

HB1382/312410/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1382

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Officers’ Bill of Rights – Hearing by Hearing Board” and substitute “Officers”; strike beginning with “advance” in line 5 down through “request” in line 7 and substitute “notice, information, and items shall be provided to the public under certain circumstances; requiring that a certain complainant be provided with certain information at a certain time if a complaint is filed against a law enforcement officer involved in a death”; strike beginning with “hearing” in line 7 down through “Rights” in line 8 and substitute “public information regarding law enforcement officers”; in line 11, after “(j)” insert “and 3–202”; and after line 18, insert:

“BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–207(f)

Annotated Code of Maryland

(2018 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, in line 23, strike “AND”; strike beginning with the first “THE” in line 24 down through “BOARD,” in line 25 and substitute “IF REQUESTED WITHIN 10 DAYS AFTER THE HEARING, AN AUDIO RECORDING OF THE HEARING”; in line 25, after “PROVIDED” insert “FREE OF CHARGE”; and strike beginning with “ON” in line 26 down through “ARTICLE.” in line 27 and substitute “; AND”

(4) AFTER FINAL ACTION IS TAKEN BY THE HEAD OF THE LAW ENFORCEMENT AGENCY, THE FINDINGS OF FACT SHALL BE PROVIDED TO A MEMBER OF THE PUBLIC ON REQUEST.

(Over)

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3-202.

There is a Maryland Police Training and Standards Commission, which is an independent commission that functions in the Department.

3-207.

(f) (1) The Commission shall develop a uniform citizen complaint process to be followed by each law enforcement agency.

(2) The uniform complaint process shall:

(i) be simple;

(ii) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, require that a complainant be informed of the final disposition of the complainant's complaint and any discipline imposed as a result; and

(iii) be posted on the websites of the Commission and each law enforcement agency.

(3) IF A COMPLAINT IS FILED AGAINST A LAW ENFORCEMENT OFFICER INVOLVED IN A DEATH, AFTER FINAL ACTION IS TAKEN BY THE HEAD OF THE LAW ENFORCEMENT AGENCY, THE COMPLAINANT, ON WRITTEN REQUEST, SHALL BE PROVIDED WITH, IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN TITLE 4, SUBTITLE 2 OF THE GENERAL PROVISIONS ARTICLE:

(I) THE FINDINGS OF FACT OF ANY HEARING BOARD THAT WAS HELD; AND

(II) A LIST OF SUSTAINED CHARGES FILED BY THE LAW ENFORCEMENT AGENCY AGAINST THE LAW ENFORCEMENT OFFICER INVOLVING USE OF EXCESSIVE FORCE OR VIOLATION OF CONSTITUTIONAL RIGHTS, BY DATE, CHARGE, FINDING, AND DISCIPLINARY ACTION TAKEN.”.