

HOUSE BILL 103

E4
SB 863/06 – JPR

71r0449
CF 71r0448

By: **Delegates Rosenberg, Anderson, Bromwell, Cane, Cardin, Carter, Conaway, Dumais, Gutierrez, Howard, Hubbard, Jones, Morhaim, Ramirez, Shank, Smigiel, Waldstreicher, and Wood**

Introduced and read first time: January 24, 2007

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Eyewitness Identification – Written Policies**

3 FOR the purpose of requiring each law enforcement agency in the State to adopt
4 written policies relating to eyewitness identification that comply with certain
5 standards by a certain date; requiring each law enforcement agency to file a
6 copy of a certain policy with the Department of State Police by a certain date;
7 requiring the Department to compile certain policies and allow public inspection
8 of certain policies by a certain date; and generally relating to eyewitness
9 identification in a criminal proceeding.

10 BY adding to
11 Article – Public Safety
12 Section 3–505
13 Annotated Code of Maryland
14 (2003 Volume and 2006 Supplement)

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

17 **Article – Public Safety**

18 **3–505.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) ON OR BEFORE DECEMBER 1, 2007, EACH LAW ENFORCEMENT**
2 **AGENCY IN THE STATE SHALL ADOPT WRITTEN POLICIES RELATING TO**
3 **EYEWITNESS IDENTIFICATION THAT COMPLY WITH THE UNITED STATES**
4 **DEPARTMENT OF JUSTICE STANDARDS ON OBTAINING ACCURATE EYEWITNESS**
5 **IDENTIFICATION.**

6 **(B) ON OR BEFORE JANUARY 1, 2008, EACH LAW ENFORCEMENT**
7 **AGENCY IN THE STATE SHALL FILE A COPY OF THE WRITTEN POLICY RELATING**
8 **TO EYEWITNESS IDENTIFICATION WITH THE DEPARTMENT OF STATE POLICE.**

9 **(C) (1) ON OR BEFORE FEBRUARY 1, 2008, THE DEPARTMENT OF**
10 **STATE POLICE SHALL COMPILE THE WRITTEN POLICY RELATING TO**
11 **EYEWITNESS IDENTIFICATION OF EACH LAW ENFORCEMENT AGENCY IN THE**
12 **STATE.**

13 **(2) THE DEPARTMENT OF STATE POLICE SHALL ALLOW PUBLIC**
14 **INSPECTION OF EACH POLICY COMPILED.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2007.