

1 **..Title**  
 2 **Police Enhancement and Community Engagement** - For the purpose of establishing procedures  
 3 for the collection and reporting of certain law enforcement data; providing for publication of  
 4 certain data; promoting community policing; developing use of force guidelines; establishing  
 5 procedures for consent searches; establishing police officer training requirements; providing  
 6 crowd control restrictions; prohibiting certain police practices; providing procedures for  
 7 effectuating certain warrants; extending the probationary period of certain police officers;  
 8 requiring certain persons engaged in the business of selling or exchanging firearms, cartridges or  
 9 other ammunition to maintain records; establishing minimum standards for investigating and  
 10 responding to allegations of domestic violence; prohibiting use of certain property by the City,  
 11 restricting the use of City-owned armored vehicles; expanding the scope of duties of the Human  
 12 Relations Commission; providing for exemptions from negotiation of employee-management  
 13 relations; providing an effective date; providing definitions; and generally related to police  
 14 enhancement and community engagement.

15 **..Body**

16 **CITY COUNCIL OF THE**  
 17 **City of Annapolis**

18 **Ordinance 12-21**

19 **Introduced by: Alderman Savidge**

20 **Co-sponsored by: Alderman Arnett, Alderwoman Tierney, Alderman Gay,**  
 21 **Alderman Schandelmeier**

22 **Referred to**  
 23 **Human Relations Commission**  
 24 **Economic Matters Committee**  
 25 **Public Safety Committee**  
 26 **Rules and City Government Committee**  
 27 **90 day Rule: \_\_\_\_\_**

28 **AN ORDINANCE** concerning

29 **Police Enhancement and Community Engagement**

30 **FOR** the purpose of establishing procedures for the collection and reporting of certain law  
 31 enforcement data; providing for publication of certain data; promoting community  
 32 policing; developing use of force guidelines; establishing procedures for consent searches;  
 33 establishing police officer training requirements; providing crowd control restrictions;  
 34 prohibiting certain police practices; providing procedures for effectuating certain warrants;  
 35 extending the probationary period of certain police officers; requiring certain persons  
 36 engaged in the business of selling or exchanging firearms, cartridges or other ammunition  
 37 to maintain records; establishing minimum standards for investigating and responding to  
 38 allegations of domestic violence; prohibiting use of certain property by the City, restricting  
 39 the use of City-owned armored vehicles; expanding the scope of duties of the Human  
 40 Relations Commission; providing for exemptions from negotiation of employee-  
 41  
 42  
 43  
 44  
 45  
 46

1 management relations; providing an effective date; providing definitions; and generally  
2 related to police enhancement and community engagement.

3  
4 **BY** repealing and reenacting with amendments the following portions of the Code of the City  
5 of Annapolis, 2021 Edition  
6 2.48.160  
7 3.16.070  
8 3.32.040  
9 11.44.030

10  
11 **BY** repealing and reenacting without amendments the following portions of the Code of the  
12 City of Annapolis, 2021 Edition  
13 7.36.070

14  
15 **BY** adding the following portions to the Code of the City of Annapolis, 2021 Edition  
16 2.36.090  
17 2.36.100  
18 2.36.110  
19 2.36.120  
20 2.36.130  
21 2.36.140  
22 2.36.150  
23 2.36.160  
24 2.36.170  
25 7.36.075

26  
27 **WHEREAS**, in the past few months, hundreds of thousands of people in cities across the country,  
28 including Annapolis, and around the world, have taken to the streets to protest  
29 injustice, racism, and police brutality against Black Americans and other  
30 minorities; and

31  
32 **WHEREAS**, these First Amendment assemblies have given voice to deep anger and trauma  
33 engendered by acts of violence by the police against Black Americans and have  
34 energized a national movement around racism in policing, the use of force, lack of  
35 police accountability and transparency, and systemic racial injustice and inequity;  
36 and

37  
38 **WHEREAS**, the deaths of George Floyd and Breonna Taylor – and of so many other Black  
39 Americans at the hands of the police – are interwoven with the legacy and evolution  
40 of slavery and generations of racial terror in this nation; and

41  
42 **WHEREAS**, enduring systems of institutional racism continue in the over-policing, over-  
43 charging, and over-incarceration of Black Americans; and

44  
45 **WHEREAS**, we have seen some police forces utilize force when de-escalation or civil mental  
46 health interventions may have been more effective; and

1  
2 **WHEREAS**, while the Annapolis Police Department includes some of the best officers in the  
3 world , who are committed to the Department, City, and Community, the City  
4 Council cannot assume tragedies will not continue to occur within our communities  
5 and must take action to prevent them,  
6

