

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1371
Judiciary

(Delegate Folden)

Judicial Proceedings

Criminal Law - Strangulation - Lethality Screening Protocol and Training

This bill requires the Maryland Police Training Commission (PTC), by January 1, 2017, to (1) develop a lethality screening protocol and training for law enforcement officers to employ when investigating complaints of domestic violence and assault by strangulation, after conducting a review of the experience and best practices of other states and (2) report the result of the review and the protocol and training developed in accordance with the bill to the General Assembly.

Fiscal Summary

State Effect: PTC can implement the bill with existing budgeted resources. PTC advises that it only needs to update its existing lethality assessment to accommodate the bill's provisions. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: PTC within the Department of Public Safety and Correctional Services certifies persons as police officers who have met commission standards. Persons not satisfactorily trained in the 12-month probationary period may not be employed as police officers, nor may a police officer serve after certification has been revoked, suspended, or allowed to lapse. Training for the certification of law enforcement officers in the State may be conducted at the commission's facilities or at any of 20 police training academies in the State certified by the commission. In-service training to retain certification is required, as specified in statute, at different intervals of time.

Background: According to various studies, 23% to 68% of female victims of domestic violence have experienced at least one strangulation assault by a male partner during their lifetimes. Domestic violence experts note that strangulation assaults pose a challenge to law enforcement and prosecutors, since they often leave no marks or external evidence on the skin.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore, Carroll, Harford, Montgomery, Queen Anne's, and St. Mary's counties; cities of Bowie and Takoma Park; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; State's Attorneys' Association; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - March 9, 2016
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