A) THERE IS A TASK FORCE TO EXAMINE THE DISPOSITION OF FIREARMS
19 AND ILLEGAL DRUGS CONFISCATED IN BALTIMORE CITY.

20 (B) THE TASK FORCE CONSISTS OF:

21 (1) THE MAYOR OF BALTIMORE CITY, OR THE MAYOR'S DESIGNEE;

22 (2) THE PRESIDENT OF THE BALTIMORE CITY COUNCIL, OR THE
23 PRESIDENT'S DESIGNEE;

24 (3) THE POLICE COMMISSIONER OF BALTIMORE CITY, OR THE
25 COMMISSIONER'S DESIGNEE;

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1 (4) THE STATE'S ATTORNEY FOR BALTIMORE CITY, OR THE STATE'S
2 ATTORNEY'S DESIGNEE;

3 (5) THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY AND
4 CORRECTIONAL SERVICES, OR THE SECRETARY'S DESIGNEE; AND

5 (6) ONE CITIZEN FROM EACH OF THE SIX ELECTIVE DISTRICTS OF
6 BALTIMORE CITY, AS APPOINTED BY EACH OF THE RESPECTIVE MEMBERS OF THE
7 CITY COUNCIL.

8 (C) THE TASK FORCE SHALL EXAMINE THE POLICIES AND PRACTICES OF THE
9 BALTIMORE CITY POLICE DEPARTMENT IN THE CONFISCATION AND DISPOSITION OF
10 FIREARMS AND ILLEGAL DRUGS BY:

11 (1) DETERMINING THE APPROXIMATE NUMBER OF FIREARMS AND
12 QUANTITY OF ILLEGAL DRUGS THAT ARE CONFISCATED BY THE POLICE
13 DEPARTMENT IN EACH CALENDAR YEAR SINCE THE YEAR 1990;

14 (2) DEVELOPING A LIST OF THE VARIOUS METHODS BY WHICH
15 CONFISCATED FIREARMS AND ILLEGAL DRUGS ARE DISPOSED OF, INCLUDING THE
16 CIRCUMSTANCES UNDER WHICH EACH METHOD IS USED AND THE ESTIMATED
17 PERCENTAGE OF FIREARMS AND ILLEGAL DRUGS THAT ARE DISPOSED OF BY THE
18 RESPECTIVE METHODS;

19 (3) DETERMINING THE PERCENTAGE OF CONFISCATED FIREARMS AND
20 ILLEGAL DRUGS THAT ARE ACTUALLY USED AS EVIDENCE IN CRIMINAL
21 PROSECUTIONS;

22 (4) DETERMINING THE AVERAGE LENGTH OF TIME FOR WHICH A
23 CONFISCATED FIREARM OR UNIT OF DRUGS REMAINS IN THE CUSTODY OF THE
24 POLICE DEPARTMENT UNTIL IT IS USED AS EVIDENCE IN THE PROSECUTION OF A
25 CRIME OR OTHERWISE DISPOSED OF;

26 (5) EXAMINING THE PROCEDURES AND PRACTICES OF LAW
27 ENFORCEMENT AGENCIES IN OTHER COUNTIES FOR DISPOSING OF CONFISCATED
28 FIREARMS AND ILLEGAL DRUGS;

29 (6) EVALUATING AND RECOMMENDING, AS APPROPRIATE,
30 LEGISLATION, REGULATIONS, AND GUIDELINES TO ADDRESS ANY PROBLEMS
31 REVEALED BY THE FINDINGS OF THE TASK FORCE; AND

32 (7) DETERMINING WHETHER IT IS ADVISABLE TO ESTABLISH A CITIZEN
33 REVIEW BOARD TO MONITOR THE PROCEDURES USED BY THE POLICE
34 DEPARTMENT TO DISPOSE OF CONFISCATED FIREARMS AND ILLEGAL DRUGS.

35 (D) THE MAYOR OF BALTIMORE CITY AND THE GOVERNOR SHALL JOINTLY
36 DESIGNATE THE CHAIRPERSON OF THE TASK FORCE.

37 (E) MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION.

38 (F) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, IN
39 COOPERATION WITH OTHER APPROPRIATE STATE AND LOCAL UNITS, SHALL

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1 PROVIDE STAFF SUPPORT FOR THE TASK FORCE TO THE EXTENT POSSIBLE WITHIN
2 EXISTING BUDGETED RESOURCES.

3 (G) THE TASK FORCE SHALL ISSUE A FINAL REPORT OF ITS FINDINGS,
4 RECOMMENDATIONS, AND STRATEGY TO THE GOVERNOR AND, SUBJECT TO § 2-1312
5 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON OR BEFORE
6 MARCH 31, 1999, AND SHALL THEREAFTER TERMINATE ITS EXISTENCE.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 1997.