7 **WHEREAS**, The Annapolis Police Department is rated with the Commission on Accreditation  
8 for Law Enforcement Agencies, and  
9

10 **WHEREAS**, this legislation in some instances creates new standards and minimums for the  
11 officers to follow, it also in some instances codifies what is already in the  
12 Department’s general orders and what the officers already adhere to,  
13

14 **WHEREAS**, The United States Department of Justice advises that strong relationships of mutual  
15 trust between police agencies and the communities they serve are critical to  
16 maintaining public safety and effective policing, and  
17

18 **WHEREAS**, The United States Department of Justice advises that police officials rely on the  
19 cooperation of community members to provide information about crime in their  
20 neighborhoods, and to work with the police to devise solutions to crime and  
21 disorder problems, and  
22

23 **WHEREAS**, The United States Department of Justice advises community members’ willingness  
24 to trust the police depends on whether they believe that police actions reflect  
25 community values and incorporate the principles of procedural justice and  
26 legitimacy, and  
27

28 **WHEREAS**, The Police Executive Research Forum hosted a national meeting of police and  
29 community leaders that identified the following key issues and recommendations  
30 that were deemed useful to help police departments and their communities to  
31 develop collaborative strategies for moving forward: (a) acknowledge and discuss  
32 with communities the challenges local police departments face; (b) be transparent  
33 and accountable; (c) take steps to reduce bias and improve cultural competency;  
34 and (d) maintain focus on the importance of collaboration and be visible in the  
35 community.  
36

37 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
38 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:  
39

40 **Title 2 – ADMINISTRATION**  
41 **Chapter 2.36 – POLICE DEPARTMENT**  
42

43 **SECTION 2.36.090 –DATA COLLECTION, PUBLICATION, ANALYSIS, AND**  
44 **REPORTING.**  
45

1 A. **NO-KNOCK WARRANT - REPORTING REQUIREMENTS.** NO LATER THAN  
2 JUNE 30<sup>TH</sup> OF EACH YEAR, THE CHIEF OF POLICE SHALL PUBLISH ON THE  
3 DEPARTMENT'S WEBSITE, AND SEND TO THE PUBLIC SAFETY COMMITTEE, A  
4 REPORT INDICATING THE NUMBER OF NO-KNOCK SEARCH WARRANTS ISSUED  
5 ON BEHALF OF:

- 6
- 7 1. THE ANNAPOLIS POLICE DEPARTMENT, AND
- 8 2. ANY ANOTHER AGENCY AT A LOCATION WITHIN ANNAPOLIS.
- 9

10 B. **COMMUNITY POLICING - REPORTING REQUIREMENTS.** NO LATER THAN  
11 JUNE 30<sup>TH</sup> OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT TO THE CITY  
12 COUNCIL A COMMUNITY POLICING STRATEGIC PLAN THAT CONTAINS A  
13 MISSION STATEMENT, GOALS AND OBJECTIVES, BENCHMARKS, AND  
14 RECOMMENDATIONS, LEGISLATIVE OR OTHERWISE, ON IMPROVING  
15 COMMUNITY POLICING.

16

17 C. **REPORTING.** THE ANNAPOLIS POLICE DEPARTMENT SHALL SUBMIT WRITTEN  
18 REPORTS EVERY 6 MONTHS, ALONG WITH A CORRESPONDING ORAL  
19 PRESENTATION TO THE PUBLIC SAFETY COMMITTEE, AND AN ANNUAL  
20 REPORT ALONG WITH A CORRESPONDING ORAL PRESENTATION AT A CITY  
21 COUNCIL WORK SESSION, AND THE ANNUAL REPORT SHALL BE PROVIDED TO  
22 THE HUMAN RELATIONS COMMISSION, PROVIDING THE FOLLOWING  
23 INFORMATION:

