



House Bill 1221-Opposed

Amendment offered by: Fraternal Order of Police

Amendment #1

On page 3, strike section "C" starting at line 1 through line 16 and insert a new section "C":

(c) A record related to a formal complaint of job-related misconduct made against a law enforcement officer, including an record of investigation, a hearing record, or a disciplinary decision, is not a personnel record for purposes of this subtitle when:

1. a hearing board convened under PS 3-108 makes a finding of guilt against law enforcement officer or the law enforcement officer otherwise accepts disciplinary action;
2. all related investigations of incident that is the subject of the formal complaint have been completed; and
3. the guilty finding or acceptance of disciplinary action is for a violation regarding:
 - a. the law enforcement officer's use of force which resulted in death, or in grievous bodily injury;
 - b. an incident involving the discharge of a firearm at a person by a law enforcement officer;
 - c. the law enforcement officer having engaged in a sexual assault of a member of the public;
 - d. engaged in prohibited discrimination directly related to the reporting, investigation, or prosecution of a crime; or
 - e. an instance where the law enforcement officer, in performance of that law enforcement officer's duties which are directly related to the reporting, investigation, or prosecution of a crime has knowingly and intentionally,
 - i. committed perjury;
 - ii. made false statements;
 - iii. filed false reports, or
 - iv. destroyed; falsified, or concealed evidence.

Amendment #2

On page 2 insert new section "D":

D) In any case where sub-section (C) applies, the identities of law enforcement officers will be redacted from any release of records for any law enforcement officer who

1. was not the subject of the investigation; or
2. did not accept disciplinary action and was not found guilty of a violation related to the incident and specified in sub-section (C)(4) above.

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