

SENATE BILL 24

E4

7lr0036

(PRE-FILED)

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – State Police)**

Requested: October 5, 2016

Introduced and read first time: January 11, 2017

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: January 31, 2017

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Eyewitness Identification Policies – Repeal of Submission**
3 **Requirement**

4 FOR the purpose of repealing a requirement that certain law enforcement agencies submit
5 certain policies relating to certain identification procedures to the Department of
6 State Police; repealing a requirement that the Department compile certain policies;
7 repealing a requirement to allow public inspection of certain policies; and generally
8 relating to eyewitness identification policies.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 3–506
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2016 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Public Safety
16 Section 3–515(a)
17 Annotated Code of Maryland
18 (2011 Replacement Volume and 2016 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Public Safety**

2 3–506.

3 (a) On or before December 1, 2007, each law enforcement agency in the State shall
4 adopt written policies relating to eyewitness identification that comply with the United
5 States Department of Justice standards on obtaining accurate eyewitness identification.

6 (b) [On or before January 1, 2008, each law enforcement agency in the State shall
7 file a copy of the written policy relating to eyewitness identification with the Department
8 of State Police.

9 (c) (1) On or before February 1, 2008, the Department of State Police shall
10 compile the written policy relating to eyewitness identification of each law enforcement
11 agency in the State.

12 (2) The Department of State Police shall allow public inspection of each
13 policy compiled.

14 (d) (1)] On or before January 1, 2016, each law enforcement agency in the State
15 shall:

16 [(i) 1.] (1) adopt the Police Training Commission’s Eyewitness
17 Identification Model Policy; or

18 [2.] (2) adopt and implement a written policy relating to
19 identification procedures that complies with § 3–506.1 of this subtitle]; and

20 (ii) file a copy of the written policy with the Department of State
21 Police.

22 (2) On or before February 1, 2016, the Department of State Police shall
23 compile the written policies relating to identification procedures of each law enforcement
24 agency in the State.

25 (3) The Department of State Police shall allow public inspection of each
26 policy compiled under this subsection].

27 3–515.

28 (a) Except as provided in subsection (b) of this section, each law enforcement
29 agency shall post all of the official policies of the law enforcement agency, including public
30 complaint procedures and collective bargaining agreements:

1 (1) on the Web site of the Maryland Police Training and Standards
2 Commission; and

3 (2) on the agency's own Web site, if the agency maintains a Web site.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.