- 24
- 25 1. NUMBER OF SWORN POLICE OFFICERS CATEGORIZED BY RACE,  
26 ETHNICITY AND GENDER;
- 27 2. NUMBER OF SWORN POLICE OFFICERS THAT RESIDE IN THE CITY;
- 28 3. AVERAGE NUMBER OF SWORN OFFICERS ON EACH SHIFT PER MONTH;
- 29 4. NUMBER OF POLICE OFFICER RECRUITING EVENTS SPONSORED BY THE  
30 CITY;
- 31 5. NUMBER OF INSTANCES INVOLVING USE OF FORCE THAT RESULTED IN  
32 THE TRANSPORTATION OF A CIVILIAN TO A HOSPITAL IN AN EMERGENCY  
33 VEHICLE WHEN THE INJURY OCCURRED AS A DIRECT RESULT OF AN  
34 OFFICER'S ACTIONS;
- 35 6. NUMBER OF INSTANCES OFFICERS HAVE DRAWN THEIR GUNS;
- 36 7. NUMBER OF CIVILIAN COMPLAINTS OF USE OF FORCE BY AN OFFICER;
- 37 8. NUMBER OF CIVILIAN COMPLAINTS OF DISCRIMINATION AND  
38 HARASSMENT BY AN OFFICER;
- 39 9. NUMBER OF "STOP AND FRISK" ACTIONS TAKEN
- 40 10. NUMBER OF OFFICERS THAT HAD SUSPENDED POLICE POWERS WITH PAY;
- 41 12. PERCENTAGE OF OFFICERS WHO WERE ASSIGNED TO NEIGHBORHOOD  
42 PATROLS;
- 43 13. NUMBER OF INDIVIDUALS UNDER 18 YEARS OF AGE REFERRED TO  
44 INTERVENTION PROGRAMS BY THE DEPARTMENT;
- 45 14. NUMBER OF CALLS FOR SERVICE RELATED TO SUBSTANCE ABUSE;
- 46 15. NUMBER OF CALLS FOR SERVICE RELATED TO MENTAL HEALTH ISSUES;

- 1 16. NUMBER OF CALLS FOR SERVICE RELATED TO DOMESTIC ABUSE:  
2 17. NUMBER OF INDIVIDUALS ARRESTED BY THE DEPARTMENT  
3 CATEGORIZED BY:  
4 (I) RACE;  
5 (II) ETHNICITY;  
6 (III) GENDER; AND  
7 (IV) ANY OTHER DEMOGRAPHIC INFORMATION VOLUNTARILY PROVIDED  
8 BY THE ARRESTEE.  
9 18. A DESCRIPTION OF THE DEPARTMENT'S TRAINING STANDARDS AND  
10 PRACTICES, INCLUDING TRAINING AND PRACTICES RELATED TO DE-  
11 ESCALATION; AND  
12 19. A DESCRIPTION OF THE DEPARTMENT'S COMMUNITY POLICING EFFORTS,  
13 INCLUDING COMMUNITY POLICING PROGRAMS, PARTICIPATION IN TOWN  
14 HALL MEETINGS, AND EFFORTS TO ENGAGE WITH SCHOOLS, RECREATION  
15 CENTERS, COMMUNITY CENTERS, AND SENIOR CENTERS.

- 16  
17 **D. GUN VIOLENCE PREVENTION - DATA GATHERING REQUIREMENTS.** THE  
18 POLICE DEPARTMENT SHALL COLLECT THE FOLLOWING DATA AND COMPILE  
19 A REPORT THAT SHALL BE SUBMITTED TO THE CITY MANAGER AND  
20 PUBLISHED ON THE DEPARTMENT'S WEBSITE EVERY 6 MONTHS:  
21 1. NUMBER OF TOTAL FIREARM-RELATED INCIDENTS;  
22 2. NUMBER OF GUNSHOT REPORTINGS;  
23 3. NUMBER OF DEATHS AND INJURIES CAUSED BY FIREARMS;  
24 4. RESULTS OF FIREARM CONTACT TRACING EFFORTS; AND  
25 5. NUMBER OF FIREARMS LEGALLY REGISTERED IN THE CITY OF  
26 ANNAPOLIS.

27  
28 SUCH REPORTING SHALL INCLUDE RECOMMENDATIONS FROM THE  
29 DEPARTMENT AS TO HOW THE CITY CAN PROACTIVELY STEM THE ILLEGAL  
30 USE OF FIREARMS.

- 31  
32 **E. CITY-OWNED ARMORED VEHICLES – REPORTING REQUIREMENTS.** THE  
33 POLICE DEPARTMENT SHALL SUBMIT A REPORT TO THE CITY MANAGER AND  
34 PUBLISH IT ON THE DEPARTMENT'S WEBSITE FOR EACH OCCURRENCE OF  
35 WHEN THE ARMORED VEHICLE IS DEPLOYED.  
36  
37 **F. GUN AND PAWN SHOP – REPORTING REQUIREMENTS.** THE SALE OF  
38 FIREARMS AND AMMUNITION WITHIN THE CITY OF ANNAPOLIS IS SUBJECT TO  
39 THE DOCUMENTING AND REPORTING REQUIREMENTS SET FORTH IN  
40 CHAPTERS 7.36 AND 11.44 OF THE CITY CODE.

41  
42 **SECTION 2.36.100 – COMMUNITY POLICING.**

- 43  
44 **A. PURPOSE.** THE PURPOSE OF THIS SECTION IS TO PROMOTE AND STRENGTHEN  
45 RELATIONSHIPS OF MUTUAL TRUST BETWEEN THE ANNAPOLIS POLICE  
46 DEPARTMENT AND THE COMMUNITIES THEY SERVE.

