

# SENATE BILL 69

P3  
SB 581/22 – JPR

(PRE-FILED)

3lr0408  
CF HB 682

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By: **Senator Bailey**

Requested: September 16, 2022

Introduced and read first time: January 11, 2023

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 15, 2023

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## 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 2022 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)

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

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### 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, 2023.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.