

# HOUSE BILL 1441

E4

6lr3034

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By: **Delegates Glass and Anderson**

Introduced and read first time: February 12, 2016

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Law Enforcement – Protective Headgear While in Custody**

3 FOR the purpose of requiring a law enforcement agency to require a law enforcement officer  
4 who places a person in custody with the use of a certain physical restraint to require  
5 the person in custody to wear certain protective headgear except under certain  
6 circumstances; defining certain terms; and generally relating to law enforcement.

7 BY adding to

8 Article – Public Safety

9 Section 3–514

10 Annotated Code of Maryland

11 (2011 Replacement Volume and 2015 Supplement)

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

14 **Article – Public Safety**

15 **3–514.**

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
17 INDICATED.

18 (2) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN §  
19 3–201 OF THIS TITLE.

20 (3) (I) “PHYSICAL RESTRAINT” MEANS A RESTRAINT OR DEVICE  
21 USED TO CONTROL OR BIND THE MOVEMENT OF ANY PART OF AN INDIVIDUAL’S BODY  
22 OR LIMBS.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                    (II) “PHYSICAL RESTRAINT” INCLUDES HANDCUFFS AND LEG  
2 SHACKLES.

3            (B) A LAW ENFORCEMENT AGENCY SHALL REQUIRE A LAW ENFORCEMENT  
4 OFFICER WHO PLACES A PERSON IN CUSTODY WITH THE USE OF A PHYSICAL  
5 RESTRAINT TO REQUIRE THE PERSON IN CUSTODY TO WEAR PROTECTIVE  
6 HEADGEAR WITH A FACE SHIELD WHILE THE PERSON IS IN THE PHYSICAL  
7 RESTRAINT, UNLESS THE REQUIREMENT IS UNREASONABLE UNDER THE  
8 CIRCUMSTANCES.

9            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2016.