1  
2 **B. COMMUNITY POLICING GUIDELINES.** TO FURTHER COMMUNITY POLICING  
3 OBJECTIVES, THE ANNAPOLIS POLICE DEPARTMENT SHALL:  
4

- 5 1. ENCOURAGE OFFICERS TO REGULARLY INITIATE AND ENGAGE IN  
6 POSITIVE NONENFORCEMENT ACTIVITIES WITH THE COMMUNITIES IN  
7 WHICH THEY WORK;  
8 2. ENSURE CULTURAL COMPETENCY THROUGHOUT THE DEPARTMENT AND  
9 INCREASE OFFICER KNOWLEDGE OF THE CITY'S DIVERSE POPULATION;  
10 3. PRIORITIZE THE RECRUITMENT OF CANDIDATES WITH TIES TO THE CITY;  
11 4. INCREASE COMMUNITY OUTREACH INITIATIVES THROUGH OFFICER  
12 ATTENDANCE AT COMMUNITY EVENTS ON BEHALF OF THE DEPARTMENT;  
13 5. INCORPORATE MENTAL HEALTH AND POSITIVE YOUTH DEVELOPMENT  
14 INITIATIVES IN PARTNERSHIP WITH CITY DEPARTMENTS, AGENCIES, AND  
15 COMMUNITY-BASED ORGANIZATIONS.  
16

17 **SECTION 2.36.110 – TRAINING – REQUIREMENTS.**  
18

- 19 A. ALL POLICE OFFICERS SHALL BE TRAINED ON PROHIBITED PRACTICES SUCH  
20 AS BIAS-BASED PROFILING AND DISCRIMINATORY POLICING.  
21 B. ALL POLICE OFFICERS SHALL UNDERGO IMPLICIT BIAS AND DE-ESCALATION  
22 TRAINING NO LESS THAN ONCE A YEAR.  
23 C. ALL POLICE COMMUNICATIONS OPERATORS SHALL BE TRAINED TO IDENTIFY  
24 CALLS FOR SERVICE INVOLVING PERSONS AFFECTED BY MENTAL ILLNESS OR  
25 IN CRISIS SO THAT SUCH CALLS CAN BE IMMEDIATELY ASSIGNED TO CRISIS  
26 INTERVENTION TRAINED OFFICERS.  
27 D. ALL CRISIS INTERVENTION OFFICERS SHALL BE TRAINED TO USE DE-  
28 ESCALATION TECHNIQUES WHEN RESPONDING TO CALLS FOR SERVICE  
29 INVOLVING PERSONS AFFECTED BY MENTAL ILLNESS OR IN CRISIS. THE  
30 POLICE DEPARTMENT SHALL PROVIDE DETAILS TO ITS OFFICERS OF THE  
31 AVAILABLE MENTAL HEALTH FACILITIES AND SERVICES IN THE ANNAPOLIS  
32 AREA THAT OFFICERS MAY CONTACT TO RECEIVE MENTAL HEALTH  
33 ASSISTANCE.  
34 E. THE POLICE DEPARTMENT SHALL SUBMIT AN ANNUAL REPORT TO THE CITY  
35 COUNCIL DETAILING THE TRAINING COURSES PROVIDED TO ITS OFFICERS AS  
36 PART OF THE ANNUAL OPERATING BUDGET.  
37

38 **SECTION 2.36.120 - CONSENT SEARCHES**  
39

- 40 A. **RESTRICTIONS.** IN INSTANCES WHEN A SEARCH IS BASED SOLELY ON A  
41 SUBJECT'S CONSENT TO THAT SEARCH, AND NOT EXECUTED PURSUANT TO A  
42 WARRANT OR CONDUCTED PURSUANT TO AN APPLICABLE EXCEPTION TO  
43 THE WARRANT REQUIREMENT, SWORN MEMBERS OF THE ANNAPOLIS POLICE  
44 DEPARTMENT SHALL, PRIOR TO THE SEARCH OF A PERSON, VEHICLE,  
45 PREMISES, OR PERSONAL PROPERTY:

