

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 462
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Gladden” and substitute “Senators Gladden, Garagiola, Green, Jacobs, Jimeno, and Frosh”.

AMENDMENT NO. 2

On page 1, in line 2, strike “Officers’ Bill of Rights” and substitute “Agencies”; strike beginning with “requiring” in line 4 down through “meet” in line 5 and substitute “establishing”; in line 5, after “for” insert “the agency or law enforcement officers of the agency for”; strike beginning with “authorizing” in line 6 down through “obligation;” in line 8 and substitute “prohibiting a law enforcement agency from 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; providing for an exception under certain circumstances;”; in line 13, strike “3-101(f)” and substitute “3-504”; and strike in their entirety lines 16 through 20, inclusive.

AMENDMENT NO. 3

On pages 1 through 3, strike in their entirety the lines beginning with line 24 on page 1 through line 5 on page 3, inclusive, and substitute:

“3-504.

(A) IN THIS SECTION, “QUOTA” MEANS THE MANDATING OF A FINITE NUMBER OF ARRESTS MADE OR CITATIONS ISSUED THAT A LAW ENFORCEMENT OFFICER MUST MEET IN A SPECIFIED TIME PERIOD.

(B) A LAW ENFORCEMENT AGENCY MAY NOT:

(1) ESTABLISH A FORMAL OR INFORMAL QUOTA FOR THE LAW

(Over)

ENFORCEMENT AGENCY OR LAW ENFORCEMENT OFFICERS OF THE AGENCY; OR

(2) USE 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.

(C) THIS SECTION DOES NOT PRECLUDE A LAW ENFORCEMENT AGENCY FROM:

(1) USING QUANTITATIVE DATA FOR ARRESTS, CITATIONS, AND OTHER LAW ENFORCEMENT ACTIVITIES 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 THE ARRESTS MADE AND CITATIONS ISSUED BY A LAW ENFORCEMENT OFFICER OR GROUP OF LAW ENFORCEMENT OFFICERS.”.