

SENATE BILL 600

E2

1lr1691

By: **Senator Smith**

Introduced and read first time: January 29, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Office of the Attorney General – Investigation and Prosecution of Deaths**
3 **Caused by Police Officers**

4 FOR the purpose of requiring a certain law enforcement agency to notify the Office of the
5 Attorney General of a certain incident involving the death of a person caused by a
6 police officer at a certain time; requiring the Attorney General to investigate certain
7 incidents involving the death of a person caused by a police officer; requiring the
8 Attorney General to transmit a certain report to a certain State’s Attorney at a
9 certain time; requiring a certain State’s Attorney to notify the Attorney General
10 whether the State’s Attorney intends to prosecute a certain case at a certain time
11 under certain circumstances; requiring the Attorney General to prosecute a certain
12 police officer under certain circumstances; authorizing a certain prosecution to
13 include certain crimes under certain circumstances; defining certain terms; and
14 generally relating to the Office of the Attorney General.

15 BY adding to
16 Article – Public Safety
17 Section 3–523
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2020 Supplement)

20 BY adding to
21 Article – State Government
22 Section 6–106.2
23 Annotated Code of Maryland
24 (2014 Replacement Volume and 2020 Supplement)

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

27 **Article – Public Safety**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **3-523.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN §
5 3-201 OF THIS TITLE.

6 (3) "POLICE OFFICER" HAS THE MEANING STATED IN § 3-201 OF THIS
7 TITLE.

8 (B) A LAW ENFORCEMENT AGENCY SHALL NOTIFY THE OFFICE OF THE
9 ATTORNEY GENERAL OF ANY ALLEGED OR POTENTIAL INCIDENT INVOLVING THE
10 DEATH OF A PERSON CAUSED BY A POLICE OFFICER AS SOON AS THE LAW
11 ENFORCEMENT AGENCY BECOMES AWARE OF THE INCIDENT.

12 **Article – State Government**

13 **6-106.2.**

14 (A) IN THIS SECTION, "POLICE OFFICER" HAS THE MEANING STATED IN §
15 3-201 OF THE PUBLIC SAFETY ARTICLE.

16 (B) THE ATTORNEY GENERAL SHALL INVESTIGATE ALL ALLEGED OR
17 POTENTIAL INCIDENTS INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE
18 OFFICER.

19 (C) (1) WITHIN 15 DAYS AFTER COMPLETING AN INVESTIGATION
20 REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE ATTORNEY GENERAL
21 SHALL TRANSMIT A CONFIDENTIAL REPORT TO THE STATE'S ATTORNEY OF THE
22 COUNTY THAT HAS JURISDICTION TO PROSECUTE THE MATTER THAT:

23 (I) CONTAINS DETAILED INVESTIGATIVE FINDINGS; AND

24 (II) INDICATES THAT:

25 1. THE ATTORNEY GENERAL FINDS THAT A CRIME HAS
26 OCCURRED AND THAT PROSECUTION OF THE MATTER IS RECOMMENDED;

27 2. THE ATTORNEY GENERAL FINDS THAT A CRIME HAS
28 NOT OCCURRED; OR

