

SENATE BILL 201

E4

(PRE-FILED)

5r0125
CF 5r0126

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Office of Crime Prevention and Policy)**

Requested: September 29, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Justice and Public Safety Reporting Requirements – Alterations**

3 FOR the purpose of altering the information required to be provided by local law
4 enforcement agencies and collected, analyzed, and reported by the Governor’s Office
5 of Crime Prevention and Policy under a certain provision of law; altering the annual
6 due dates for certain reports required to be submitted by the Office; repealing a
7 certain periodic reporting requirement for the Maryland Statistical Analysis Center
8 in the Governor’s Office of Crime Prevention and Policy; altering a certain
9 requirement that a certain panel of criminal justice system stakeholders be convened
10 for a certain purpose at a certain time; and generally relating to criminal justice and
11 public safety reporting requirements.

12 BY repealing and reenacting, with amendments,
13 Article – Public Safety
14 Section 3–507, 4–107, 4–401(d), and 4–1601(d)
15 Annotated Code of Maryland
16 (2022 Replacement Volume and 2024 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Criminal Procedure
19 Section 10–219, 11–928(f), and 17–105
20 Annotated Code of Maryland
21 (2018 Replacement Volume and 2024 Supplement)

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

24 **Article – Public Safety**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 3–507.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) “Death in the line of duty” means the death of a law enforcement officer
4 occurring while the officer is acting in the officer’s official capacity while on duty or while
5 the officer is off duty, but performing activities that are within the scope of the officer’s
6 official duties.

7 (3) “Law enforcement agency” has the meaning stated in § 2–101 of this
8 article.

9 (4) (i) “Law enforcement officer” has the meaning stated in § 1–101 of
10 this article.

11 (ii) “Law enforcement officer” includes a private security officer
12 performing duties as part of a contract with a law enforcement agency.

13 [(5) “Officer–involved death” means the death of an individual resulting
14 directly from an act or omission of a law enforcement officer while the officer is on duty or
15 while the officer is off duty, but performing activities that are within the scope of the
16 officer’s official duties.]

17 (b) Every year, on or before March 1, 2016, and March 1 of each subsequent year,
18 each local law enforcement agency shall provide the Governor’s Office of Crime Prevention
19 and Policy with information, for the previous calendar year, about each [officer–involved
20 death and] death in the line of duty that involved a law enforcement officer employed by
21 the agency, to include at a minimum:

22 (1) [the age, gender, ethnicity, and race of a deceased individual;

23 (2)] the age, gender, ethnicity, and race of the officer [involved] **WHO DIED**
24 **IN THE LINE OF DUTY**;

25 [(3)] (2) a brief description of the circumstances surrounding the death;

26 [(4)] (3) the date, time, and location of the death; and

27 [(5)] (4) the law enforcement agency of the officer who[:

28 (i) died, if the incident involved an officer who died in the line of
29 duty; or

30 (ii) detained, arrested, or was in the process of arresting the
31 deceased, if the incident involved an officer–involved death] **DIED IN THE LINE OF DUTY**.

1 (c) The Governor's Office of Crime Prevention and Policy shall adopt procedures
2 for the collection and analysis of the information described in subsection (b) of this section.

3 (d) The Governor's Office of Crime Prevention and Policy shall analyze and
4 disseminate the information provided under subsection (b) of this section.

5 (e) The Governor's Office of Crime Prevention and Policy shall make an annual
6 report on the incidence of [~~officer-involved deaths and~~] deaths in the line of duty in the
7 State to the General Assembly, in accordance with § 2-1257 of the State Government
8 Article, on or before June 30 of each year.

9 4-107.

10 On or before [~~September~~] **OCTOBER** 1 of each year, the Executive Director shall
11 report to the Governor and, subject to § 2-1257 of the State Government Article, to the
12 General Assembly on:

13 (1) the distribution of money under this subtitle; and

14 (2) the ratio of protective body armor to police officers in each local
15 jurisdiction of the State that applied for money from the Fund.

16 4-401.

17 (d) The Executive Director of the Governor's Office of Crime Prevention and
18 Policy shall:

19 (1) administer the Fund;

20 (2) establish and publish procedures for the distribution of funding to law
21 enforcement agencies;

22 (3) ensure each jurisdiction in the State that has a forensic laboratory is
23 able to access the Fund;

24 (4) consider the number of sexual assault incidents that were investigated
25 by a law enforcement agency in the prior fiscal year when distributing funding; and

26 (5) submit a report with information on the distribution of funding to the
27 General Assembly, in accordance with § 2-1257 of the State Government Article, before
28 [~~September~~] **OCTOBER** 1 each year.

29 4-1601.

