

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 829
Judiciary

(Montgomery County Delegation)

Montgomery County - Law Enforcement Officer Issued Electronic Weapon -
Provision of Automated External Defibrillator
MC 909-09

This bill requires that, in Montgomery County, a law enforcement officer who has been issued an “electronic weapon” must also be provided an “automated external defibrillator” (AED) and training in the operation and use of the defibrillator.

Fiscal Summary

State Effect: None.

Local Effect: Montgomery County expenditures increase by about \$1.6 million in FY 2010. Future year costs arising from maintenance and replacement of AED units cannot be reliably estimated. County revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law/Background: Police entrance-level training and annual in-service training are conducted by the Police Training Commission. 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 1 of 20 police training academies in the State certified by the commission. Firearms training, as well as some electronic control device training, are a part of entrance-level and annual in-service training curricula.

Stun guns and other electronic control devices, 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 United States 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.

Under the cited provisions of the Education Article, an AED is a medical heart monitor and defibrillator device that:

- is cleared for market by the federal Food and Drug Administration;
- recognizes the presence or absence of ventricular fibrillation or rapid ventricular tachycardia;
- determines, without intervention by an operator, whether defibrillation should be performed;
- on determining that defibrillation should be performed, automatically charges; and
- requires operator intervention to deliver the electrical impulse or automatically continues with delivery of electrical impulse.

AEDs are simple-to-use, life-saving devices that are effective in dramatically improving the likelihood of survival for a victim of sudden cardiac arrest. Most AEDs are about the size of a laptop computer. They analyze a victim's cardiac rhythm, charge to an appropriate energy level, and deliver a defibrillation charge, if directed to by the operator. This electrical charge is delivered through adhesive pads placed on the victim's chest. AEDs can range in price from \$800 for a refurbished unit to more than \$4,000.

Facilities wishing to provide automated external defibrillation or training must become registered facilities with the State Emergency Medical Services Board. Registered facilities are organizations, business associations, agencies, or other entities that meet board registration requirements.

According to the 2007 Uniform Crime Report, there are 1,571 sworn law enforcement officers in Montgomery County.

Local Expenditures: Montgomery County advises that 600 law enforcement officers in the county have been issued TASER units and therefore will need to be issued an AED. In addition, another 30 AED units will need to be purchased as spare units. The procurement of AED units will be handled under an existing county contract at a cost of \$2,500 for each unit. Accordingly, assuming about \$5,000 in costs for supplies, Montgomery County expenditures will increase by \$1,580,000 in fiscal 2010 ($\$2,500 \times 630 + \$5,000$). Training in the use of the units will be handled via the

bi-annual, in-service CPR re-certification for officers. The county was unable to quantify recurring costs that may occur after the warranty period on the AEDs, though replacement batteries for the units cost about \$300 each.

It should be noted that Montgomery County also reports a need to hire a “program coordinator” to manage and coordinate the distribution, management, and maintenance of the AED equipment. However, Legislative Services believes that such functions can be handled by existing procurement, distribution, and maintenance systems for police equipment.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Department of Legislative Services

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mlm/hlb

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