

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE
Revised

House Bill 13

(Delegate Smigiel)

Judiciary

Judicial Proceedings

Law Enforcement Agencies - Prohibition Against Arrest and Citation Quotas

This bill prohibits a law enforcement agency from establishing a formal or informal quota for the law enforcement agency or its law enforcement officers, or 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. The bill does not preclude a law enforcement agency from using arrest or citation data as management tools or in evaluating performance, or for other technical purposes.

Fiscal Summary

State Effect: None. The bill would not directly affect governmental finances.

Local Effect: None – see above.

Small Business Effect: None.

Analysis

Current Law: There is no prohibition on establishing quotas for arrests or citations. Additionally, statute does not specifically authorize the collection of arrest and citation information.

Background: The Law Enforcement Officers' Bill of Rights was enacted in 1974 to guarantee police officers specified procedural safeguards in any investigation that could lead to disciplinary action.

It extends to officers of the following State and local agencies:

- the Department of State Police;
- the Baltimore City Police Department;
- the Baltimore City School Police Force;
- the Baltimore City Watershed Police Force;
- the police department, bureau, or force of any county;
- the police department, bureau, or force of any incorporated city or town;
- the office of the sheriff of any county;
- the police department, bureau, or force of any bi-county agency;
- the Maryland Transportation Authority Police and the police forces of the Maryland Department of Transportation;
- the police force of the Department of Natural Resources;
- the Field Enforcement Division of the Comptroller's Office;
- the Housing Authority of Baltimore City Police Force;
- the Crofton Police Department;
- the police force of the Department of Health and Mental Hygiene;
- the police force of the Department of General Services;
- the police force of the Department of Labor, Licensing, and Regulation;
- the Ocean Pines Police Department;
- the office of the State Fire Marshal;
- the police forces of the University System of Maryland; and
- the police force of Morgan State University.

Additional Information

Prior Introductions: HB 300 of 2005 passed the House and passed second reader in the Senate with amendments.

Cross File: None.

Information Source(s):Montgomery County, Prince George's County, Garrett County, Department of State Police, Baltimore County, Anne Arundel County, Department of Legislative Services

Fiscal Note History: First Reader - February 6, 2006
nas/jr Revised - House Third Reader - March 23, 2006

Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510