- 1 2. ADVISE THE SUBJECT THAT A SEARCH WILL NOT BE CONDUCTED IF THE
- 2 SUBJECT REFUSES TO PROVIDE CONSENT TO THE SEARCH;
- 3 3. ADVISE THE SUBJECT OF HIS OR HER LEGAL RIGHT TO DECLINE TO
- 4 CONSENT TO THE SEARCH;
- 5 4. OBTAIN CONSENT TO SEARCH WITHOUT THREATS OR PROMISES OF ANY
- 6 KIND BEING MADE TO THE SUBJECT;
- 7 5. CONFIRM THAT THE SUBJECT UNDERSTANDS THE INFORMATION
- 8 COMMUNICATED BY THE OFFICER; AND
- 9 6. WHEN NECESSARY, USE INTERPRETATION SERVICES IN SEEKING
- 10 CONSENT TO CONDUCT A SEARCH OF A PERSON WHO IS:
- 11 (A) UNABLE TO ADEQUATELY UNDERSTAND OR EXPRESS THEMSELVES IN
- 12 SPOKEN OR WRITTEN ENGLISH; OR
- 13 (B) DEAF OR INCAPABLE OF COMMUNICATING FOR ANY OTHER REASON.
- 14

15 IF THE RESTRICTIONS IN SUBPARAGRAPH "A" ARE NOT SATISFIED, THE POLICE  
16 OFFICER CANNOT CONDUCT THE SEARCH BASED SOLELY ON THE SUBJECT'S  
17 CONSENT TO THAT SEARCH.

- 18
- 19 **B. SCOPE OF DIRECTIVE.** THE DIRECTIVES ESTABLISHED UNDER THIS SECTION:
- 20
- 21 1. SHALL NOT BE CONSTRUED TO ALTER STANDARDS OF CIVIL OR CRIMINAL
  - 22 LIABILITY;
  - 23 2. SHALL NOT BE CONSTRUED TO CREATE PRIVATE RIGHTS ENFORCEABLE
  - 24 BY ANY PERSON OR INDIVIDUAL; AND
  - 25 3. SHALL NOT BE CONSTRUED TO ALTER STATE OR FEDERAL RULES OF
  - 26 EVIDENCE.
  - 27

28 **SECTION 2.36.130 - USE OF FORCE**

29

- 30 **A. IN GENERAL.** IT IS THE EXPRESS POLICY OF THE ANNAPOLIS POLICE
- 31 DEPARTMENT THAT POLICE OFFICERS USE ONLY THE AMOUNT OF FORCE
- 32 THAT IS REASONABLE TO OVERCOME RESISTANCE AND TO ACCOMPLISH
- 33 LAWFUL OBJECTIVES. A REASONABLE AMOUNT OF FORCE IS NOT
- 34 PREDICATED ON A STRICT HIERARCHICAL SEQUENCE, NOR IS AN OFFICER
- 35 OBLIGATED TO USE THE MINIMUM USE OF FORCE. AN OFFICER SHALL
- 36 EVALUATE THE IMMEDIATE CIRCUMSTANCES AND USE THE APPROPRIATE
- 37 LEVEL OF FORCE THAT IS REASONABLE UNDER THOSE PARTICULAR
- 38 CIRCUMSTANCES. THE LEVEL OF CRIMINAL ACTIVITY IS NOT THE
- 39 DETERMINING FACTOR IN THE USE OF FORCE. THE POLICE OFFICER SHALL
- 40 USE THE AMOUNT OF FORCE NECESSARY TO PROTECT AND PREVENT SERIOUS
- 41 BODILY HARM. WHEN TIME AND CIRCUMSTANCES PERMIT, A POLICE OFFICER
- 42 SHOULD FIRST ATTEMPT TO DE-ESCALATE ANY PERCEIVED OR POTENTIAL
- 43 THREAT WITHOUT THE USE OF PHYSICAL FORCE.
- 44

- 45 **B. EQUIPMENT AND CROWD CONTROL - RESTRICTIONS.**
- 46

1 1. DEFINITIONS.  
2

3 (A) "PEACEFUL PROTESTS" AND "PEACEFUL PROTESTORS" HAVE THE  
4 SAME MEANING: A GATHERING OF PEOPLE, WHETHER PERMITTED OR  
5 NOT PERMITTED, THAT ARE EXERCISING THEIR FIRST AMENDMENT  
6 RIGHT TO ASSEMBLE, AND THAT ARE TAKING NO VIOLENT ACTION  
7 AGAINST ANY PERSON OR PROPERTY.  
8

9 2. THE ANNAPOLIS POLICE DEPARTMENT SHALL NOT ALLOW USE OF THE  
10 FOLLOWING WEAPONS IN THE EXERCISING OF THEIR DUTIES:  
11

