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By: **Senators Garagiola and Jacobs**

Introduced and read first time: February 3, 2006

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement Agencies - Prohibition Against Arrest and Citation Quotas**

3 FOR the purpose of prohibiting a law enforcement agency from establishing a quota  
4 for the agency or law enforcement officers of the agency for making arrests or  
5 issuing citations; prohibiting a law enforcement agency from using the number  
6 of arrests made or citations issued by a law enforcement officer as the sole or  
7 primary criterion for promotion, demotion, dismissal, or transfer of the officer;  
8 providing for an exception under certain circumstances; defining a certain term;  
9 and generally relating to law enforcement agencies and quotas for making  
10 arrests or issuing citations.

11 BY adding to

12 Article - Public Safety

13 Section 3-504

14 Annotated Code of Maryland

15 (2003 Volume and 2005 Supplement)

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

18 **Article - Public Safety**

19 3-504.

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

23 (B) A LAW ENFORCEMENT AGENCY MAY NOT:

24 (1) ESTABLISH A FORMAL OR INFORMAL QUOTA FOR THE LAW  
25 ENFORCEMENT AGENCY OR LAW ENFORCEMENT OFFICERS OF THE AGENCY; OR

26 (2) USE THE NUMBER OF ARRESTS MADE OR CITATIONS ISSUED BY A  
27 LAW ENFORCEMENT OFFICER AS THE SOLE OR PRIMARY CRITERION FOR  
28 PROMOTION, DEMOTION, DISMISSAL, OR TRANSFER OF THE OFFICER.

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

3 (1) USING QUANTITATIVE DATA FOR ARRESTS, CITATIONS, AND OTHER  
4 LAW ENFORCEMENT ACTIVITIES AS MANAGEMENT TOOLS OR IN EVALUATING  
5 PERFORMANCE;

6 (2) COLLECTING, ANALYZING, AND APPLYING INFORMATION  
7 CONCERNING THE NUMBER OF ARRESTS AND CITATIONS IN ORDER TO ENSURE THAT  
8 A PARTICULAR LAW ENFORCEMENT OFFICER OR GROUP OF LAW ENFORCEMENT  
9 OFFICERS DOES NOT VIOLATE AN APPLICABLE LEGAL OBLIGATION; OR

10 (3) ASSESSING THE PROPORTION OF THE ARRESTS MADE AND  
11 CITATIONS ISSUED BY A LAW ENFORCEMENT OFFICER OR GROUP OF LAW  
12 ENFORCEMENT OFFICERS.

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