## **HOUSE BILL 731**

E4 5lr1477

HB 1095/13 - JUD

By: Delegates Carter, Glenn, Oaks, and B. Robinson

Introduced and read first time: February 13, 2015

Assigned to: Judiciary

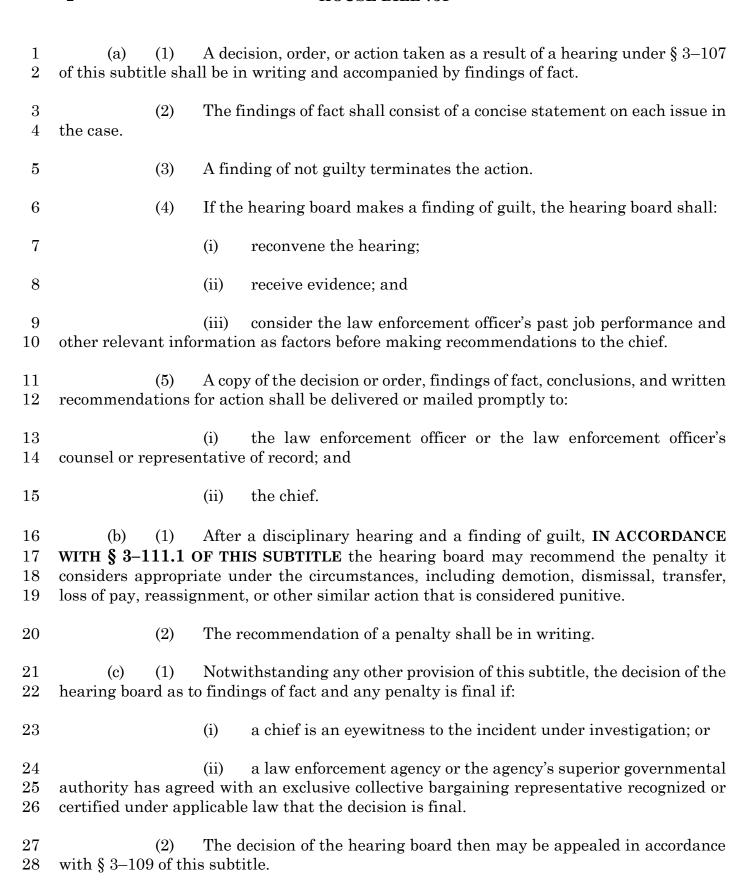
## A BILL ENTITLED

1 AN ACT concerning

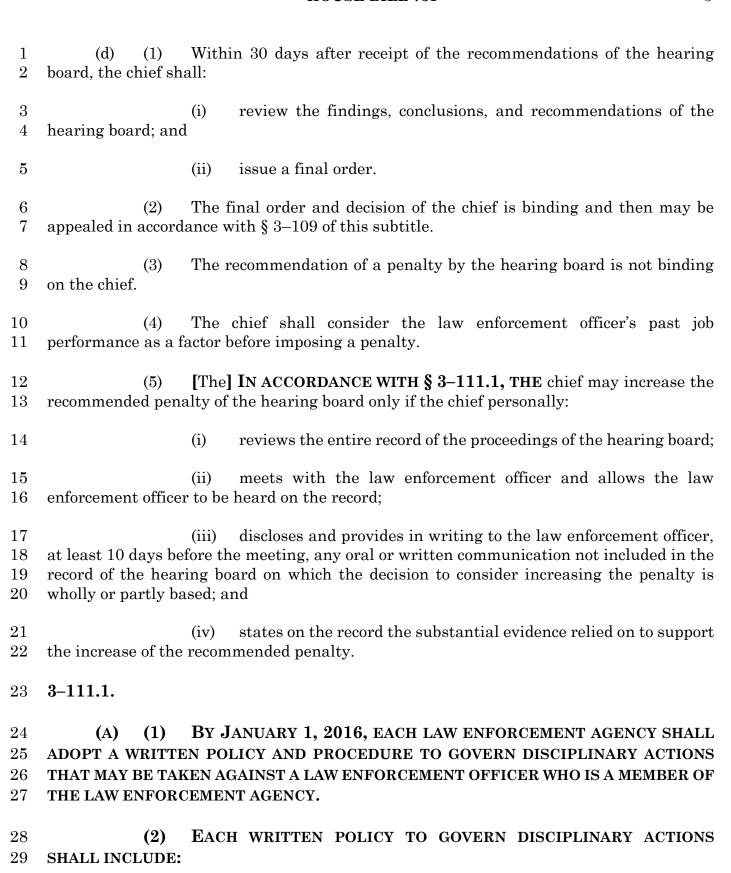
2

## Law Enforcement Officers - Disciplinary Actions - Written Policy

- 3 FOR the purpose of requiring a law enforcement agency to adopt a written policy and 4 procedure to govern certain disciplinary actions that may be taken against a certain 5 law enforcement officer by a certain date; requiring each written policy to include 6 certain information; requiring, under certain circumstances, a law enforcement 7 officer to be disciplined in accordance with a certain policy and procedure; requiring 8 a law enforcement agency to state certain reasons for a departure from a certain 9 policy in detail under certain circumstances; requiring a law enforcement agency that takes certain disciplinary action to post to the Internet monthly a certain 10 11 summary; and generally relating to disciplinary actions against law enforcement 12 officers.
- 13 BY repealing and reenacting, with amendments,
- 14 Article Public Safety
- 15 Section 3–108
- 16 Annotated Code of Maryland
- 17 (2011 Replacement Volume and 2014 Supplement)
- 18 BY adding to
- 19 Article Public Safety
- 20 Section 3–111.1
- 21 Annotated Code of Maryland
- 22 (2011 Replacement Volume and 2014 Supplement)
- 23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.
- 24 That the Laws of Maryland read as follows:
- 25 Article Public Safety
- 26 3–108.



29 (3) If authorized by local law, paragraph (1)(ii) of this subsection is subject 30 to binding arbitration.



30 (I) A LISTING AND DESCRIPTION OF POTENTIAL VIOLATIONS; 31 AND

- 1 (II) THE MANDATORY AND DISCRETIONARY DISCIPLINARY 2 ACTION OPTIONS FOR EACH POTENTIAL VIOLATION.
- 3 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF
  4 A HEARING BOARD OR A COURT MAKES A FINDING OF GUILT AGAINST A LAW
  5 ENFORCEMENT OFFICER, THE LAW ENFORCEMENT OFFICER SHALL BE DISCIPLINED
  6 IN ACCORDANCE WITH THE WRITTEN POLICY AND PROCEDURE OF THE LAW
  7 ENFORCEMENT AGENCY.
- 8 (2) If A HEARING BOARD OR LAW ENFORCEMENT AGENCY DEPARTS
  9 FROM THE WRITTEN POLICY AND PROCEDURE ADOPTED IN ACCORDANCE WITH THIS
  10 SECTION, THE HEARING BOARD OR LAW ENFORCEMENT AGENCY SHALL STATE THE
  11 REASONS FOR THE DEPARTURE IN DETAIL.
- 12 (C) A LAW ENFORCEMENT AGENCY THAT TAKES DISCIPLINARY ACTION
  13 AGAINST A LAW ENFORCEMENT OFFICER IN ACCORDANCE WITH THIS SECTION
  14 SHALL POST TO THE INTERNET MONTHLY A SUMMARY OF THE DISCIPLINARY
  15 ACTIONS TAKEN EACH MONTH.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.