- 12 (A) BAYONETS;  
13 (B) FIREARM MUFFLERS OR SUPPRESSORS;  
14 (C) FIREARMS OF .50 CALIBER OR HIGHER;  
15 (D) FIREARMS, FIREARM ACCESSORIES, OR OTHER OBJECTS DESIGNED OR  
16 CAPABLE OF LAUNCHING EXPLOSIVES OR PYROTECHNICS,  
17 INCLUDING GRENADE LAUNCHERS; AND  
18 (E) REMOTELY PILOTED, POWERED AIRCRAFT WITHOUT A CREW  
19 ABOARD; AND  
20 (F) LETHAL MEASURES, TEAR GAS, PEPPER BALLS, OTHER CHEMICAL  
21 IRRITANTS, STING BALL GRENADES, WOODEN BULLETS OR OTHER  
22 KINETIC IMPACT PROJECTILES, RUBBER BULLETS, ACOUSTIC  
23 WEAPONS, DIRECTED ENERGY WEAPONS, WATER CANNONS,  
24 DISORIENTATION DEVICES, ULTRASONIC CANNONS, ANY DEVICE  
25 DESIGNED TO CAUSE PAIN OR DISCOMFORT, OR OTHER CROWD-  
26 CONTROL MEASURES, SHALL NOT BE USED ON PEACEFUL  
27 PROTESTERS.  
28

29 3. **ARMORED VEHICLES.** ARMORED VEHICLES IN THE POSSESSION OF THE  
30 POLICE DEPARTMENT SHALL BE REGULATED BY GENERAL ORDER THAT  
31 INCLUDES:  
32

33 (A) GUIDANCE AND RESTRICTIONS ON THE VEHICLE'S USE, INCLUDING  
34 THE FOLLOWING:  
35

- 36 (1) PROHIBITING THE VEHICLE'S USE AGAINST PEACEFUL  
37 PROTESTORS; AND  
38 (2) KEEPING THE VEHICLE OUT OF SIGHT OF PERMITTED AND  
39 PEACEFUL PROTESTS.  
40

41 (B) REQUIRED METRICS AND REPORTING IF THE VEHICLE IS DEPLOYED.  
42

43 4. THE REQUIREMENTS OF THIS SECTION APPLIES TO ANY LAW  
44 ENFORCEMENT AGENCY OPERATING IN ANNAPOLIS UNDER MUTUAL AID  
45 AGREEMENTS WITH THE ANNAPOLIS POLICE DEPARTMENT.  
46



1 C. **FIREARMS.** A POLICE OFFICER SHALL NOT:

- 2  
3 1. DISCHARGE A FIREARM FROM A MOVING VEHICLE OR WHENEVER IT  
4 APPEARS LIKELY THAT AN INNOCENT PERSON MAY BE INJURED.  
5 2. DISCHARGE A FIREARM AT A PERSON WHO IS FLEEING TO AVOID ARREST  
6 ON A MISDEMEANOR CHARGE.  
7

8 D. **OLEORESIN CAPSICUM OR COUNTER-ASSAULT PEPPER-MACE.**

- 9  
10 1. THE USE OF OLEORESIN CAPSICUM OR COUNTER-ASSAULT PEPPER MACE  
11 IS LIMITED TO:

- 12  
13 (A) DEFENDING OFFICERS AND CITIZENS AGAINST PHYSICAL ATTACK.  
14 (B) EFFECTUATING AN ARREST WHEN VIOLENT OR AGGRESSIVE  
15 BEHAVIOR IS ENCOUNTERED AND ALL OTHER REASONABLE  
16 ATTEMPTS TO RESTRAIN AN INDIVIDUAL HAVE FAILED.  
17 (C) CONTROLLING AN ARRESTEE WHO IS PHYSICALLY VIOLENT OR  
18 AGGRESSIVE WHEN ALL OTHER REASONABLE ATTEMPTS TO  
19 RESTRAIN THE INDIVIDUAL HAVE FAILED.  
20 (D) CONTROL ANIMALS THAT ARE DISPLAYING HOSTILE OR AGGRESSIVE  
21 BEHAVIOR.  
22

- 23 2. WHENEVER PRACTICAL, A POLICE OFFICER SHOULD WARN THE SUSPECT  
24 AND ANY SURROUNDING OFFICERS OF AN INTENT TO USE  
25 OLEORESINCAPSICUM SPRAY.  
26

- 27 3. OLEORESIN CAPSICUM, COUNTER-ASSAULT PEPPER MACE, OR OTHER  
28 SIMILAR SUBSTANCE SHALL NOT BE USED DURING FIRST AMENDMENT,  
29 PERMITTED RALLIES OR PROTESTS UNLESS EXPRESSLY AUTHORIZED BY  
30 THE CHIEF OF POLICE.  
31

32 E. **NECK RESTRAINTS.**

- 33  
34 1. DEFINITIONS.

