

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 5

(Senator Muse)

Judicial Proceedings

Judiciary

Public Safety - Task Force on SWAT Team Activation and Deployment

This bill establishes a Task Force on SWAT Team Activation and Deployment. The bill specifies the membership of the task force and requires the Department of Public Safety and Correctional Services (DPSCS) to provide staff support for the task force. The bill also requires the task force to be among the recipients of a certain annual SWAT team report submitted by the Governor's Office of Crime Control and Prevention (GOCCP).

The bill takes effect July 1, 2010, and terminates June 30, 2014.

Fiscal Summary

State Effect: Any expense reimbursements for task force members and staffing costs for DPSCS are assumed to be minimal and absorbable within existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The task force is charged with annually reviewing the report on SWAT team activation and deployments required under Chapters 542 and 543 of 2009 and making recommendations for regulations establishing (1) qualifications for a law enforcement officer assigned to a SWAT team by a law enforcement agency; (2) standards for the performance of the duties of a law enforcement officer assigned to a SWAT team; and (3) prerequisites of character, training, and experience for a law enforcement officer assigned to a SWAT team. Members of the task force may not

receive compensation but are entitled to reimbursement for expenses under the standard State travel regulations.

Current Law: Chapters 542 and 543 of 2009 require that, beginning January 1, 2010, a “law enforcement agency” that maintains a SWAT team report the following information to GOCCP and the appropriate county or municipal governing body, on a biannual basis:

- the number of times the team was activated and deployed by the law enforcement agency in the previous six months;
- the name of the county and/or municipality and zip code of the location where the team was deployed for each activation;
- the reason for each activation and deployment;
- the legal authority, including type of warrant, if any, for each activation and deployment; and
- the result of each activation and deployment, including: (1) the number of arrests made, if any; (2) whether property was seized; (3) whether a forcible entry was made; (4) whether a weapon was discharged by a SWAT team member; and (5) whether a person or domestic animal was injured or killed by a team member.

PTC, in consultation with GOCCP, is required to develop a standardized format for the reports. GOCCP is required to analyze and summarize the biannual reports and submit a report of the analyses and summaries to the Governor, the General Assembly, and each law enforcement agency before September 1 of each year.

If a law enforcement agency fails to comply with the reporting provisions, GOCCP must report the noncompliance to PTC. Upon receipt of a noncompliance report, PTC must contact the law enforcement agency and request that the agency comply with the required reporting provisions. If the agency fails to comply within 30 days after such a request, GOCCP and PTC must jointly report the noncompliance to the Governor and the Legislative Policy Committee.

The provisions of Chapters 542 and 543 terminate June 30, 2014.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Governor's Office of Crime Control and Prevention,
Department of Public Safety and Correctional Services (Police Training Commission),
Department of Legislative Services

Fiscal Note History: First Reader - January 20, 2010
ncs/hlb Revised - Senate Third Reader - April 1, 2010

Analysis by: Guy G. Cherry

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