

SB0600/958077/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 600
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Office of the Attorney General**” and substitute “**Maryland Police Accountability Act of 2021 – Office of the State Prosecutor**”; strike beginning with “certain” in line 4 down through “circumstances” in line 12 and substitute “certain State’s Attorney to provide a certain investigatory file and certain information to the Office of the State Prosecutor under certain circumstances; authorizing the State Prosecutor to prosecute a certain law enforcement officer for certain offenses under certain circumstances”; in line 13, after “circumstances;” insert “establishing the Task Force on Independent Investigations Involving Deaths Caused by Law Enforcement Officers; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to develop a certain blueprint for independent investigation of certain incidents and make certain recommendations; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; in the same line, after “defining” insert “a”; in the same line, strike “terms” and substitute “term; providing for the termination of a certain provision”; in line 14, strike “Attorney General” and substitute “State Prosecutor”; and strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 27 on page 1 through line 11 on page 2, inclusive.

On pages 2 and 3, strike in their entirety the lines beginning with line 16 on page 2 through line 11 on page 3, inclusive, and substitute:

(Over)

“(B) FOR EACH POTENTIAL INCIDENT INVOLVING THE DEATH OF A PERSON CAUSED BY A POLICE OFFICER, THE STATE’S ATTORNEY HAVING JURISDICTION TO PROSECUTE THE MATTER SHALL TRANSMIT A COPY OF THE INVESTIGATORY FILE AND ANY OTHER RELEVANT INFORMATION TO THE OFFICE OF THE STATE PROSECUTOR WITHIN 10 DAYS AFTER THE STATE’S ATTORNEY’S DECISION TO NOT PROSECUTE THE LAW ENFORCEMENT OFFICER FOR A VIOLATION OF TITLE 2 OF THE CRIMINAL LAW ARTICLE.

“(C) IF, AFTER CONDUCTING A REVIEW OF THE INVESTIGATORY FILE AND COMPLETING ANY ADDITIONAL INVESTIGATION, THE STATE PROSECUTOR DETERMINES THAT A PROSECUTION UNDER TITLE 2 OF THE CRIMINAL LAW ARTICLE IS APPROPRIATE, THE STATE PROSECUTOR MAY PROSECUTE THE OFFICER.”.

On page 3, in line 12, strike “ATTORNEY GENERAL” and substitute “STATE PROSECUTOR”; and after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force on Independent Investigations Involving Deaths Caused by Law Enforcement Officers.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Attorney General, or the Attorney General’s designee;

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(4) the State Prosecutor, or the State Prosecutor's designee;

(5) the President of the Maryland State's Attorneys' Association, or the President's designee; and

(6) the Superintendent of State Police, or the Superintendent's designee.

(c) The Task Force shall elect the chair of the Task Force.

(d) The Governor's Office of Crime Prevention, Youth, and Victim Services shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) develop a blueprint for the independent investigation of potential incidents involving the death of a person caused by a police officer; and

(2) make recommendations regarding the establishment of an independent agency responsible for investigating incidents involving the death of a person caused by a police officer in the State.

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(g) On or before December 31, 2021, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.”;

in line 16, strike “2.” and substitute “3.”; in line 17, strike “October” and substitute “June”; and in the same line, after the period insert “Section 2 of this Act shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2022, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.