

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 108

(Delegate Branch, *et al.*)

Judiciary

Judicial Proceedings

Public Safety - Electronic Weapons - Procedures and Reports

This bill requires that whenever an electronic weapon is fired, whether by a law enforcement officer or an individual, a report must be filed with the Governor's Office of Crime Control and Prevention. GOCCP must compile and allow public inspection of the reports. In addition, when a law enforcement officer discharges an electronic weapon, the law enforcement agency that employs the officer must follow the same procedures that it follows when a law enforcement officer discharges a firearm.

Fiscal Summary

State Effect: The bill's requirements could be handled with the existing budgeted resources of GOCCP and any State law enforcement agency.

Local Effect: The bill's requirements could be handled with the existing budgeted resources of any local law enforcement agency.

Small Business Effect: None.

Analysis

Current Law/Background: Police entrance-level training and annual in-service training are conducted by the Police Training Commission at the Public Safety Education and Training Center in Sykesville, with entrance-level activities conducted mainly at the Firearms Training Facility. The commission must renew the certification of police officers in Maryland every three years after the date of the previous certification. Training may be conducted at the commission's facilities or at one of 20 police training

academies in the State certified by the commission Firearms training, as well as some electronic weapons training, are a part of entrance-level and annual in-service training curricula.

Stun guns and other electronic weapons, such as those made by TASER International, Inc., are employed to disrupt the body's electrical system, and to temporarily incapacitate the person. Various news accounts of deaths occurring after a police or correctional officer's use of such a weapon, in the U.S. and abroad, have questioned the relative safety of any electronic weapon. In November 2007, a 20-year-old Frederick, Maryland man died after police used a TASER on him.

TASER International, Inc. offers certification and training for law enforcement personnel. According to the company, it "offers a variety of courses for instructors, armorers, investigators, law enforcement executives, risk managers, and legal counsels." Instructor re-certification courses from TASER International are necessary every two years, and user re-certifications are required annually. In addition to ongoing marketing and sales to law enforcement agencies, TASERs are currently being marketed to individuals not involved in law enforcement as self-defense mechanisms.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): City of Havre de Grace; Somerset County; Montgomery County; Judiciary (Maryland District Court); Department of Natural Resources; Morgan State University; Department of State Police; City of Frederick; Maryland Department of Transportation; Department of Labor, Licensing, and Regulation; Frederick County; Baltimore City; Department of Public Safety and Correctional Services (Police Training Commission); Department of Legislative Services

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