- 35  
36 (A) "NECK RESTRAINT" IS A TECHNIQUE THAT IS INTENDED TO RESTRICT  
37 THE FLOW OF BLOOD OR OXYGEN TO THE BRAIN.  
38 (B) "RESTRAINED INDIVIDUAL" MEANS AN INDIVIDUAL WHO IS UNDER  
39 CONTROL, IS NOT RESISTING ARREST, AND NO LONGER POSES A  
40 THREAT TO THE OFFICER OR OTHERS IN THE IMMEDIATE AREA.  
41

- 42 2. UNDER NO CIRCUMSTANCES SHALL A POLICE OFFICER:

- 43  
44 (A) APPLY A NECK RESTRAINT; OR  
45 (B) STRIKE A RESTRAINED INDIVIDUAL.  
46

1 3. ANY OFFICER WHO APPLIES A NECK RESTRAINT AND ANY OFFICER WHO  
2 OBSERVES ANOTHER OFFICER'S APPLICATION OF A NECK RESTRAINT  
3 SHALL:

- 4  
5 (A) IMMEDIATELY RENDER, OR CAUSE TO BE RENDERED, FIRST AID ON  
6 THE PERSON ON WHOM THE NECK RESTRAINT WAS APPLIED; OR  
7 (B) IMMEDIATELY REQUEST EMERGENCY MEDICAL SERVICES FOR THE  
8 PERSON ON WHOM THE NECK RESTRAINT WAS APPLIED.  
9

10 **F. DUTY TO INTERVENE.**

- 11  
12 1. AN OFFICER SHALL STOP, ATTEMPT TO STOP, AND REPORT TO A  
13 SUPERVISOR, ANY OFFICER WHO IS USING EXCESSIVE FORCE, VIOLATES  
14 ANY PROVISION OF THIS SECTION, THE USE OF FORCE POLICY, OR IS  
15 COMMITTING A CRIME.  
16  
17 2. ANY INTERVENING OFFICER TAKING ACTION TO STOP SUCH BEHAVIOR BY  
18 ANOTHER OFFICER SHALL BE FREE FROM RETALIATION OR DISCIPLINE.  
19

20 **G. SCOPE OF DIRECTIVE.** THE DIRECTIVES ESTABLISHED UNDER THIS SECTION:

- 21  
22 1. SHALL NOT BE CONSTRUED TO ALTER STANDARDS OF CIVIL OR CRIMINAL  
23 LIABILITY;  
24 2. SHALL NOT BE CONSTRUED TO CREATE PRIVATE RIGHTS ENFORCEABLE  
25 BY ANY PERSON OR INDIVIDUAL; AND  
26 3. SHALL NOT BE CONSTRUED TO ALTER STATE OR FEDERAL RULES OF  
27 EVIDENCE.  
28

29 **SECTION 2.36.140 – FIRST AMENDMENT ASSEMBLIES.**

- 30  
31 A. DURING A FIRST AMENDMENT ASSEMBLY, ALL UNIFORMED POLICE OFFICERS  
32 SHALL PROMINENTLY DISPLAY THEIR BADGE OR OTHERWISE IDENTIFY THEIR  
33 AFFILIATION WITH LOCAL LAW ENFORCEMENT.  
34

35 **SECTION 2.36.150 – PROFILING - DISCRIMINATORY POLICING PRACTICES -**  
36 **PROHIBITED.**

- 37  
38 A. IT IS PROHIBITED FOR ANY MEMBER OF THE ANNAPOLIS POLICE  
39 DEPARTMENT, INCLUDING AFFILIATED LAW ENFORCEMENT OFFICERS,  
40 CIVILIAN EMPLOYEES, AND INDIVIDUALS UNDER CONTRACT, TO ENGAGE IN  
41 BIAS-BASED PROFILING AND DISCRIMINATORY PRACTICES AS DEFINED BY  
42 GENERAL ORDERS. IN ADDITION, NO MEMBER OF THE DEPARTMENT SHALL  
43 POST POTENTIALLY DISCRIMINATORY SOCIAL MEDIA POSTS IN EITHER AN  
44 OFFICIAL OR PRIVATE CAPACITY. COMPLAINTS CONCERNING SUCH POSTS  
45 SHALL BE REFERRED TO THE HUMAN RELATIONS COMMISSION.  
46

- 1 B. IT IS PROHIBITED FOR A POLICE OFFICER TO CONDUCT A “STOP AND FRISK”  
2 SEARCH FOR WEAPONS, AS DEFINED BY GENERAL ORDER, BASED SOLELY ON  
3 THE RACE, GENDER, SEXUAL ORIENTATION, OR OTHER DISCRIMINATORY  
4 PROFILING PRACTICE THAT IS UNRELATED TO THE DESCRIPTION PROVIDED  
5 TO THAT OFFICER OF THE SUSPECT.  
6

