

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**

Senate Bill 667 (Senators Garagiola and Jacobs)  
Judicial Proceedings

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

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This bill prohibits a law enforcement agency from establishing a “quota” for the agency or law enforcement officers of the agency for making arrests or issuing citations. A law enforcement agency is also prohibited 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.

The bill provides the circumstances under which a law enforcement agency may collect, use, and assess quantitative arrest and citation data.

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**Fiscal Summary**

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

**Local Effect:** None – see above.

**Small Business Effect:** None.

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**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 number of jurisdictions that may currently use arrest or citation quotas is unknown. 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 office of the State Fire Marshal;
- the police forces of the University System of Maryland;
- the police force of Morgan State University; and
- the Ocean Pines Police Department.

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### **Additional Information**

**Prior Introductions:** HB 300 of 2005, a similar bill, passed the House with amendments and passed second reader in the Senate with amendments. This bill is identical to the version that passed second reader in the Senate.

**Cross File:** None.

**Information Source(s):** Somerset County, Montgomery County, Department of State Police, Baltimore County, Maryland Department of Transportation, Frederick County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 19, 2006  
mll/jr

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