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By: **Delegates Carter, Gutierrez, and Oaks**  
Introduced and read first time: March 6, 2006  
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Crimes - Statewide Uniform Crime Reporting Program - Audit of Crime**  
3                                   **Information Submitted by Law Enforcement Agencies**

4 FOR the purpose of requiring the Governor's Office of Crime Control and Prevention  
5 to conduct a certain audit at a certain time of certain crime information  
6 submitted by law enforcement agencies to the Department of State Police under  
7 a certain statewide uniform crime reporting program; establishing that the  
8 purpose of the audit is to verify the accuracy of certain information submitted to  
9 the Department by law enforcement agencies; describing certain information  
10 that the audit shall examine; authorizing the Office to contract with a  
11 consultant to conduct the audit; requiring the Office to submit a report of the  
12 audit to certain people and certain agencies by a certain date; defining certain  
13 terms; requiring the Office to report to the Secretary and certain legislative  
14 officials by a certain date on the methodology that will be employed to conduct  
15 the audit; and generally relating to an audit of crime information submitted by  
16 law enforcement agencies for the statewide uniform crime reporting program.

17 BY repealing and reenacting, without amendments,  
18 Article - Public Safety  
19 Section 2-307(a)  
20 Annotated Code of Maryland  
21 (2003 Volume and 2005 Supplement)

22 BY adding to  
23 Article - Public Safety  
24 Section 2-307.1  
25 Annotated Code of Maryland  
26 (2003 Volume and 2005 Supplement)

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

1 **Article - Public Safety**

2 2-307.

3 (a) The Department shall collect, analyze, and disseminate information about  
4 the incidence of crime in the State.

5 2-307.1.

6 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
7 INDICATED.8 (2) "OFFICE" MEANS THE GOVERNOR'S OFFICE OF CRIME CONTROL AND  
9 PREVENTION.10 (3) "STATEWIDE UNIFORM CRIME REPORTING PROGRAM" MEANS THE  
11 UNIFORM CLASSIFICATION, REVIEW, COMPILATION, AND ANALYSIS OF CRIME  
12 STATISTICS THAT IS UNDERTAKEN BY THE DEPARTMENT IN ACCORDANCE WITH  
13 REGULATIONS PRESCRIBED BY FEDERAL LAW.14 (4) "UNIFORM CRIME REPORT" MEANS A REPORT PREPARED FOR THE  
15 FEDERAL BUREAU OF INVESTIGATION TO REPRESENT AN INDEX OF CRIME  
16 COMMITTED IN THE STATE THAT CATEGORIZES THE FOLLOWING CRIME INCIDENTS:

17 (I) CRIMINAL HOMICIDE;

18 (II) FORCIBLE RAPE;

19 (III) ROBBERY;

20 (IV) AGGRAVATED ASSAULT;

21 (V) BURGLARY - BREAKING OR ENTERING;

22 (VI) LARCENY - THEFT;

23 (VII) MOTOR VEHICLE THEFT; AND

24 (VIII) ARSON.

25 (B) AT LEAST ONCE EVERY 3 YEARS, THE OFFICE SHALL CONDUCT AN AUDIT  
26 OF THE INFORMATION SUBMITTED BY LAW ENFORCEMENT AGENCIES TO THE  
27 DEPARTMENT FOR THE STATEWIDE UNIFORM CRIME REPORTING PROGRAM.28 (C) (1) THE PURPOSE OF THE AUDIT IS TO VERIFY THE ACCURACY OF  
29 INFORMATION SUBMITTED BY LAW ENFORCEMENT AGENCIES.

30 (2) THE AUDIT SHALL EXAMINE WHETHER:

31 (I) PERMANENT DOCUMENTATION OF EACH CRIME IS MADE  
32 IMMEDIATELY ON RECEIPT OF A COMPLAINT OR CALL FOR SERVICE;

1 (II) ALL REPORTS OF THEFTS AND ATTEMPTED THEFTS ARE  
2 INCLUDED, REGARDLESS OF THE VALUE OF PROPERTY INVOLVED;

3 (III) THE CHIEF ADMINISTRATOR OF THE LAW ENFORCEMENT  
4 AGENCY HAS CONTROL OVER THE RECEIPT OF EACH COMPLAINT OR CALL FOR  
5 SERVICE TO ENSURE THAT EACH IS PROMPTLY RECORDED AND ACCURATELY  
6 TABULATED;

7 (IV) FOR EACH CASE, DOCUMENTATION SHOWS:

8 1. THE FULL DETAILS OF THE OFFENSE:

9 A. AS ALLEGED BY THE COMPLAINANT; AND

10 B. AS DISCLOSED BY THE INVESTIGATION; AND

11 2. THAT THE REPORT IS PROMPTLY SUBMITTED;

12 (V) THE CRIME CLASSIFICATION USED BY THE LAW  
13 ENFORCEMENT AGENCY CONFORMS TO THE UNIFORM CLASSIFICATION OF  
14 OFFENSES ESTABLISHED BY FEDERAL REGULATIONS;

15 (VI) OFFENSE REPORTS ARE NOTED AS CLEARED ON CRIMES  
16 CLEARED BY ARREST OR OTHER EXCEPTIONAL REASONS AS ESTABLISHED IN  
17 FEDERAL REGULATIONS ON UNIFORM CRIME REPORTS;

18 (VII) ARREST RECORDS ARE COMPLETE AND THE FINAL  
19 DISPOSITION OF THE CHARGE IS SHOWN IN THE RECORD;

20 (VIII) RECORDS ARE CENTRALIZED AND RECORDS AND STATISTICAL  
21 REPORTS ARE CLOSELY SUPERVISED BY THE CHIEF ADMINISTRATOR OF THE LAW  
22 ENFORCEMENT AGENCY; AND

23 (IX) STATISTICAL REPORTS CONFORM IN ALL RESPECTS TO  
24 FEDERAL REGULATIONS.

25 (D) THE OFFICE MAY CONTRACT WITH AN INDEPENDENT PRIVATE  
26 CONSULTANT TO CONDUCT THE AUDIT.

27 (E) ON COMPLETION OF THE AUDIT, THE OFFICE SHALL SUBMIT A FULL AND  
28 DETAILED REPORT TO THE GOVERNOR, THE SECRETARY, AND, IN ACCORDANCE WITH  
29 § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON OR  
30 BEFORE DECEMBER 1, 2009, AND AT LEAST EVERY 3 YEARS THEREAFTER.

31 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December  
32 31, 2006, the Office of Crime Control and Prevention shall report to the Governor,  
33 Secretary, the President of the Senate, and the Speaker of the House on the  
34 methodology it will employ to conduct the audit required by this Act.

35 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 June 1, 2006.

