
By: **Senator Gladden**

Introduced and read first time: February 2, 2006

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement Officers' Bill of Rights - Prohibition Against Arrest and**
3 **Citation Quotas**

4 FOR the purpose of prohibiting a law enforcement agency from requiring that a law
5 enforcement officer meet a quota for making arrests or issuing citations;
6 authorizing a law enforcement agency to collect, analyze, and apply certain
7 information to ensure that a particular law enforcement officer or group of law
8 enforcement officers does not violate an applicable legal obligation; defining a
9 certain term; and generally relating to law enforcement agencies and quotas for
10 making arrests or issuing citations.

11 BY adding to

12 Article - Public Safety

13 Section 3-101(f)

14 Annotated Code of Maryland

15 (2003 Volume and 2005 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article - Public Safety

18 Section 3-103

19 Annotated Code of Maryland

20 (2003 Volume and 2005 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Public Safety**

24 3-101.

25 (F) "QUOTA" MEANS ANY REQUIREMENT, IN WRITING OR OTHERWISE,
26 REGARDING:

27 (1) THE NUMBER OF ARRESTS MADE OR THE NUMBER OF CITATIONS
28 ISSUED WITHIN A DEFINED PERIOD OF TIME BY A LAW ENFORCEMENT OFFICER; OR

1 (2) THE PROPORTION OF THE ARRESTS MADE AND CITATIONS ISSUED
2 BY A LAW ENFORCEMENT OFFICER RELATIVE TO THE ARRESTS MADE AND
3 CITATIONS ISSUED BY ANOTHER LAW ENFORCEMENT OFFICER OR GROUP OF LAW
4 ENFORCEMENT OFFICERS.

5 3-103.

6 (a) (1) Subject to paragraph (2) of this subsection, a law enforcement officer
7 has the same rights to engage in political activity as a State employee.

8 (2) This right to engage in political activity does not apply when the law
9 enforcement officer is on duty or acting in an official capacity.

10 (b) A law enforcement agency:

11 (1) may not prohibit secondary employment by law enforcement officers;
12 but

13 (2) may adopt reasonable regulations that relate to secondary
14 employment by law enforcement officers.

15 (c) A law enforcement officer may not be required or requested to disclose an
16 item of the law enforcement officer's property, income, assets, source of income, debts,
17 or personal or domestic expenditures, including those of a member of the law
18 enforcement officer's family or household, unless:

19 (1) the information is necessary to investigate a possible conflict of
20 interest with respect to the performance of the law enforcement officer's official
21 duties; or

22 (2) the disclosure is required by federal or State law.

23 (D) (1) A LAW ENFORCEMENT AGENCY MAY NOT REQUIRE A LAW
24 ENFORCEMENT OFFICER TO MEET A QUOTA FOR MAKING ARRESTS OR ISSUING
25 CITATIONS.

26 (2) A LAW ENFORCEMENT AGENCY MAY COLLECT, ANALYZE, AND APPLY
27 INFORMATION CONCERNING THE NUMBER OF ARRESTS AND CITATIONS IN ORDER
28 TO ENSURE THAT A PARTICULAR LAW ENFORCEMENT OFFICER OR GROUP OF LAW
29 ENFORCEMENT OFFICERS DOES NOT VIOLATE AN APPLICABLE LEGAL OBLIGATION.

30 [(d)] (E) A law enforcement officer may not be discharged, disciplined,
31 demoted, or denied promotion, transfer, or reassignment, or otherwise discriminated
32 against in regard to the law enforcement officer's employment or be threatened with
33 that treatment because the law enforcement officer:

34 (1) has exercised or demanded the rights granted by this subtitle; or

35 (2) has lawfully exercised constitutional rights.

1 [(e)] (F) A statute may not abridge and a law enforcement agency may not
2 adopt a regulation that prohibits the right of a law enforcement officer to bring suit
3 that arises out of the law enforcement officer's duties as a law enforcement officer.

4 [(f)] (G) A law enforcement officer may waive in writing any or all rights
5 granted by this subtitle.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2006.