

Department of Legislative Services
 Maryland General Assembly
 2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1359 (Delegates Ruth and Phillips)
 Judiciary

Police Pursuits of Fleeing Suspects - Standards (Dimeka Thornton Act)

This bill requires, by January 1, 2027, and each January 1 thereafter, each law enforcement agency in the State to submit the agency’s policy regarding the pursuit of fleeing suspects to the Maryland Police Training and Standards Commission (MPTSC). By June 1, 2027, and each June 1 thereafter, MPTSC, in consultation with the Attorney General and local law enforcement agencies, must report specified information relating to police pursuits to the Governor and the General Assembly. By January 1, 2028, MPTSC must develop a model policy for police pursuits of fleeing suspects that prioritizes protecting the lives and safety of law enforcement officers and bystanders; MPTSC must submit the model policy to each law enforcement agency in the State and the General Assembly. By July 1, 2028, each law enforcement agency in the State must adopt a policy for police pursuits of fleeing suspects that meets or exceeds the standards set forth in the model policy developed by MPTSC pursuant to the bill.

Fiscal Summary

State Effect: General fund expenditures increase by \$74,100 in FY 2027; future years reflect annualization, inflation, and ongoing costs. Potential minimal increase in State expenditures (multiple funds) for State law enforcement agencies, as discussed below. Revenues are not affected.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	74,100	86,200	90,200	94,300	98,500
Net Effect	(\$74,100)	(\$86,200)	(\$90,200)	(\$94,300)	(\$98,500)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Potential minimal increase in local law enforcement expenditures, as discussed below. Local government revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: By June 1, 2027, and each June 1 thereafter, MPTSC, in consultation with the Attorney General and local law enforcement agencies, must report to the Governor and the General Assembly on:

- the number of pursuits of fleeing suspects initiated;
- the reason for initiating each pursuit;
- the outcome of each pursuit, including whether a suspect was apprehended;
- the reasons for terminating each pursuit;
- any injuries or fatalities sustained by law enforcement officers, suspects, or bystanders;
- any common issues relating to pursuits of fleeing suspects, as determined by MPTSC;
- any other relevant data or analysis; and
- recommendations for best practices and policy improvements relating to pursuits of fleeing suspects.

Current Law:

Fresh Pursuit: Fresh pursuit is pursuit that is continuous and without unreasonable delay and does not need to be instant pursuit. A law enforcement officer may engage in fresh pursuit of a person who (1) has committed or is reasonably believed by the law enforcement officer to have committed a felony in the jurisdiction in which the law enforcement officer has the power of arrest or (2) has committed a misdemeanor in the presence of the law enforcement officer in the jurisdiction in which the law enforcement officer has the power of arrest. A law enforcement officer who is engaged in fresh pursuit of a person may (1) arrest the person anywhere in the State and hold the person in custody and (2) return the person to the court with jurisdiction for the crime allegedly committed by the person.

In determining whether the pursuit meets the elements of fresh pursuit, a court must apply the requirements of the common law definition of fresh pursuit that relates to these elements. Under common law, fresh pursuit generally means the immediate and continuous pursuit by police officers of a suspect who is fleeing to avoid arrest that gives the officers the right to cross jurisdictional lines in order to make an arrest.

Fleeing and Eluding: If a police officer gives an audible or visual signal to stop and the police officer is in uniform, prominently displaying a badge or other insignia, the vehicle

driver may not attempt to elude the police officer by willfully failing to stop the vehicle, fleeing on foot, or any other means. If a police officer gives an audible or visual signal to stop and the officer is in an appropriately marked official police vehicle, whether or not the officer is in uniform, the vehicle driver may not attempt to elude the officer by willfully failing to stop the vehicle, fleeing on foot, or any other means. A visual or audible signal includes a signal by hand, voice, emergency light, or siren. A person who is convicted of fleeing or eluding police is guilty of a misdemeanor and is subject to maximum penalties of imprisonment for one year and/or a fine of \$1,000. For any subsequent offense, a person is subject to maximum penalties of imprisonment for two years and/or a fine of \$1,000.

A vehicle driver is also prohibited from attempting to elude a police officer by willfully failing to stop the vehicle such that it results in the bodily injury to or death of another person. A person who causes bodily injury in this manner is subject to three years imprisonment and/or a maximum fine of \$5,000. A person who causes the death of another person after fleeing or eluding police is guilty of a misdemeanor and is subject to maximum penalties of 10 years imprisonment and/or a fine of \$5,000.

Police Training: MPTSC, an independent commission within the Department of Public Safety and Correctional Services, operates approved police training schools and prescribes standards for and certifies schools that offer police and security training. Pursuant to MPTSC standards, the curriculum and minimum courses of study must include use of force de-escalation training, as specified. This requirement applies to in-service level police training every two years and entrance-level training conducted by the State and each county and municipal police training school. In addition, MPTSC has the power and duty to adopt and recommend a set of best practices and standards for the use of force.

Deaths Caused by Police Officers: The Independent Investigations Division (IID) within the Office of the Attorney General (OAG) investigates all alleged or potential police-involved deaths of civilians. A law enforcement agency must notify IID of any alleged or potential police-involved death of a civilian as soon as the agency becomes aware of the incident and cooperate with IID in connection with the investigation.

State Expenditures: General fund expenditures for MPTSC increase by \$74,124 in fiscal 2027, which accounts for the bill’s October 1, 2026 effective date. This estimate reflects the cost of hiring one administrative officer to develop the model policy, collect and process annual reports from approximately 150 law enforcement agencies in the State, and handle the annual reporting requirements. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$64,983
Operating Expenses	<u>9,141</u>
Total FY 2027 MPTSC Expenditures	\$74,124

Future year expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

OAG can consult with MPTSC using existing resources.

State expenditures (multiple funds) may increase minimally for State law enforcement agencies to the extent that the model policy developed by MPTSC is different than current practices for each agency and results in the need to update policies and/or training programs.

Local Expenditures: Local law enforcement agency expenditures may increase minimally to the extent that the model policy developed by MPTSC is different than current practices for each agency and results in the need to update policies and/or training programs. Local law enforcement agency expenditures may also increase minimally to prepare, review, and submit the required documents each year. The Maryland Municipal League advises that any fiscal impact on municipal law enforcement agencies varies by jurisdiction and available resources.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Anne Arundel, Baltimore, Cecil, Frederick, Montgomery, and Somerset counties; City of Frederick; Maryland Municipal League; Alcohol, Tobacco, and Cannabis Commission; Office of the Attorney General; Comptroller's Office; University System of Maryland; Morgan State University; Maryland Department of Health; Maryland Department of Labor; Department of Natural Resources; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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