

# HOUSE BILL 1187

E4

9lr2396

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By: **Delegates Grammer and Szeliga**

Introduced and read first time: February 8, 2019

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Baltimore Police Department Internal Affairs Unit**

3 FOR the purpose of establishing the Baltimore Police Department Internal Affairs Unit in  
4 the Department of State Police; providing for the appointment and salary of a  
5 Director of the Unit; requiring the Director to take certain actions; requiring the Unit  
6 to perform certain duties; requiring the Unit to employ certain personnel;  
7 establishing that the offices of the Unit may not be located in Baltimore City;  
8 prohibiting the Baltimore Police Department from operating a division that performs  
9 a certain function; requiring that the Unit be given certain funding; authorizing the  
10 Unit to adopt certain regulations; providing for a delayed effective date; defining  
11 certain terms; and generally relating to the Baltimore Police Department Internal  
12 Affairs Unit.

13 BY adding to

14 Article – Public Safety

15 Section 2–801 through 2–804 to be under the new subtitle “Subtitle 8. Baltimore  
16 Police Department Internal Affairs Unit”

17 Annotated Code of Maryland

18 (2018 Replacement Volume)

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

21 **Article – Public Safety**

22 **SUBTITLE 8. BALTIMORE POLICE DEPARTMENT INTERNAL AFFAIRS UNIT.**

23 **2–801.**

24 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 INDICATED.

2 (B) "DIRECTOR" MEANS THE DIRECTOR OF THE BALTIMORE POLICE  
3 DEPARTMENT INTERNAL AFFAIRS UNIT.

4 (C) "UNIT" MEANS THE BALTIMORE POLICE DEPARTMENT INTERNAL  
5 AFFAIRS UNIT.

6 2-802.

7 THERE IS A BALTIMORE POLICE DEPARTMENT INTERNAL AFFAIRS UNIT IN  
8 THE DEPARTMENT.

9 2-803.

10 (A) THE HEAD OF THE UNIT IS THE DIRECTOR, WHO SHALL BE APPOINTED  
11 BY AND SERVE AT THE PLEASURE OF THE SECRETARY.

12 (B) THE DIRECTOR SHALL BE QUALIFIED ON THE BASIS OF TRAINING,  
13 EXPERIENCE, AND ABILITY TO DISCHARGE THE DUTIES OF THE DIRECTOR.

14 (D) THE DIRECTOR SHALL RECEIVE THE SALARY PROVIDED IN THE STATE  
15 BUDGET.

16 (E) (1) THE DIRECTOR SHALL SUPERVISE AND DIRECT THE AFFAIRS AND  
17 OPERATIONS OF THE UNIT.

18 (2) THE DIRECTOR SHALL REPORT TO THE SECRETARY.

19 2-804.

20 (A) THE UNIT SHALL:

21 (1) INVESTIGATE ALL ALLEGATIONS AND SUSPICIONS OF CRIMINAL  
22 ACTIVITY AND PROFESSIONAL MISCONDUCT BY LAW ENFORCEMENT OFFICERS OF  
23 THE BALTIMORE POLICE DEPARTMENT; AND

24 (2) REPORT ON THE RESULTS OF EACH INVESTIGATION TO THE  
25 SECRETARY.

26 (B) THE UNIT SHALL EMPLOY SUCH INVESTIGATORS AND OTHER  
27 PERSONNEL NECESSARY TO CARRY OUT ITS FUNCTIONS IN A FAIR, UNBIASED, AND  
28 COMPREHENSIVE MANNER THAT COMPORTS WITH NATIONAL BEST PRACTICES FOR

1 POLICE INTERNAL AFFAIRS PROGRAMS.

2 (C) THE OFFICES OF THE UNIT MAY NOT BE LOCATED IN BALTIMORE CITY.

3 (D) THE UNIT SHALL BE GIVEN ADEQUATE FUNDING TO CARRY OUT ITS  
4 DUTIES.

5 (E) THE BALTIMORE POLICE DEPARTMENT MAY NOT OPERATE A DIVISION  
6 THAT PERFORMS THE FUNCTION OF THE UNIT, AS SET FORTH IN SUBSECTION (A)(1)  
7 OF THIS SECTION.

8 (F) SUBJECT TO THE AUTHORITY OF THE SECRETARY, THE UNIT MAY  
9 ADOPT REGULATIONS TO CARRY OUT THE DUTIES OF THE UNIT.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 January 1, 2020.