

SENATE BILL 7

P3
SB 69/23 – JPR

(PRE-FILED)

4r1428
CF HB 973

By: **Senator Bailey**

Requested: November 1, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 27, 2024

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Law Enforcement Agencies – Positive Community Feedback**

3 FOR the purpose of adding positive community feedback to the list of records that are not
4 considered personnel records for certain purposes; requiring the Maryland Police
5 Training and Standards Commission to develop a process for citizens to submit
6 certain feedback; requiring each law enforcement agency to adopt the uniform citizen
7 positive community feedback process; requiring a law enforcement agency to
8 maintain a certain record that is subject to public inspection; and generally relating
9 to law enforcement agencies.

10 BY repealing and reenacting, with amendments,
11 Article – General Provisions
12 Section 4–311(c) and 4–351(a)
13 Annotated Code of Maryland
14 (2019 Replacement Volume and 2023 Supplement)

15 BY adding to
16 Article – Public Safety
17 Section 3–207(m) and 3–519.1
18 Annotated Code of Maryland
19 (2022 Replacement Volume and 2023 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 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.



Article – General Provisions

1
2 4–311.

3 (c) (1) Except as provided in paragraph (2) of this subsection, **THE**
4 **FOLLOWING RECORDS ARE NOT PERSONNEL RECORDS FOR THE PURPOSES OF THIS**
5 **SECTION:**

6 (I) a record relating to an administrative or criminal investigation
7 of misconduct by a police officer, including an internal affairs investigatory record[.];

8 (II) a hearing record[.];

9 (III) **A RECORD OF POSITIVE COMMUNITY FEEDBACK;** and

10 (IV) records relating to a disciplinary decision[, is not a personnel
11 record for purposes of this section].

12 (2) A record of a technical infraction is a personnel record for the purposes
13 of this section.

14 4–351.

15 (a) Subject to subsections (b), (c), and (d) of this section, a custodian may deny
16 inspection of:

17 (1) records of investigations conducted by the Attorney General, a State’s
18 Attorney, a municipal or county attorney, a police department, or a sheriff;

19 (2) an investigatory file compiled for any other law enforcement, judicial,
20 correctional, or prosecution purpose;

21 (3) records that contain intelligence information or security procedures of
22 the Attorney General, a State’s Attorney, a municipal or county attorney, a police
23 department, a State or local correctional facility, or a sheriff; or

24 (4) records, other than a record of a technical infraction, relating to an
25 administrative or criminal investigation of misconduct by a police officer, including an
26 internal affairs investigatory record, a hearing record, **A RECORD OF POSITIVE**
27 **COMMUNITY FEEDBACK,** and records relating to a disciplinary decision.

Article – Public Safety

28
29 3–207.

1 (M) (1) THE COMMISSION SHALL DEVELOP A UNIFORM CITIZEN POSITIVE
2 COMMUNITY FEEDBACK PROCESS TO BE FOLLOWED BY EACH LAW ENFORCEMENT
3 AGENCY.

4 (2) THE UNIFORM CITIZEN POSITIVE COMMUNITY FEEDBACK
5 PROCESS SHALL:

6 (I) BE SIMPLE; AND

7 (II) BE POSTED ON THE WEBSITE OF THE COMMISSION AND
8 EACH LAW ENFORCEMENT AGENCY.

9 3-519.1.

10 (A) EACH LAW ENFORCEMENT AGENCY SHALL ADOPT THE UNIFORM
11 CITIZEN POSITIVE COMMUNITY FEEDBACK PROCESS DEVELOPED BY THE
12 MARYLAND POLICE TRAINING AND STANDARDS COMMISSION UNDER § 3-207 OF
13 THIS TITLE.

14 (B) A LAW ENFORCEMENT AGENCY SHALL:

15 (1) POST THE AGENCY’S POSITIVE COMMUNITY FEEDBACK PROCESS
16 ON THE AGENCY’S WEBSITE IF THE AGENCY MAINTAINS A WEBSITE; AND

17 (2) MAINTAIN A RECORD OF POSITIVE COMMUNITY FEEDBACK FOR
18 ALL LAW ENFORCEMENT OFFICERS WITHIN THE AGENCY.

19 (C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RECORDS
20 MAINTAINED UNDER SUBSECTION (B) OF THIS SECTION ARE SUBJECT TO PUBLIC
21 INSPECTION IN ACCORDANCE WITH THE MARYLAND PUBLIC INFORMATION ACT.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.