30 (d) The Executive Director of the Governor's Office of Crime Prevention and
31 Policy shall:

1 (1) administer the Fund;

2 (2) establish and publish procedures for the distribution of grants to
3 nonprofit organizations, including faith-based organizations;

4 (3) set aside a minimum of \$1,000,000 each year for grants to faith-based
5 organizations to increase security measures against faith-based hate crimes, with priority
6 given to applicants that can demonstrate a high prevalence of hate crimes against members
7 of and institutions representing the applicant's faith; and

8 (4) submit to the General Assembly, in accordance with § 2-1257 of the
9 State Government Article, a report on the distribution of funding before [September]
10 **OCTOBER** 1 each year.

11 **Article – Criminal Procedure**

12 10-219.

13 (a) Except in accordance with applicable federal law and regulations, a criminal
14 justice unit and the Central Repository may not disseminate criminal history record
15 information.

16 (b) (1) The Central Repository shall disseminate on a monthly basis
17 information concerning a child charged as an adult to the Maryland [Justice]
18 **STATISTICAL** Analysis Center [of the Institute of Criminal Justice and Criminology of the
19 University of Maryland] **IN THE GOVERNOR'S OFFICE OF CRIME PREVENTION AND**
20 **POLICY.**

21 (2) In addition to any reportable event, as defined in § 10-215 of this
22 subtitle, the Central Repository shall include in its dissemination of information to the
23 Maryland [Justice] **STATISTICAL** Analysis Center the age, race, and gender of the child.

24 (3) The Central Repository may disseminate to the Maryland [Justice]
25 **STATISTICAL** Analysis Center unique identifiers relating to the child, including the name
26 of the child, fingerprint identification numbers, and record or file numbers.

27 (4) The information disseminated to the Maryland [Justice] **STATISTICAL**
28 Analysis Center in accordance with this subsection shall be used only for the purposes of
29 research, evaluation, and statistical analysis.

30 (5) Except as otherwise required under State law, the Maryland [Justice]
31 **STATISTICAL** Analysis Center may not disseminate criminal history record information
32 received from the Central Repository.

33 [(6) By June 30 and December 31 of each year, the Maryland Justice
34 Analysis Center shall report to the Governor, and, subject to § 2-1257 of the State

1 Government Article, the General Assembly, on the results of its research, evaluation, and
2 statistical analysis.]

3 11–928.

4 (f) On or before **[June] OCTOBER 1** each year, the Governor’s Office of Crime
5 Prevention and Policy shall submit an annual report, in accordance with § 2–1257 of the
6 State Government Article, on child advocacy centers to the General Assembly.

7 17–105.

8 (a) On or before **[June 1 annually] DECEMBER 31 OF EVERY**
9 **EVEN–NUMBERED YEAR**, the Governor’s Office of Crime Prevention and Policy shall
10 submit a publicly available report to the Governor and, in accordance with § 2–1257 of the
11 State Government Article, the General Assembly, that shall include, for the preceding
12 calendar year:

13 (1) the number of requests for FGGS made, broken down by number of
14 requests made by prosecutors, pretrial defendants, and postconviction defendants;

15 (2) the number of times FGGS was granted and the basis of each grant or
16 denial;

17 (3) the number of putative perpetrators identified through FGGS;

18 (4) the number of covert collections of reference samples from putative
19 perpetrators, a description of the methods used during the covert collection, the time period
20 needed to perform the covert collection, any complaints from individuals subject to
21 surveillance during the covert collections, and any complaints or suggestions from judges
22 supervising the covert collections;

23 (5) an evaluation of the “pursued reasonable investigative leads”
24 requirement in accordance with § 17–102(b)(4) of this title, including scientific, public, and
25 nonforensic;

26 (6) the costs of the FGGS procedures;

27 (7) the race and age of those identified as putative perpetrators;

28 (8) the number of times a third party reference sample was requested and
29 collected, and the race and age of the third parties;

30 (9) the number of requests made by defendants and postconviction lawyers;
31 and

32 (10) the outcome of each authorized search, including whether the search
33 resulted in an arrest or a conviction for the target offense.

1 (b) [A panel comprising] **AT THE DISCRETION OF THE GOVERNOR’S OFFICE**
2 **OF CRIME PREVENTION AND POLICY OR ON REQUEST OF THE GOVERNOR OR THE**
3 **GENERAL ASSEMBLY, THE GOVERNOR’S OFFICE OF CRIME PREVENTION AND**
4 **POLICY SHALL CONVENE A PANEL OF CRIMINAL JUSTICE SYSTEM STAKEHOLDERS,**
5 **WHICH MAY INCLUDE** judges, prosecutors, defense attorneys, public defenders, law
6 enforcement officials, crime laboratory directors, bioethicists, racial justice experts,
7 criminal justice researchers, civil and privacy rights organizations, and organizations
8 representing families impacted by the criminal justice system, [shall be convened] to
9 review [the annual report each year] **FGGS DATA** and make policy recommendations **TO**
10 **BE INCLUDED IN THE FOLLOWING YEAR’S FGGS REPORT.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2025.