7 **SECTION 2.36.160 - NO-KNOCK WARRANTS**  
8

- 9 A. ONLY AN OFFICER ASSIGNED TO THE ANNAPOLIS POLICE DEPARTMENT’S  
10 ANNAPOLIS SPECIAL EMERGENCY TEAM (“ASET”) MAY PARTICIPATE IN THE  
11 EXECUTION OF A NO-KNOCK WARRANT.  
12

- 13 B. AN OFFICER MAY NOT ENTER PRIVATE PREMISES WITHOUT FIRST KNOCKING  
14 AND ANNOUNCING THE OFFICER’S PRESENCE UNLESS:  
15

- 16 1. OTHER METHODS OF SERVING THE WARRANT, INCLUDING METHODS  
17 THAT WOULD MITIGATE RISK, HAVE BEEN CONSIDERED AND HAVE BEEN  
18 DETERMINED TO:  
19

20 (A) POSE A RISK TO THE LIFE AND SAFETY OF THE EXECUTING OFFICERS  
21 OR ANOTHER PERSON; OR

22 (B) BE FUTILE;  
23

- 24 2. THE CRIME BEING INVESTIGATED IS:  
25

26 (A) A CRIME OF VIOLENCE AS DEFINED IN SECTION 14-101(A) OF THE  
27 CRIMINAL LAW ARTICLE OF THE MARYLAND ANNOTATED CODE, AS  
28 MAY BE AMENDED;

29 (B) RELATED TO FIREARMS POSSESSION;

30 (C) RELATED TO A WARRANT OBTAINED PURSUANT TO SECTION 5-607 OF  
31 THE PUBLIC SAFETY ARTICLE OF THE MARYLAND ANNOTATED CODE,  
32 AS MAY BE AMENDED;

33 (D) RELATED TO CHILD ABUSE;

34 (E) RELATED TO CHILD PORNOGRAPHY;

35 (F) RELATED TO DOMESTIC VIOLENCE; OR

36 (G) RELATED TO TERRORISM; AND  
37

- 38 3. AT LEAST ONE OF THE FOLLOWING FACTORS IS PRESENT:  
39

40 (A) REASONABLE SUSPICION THAT A PERSON IS PRESENT AT THE  
41 LOCATION WHO HAS DEMONSTRATED A PROPENSITY FOR VIOLENCE;  
42 OR

43 (B) REASONABLE SUSPICION THAT ENTRY INTO THE LOCATION HAS BEEN  
44 FORTIFIED, IS “BOOBY TRAPPED”, OR HAS UNIQUE CHARACTERISTICS  
45 THAT WOULD PRECLUDE THE OFFICER FROM FIRST KNOCKING AND  
46 ANNOUNCING DUE TO INHERENT SAFETY REASONS.

1  
2 C. A POLICE OFFICER IS PROHIBITED FROM ENTERING PRIVATE PREMISES  
3 WITHOUT FIRST KNOCKING AND ANNOUNCING THE OFICER'S PRESENCE IF  
4 THE SOLE PURPOSE OF ENTERING THE PREMISES IS TO PREVENT THE  
5 DESTRUCTION OF EVIDENCE.

6  
7 D. **SCOPE OF DIRECTIVE.** THE DIRECTIVES ESTABLISHED UNDER THIS SECTION:

- 8  
9 1. SHALL NOT BE CONSTRUED TO ALTER STANDARDS OF CIVIL OR CRIMINAL  
10 LIABILITY;  
11 2. SHALL NOT BE CONSTRUED TO CREATE PRIVATE RIGHTS ENFORCEABLE  
12 BY ANY PERSON OR INDIVIDUAL; AND  
13 3. SHALL NOT BE CONSTRUED TO ALTER STATE OR FEDERAL RULES OF  
14 EVIDENCE.

15  
16 **SECTION 2.36.170 - DOMESTIC ABUSE PROCEDURES.**

17  
18 A. THE DEPARTMENT SHALL DRAFT GENERAL ORDERS RELATED SPECIFICALLY  
19 TO ALLEGATIONS AND INVESTIGATIONS INTO CRIMES OF DOMESTIC  
20 VIOLENCE. AT A MINIMUM, SUCH STANDARDS SHALL INCLUDE THE  
21 FOLLOWING:

- 22  
23 1. THE DEPARTMENT SHALL COMPILE A COMPLETE REPORT FOLLOWING  
24 ANY ALLEGATION OF DOMESTIC VIOLENCE.  
25 2. SUCH ALLEGATIONS SHALL BE INVESTIGATED TO DETERMINE WHETHER  
26 OR NOT THERE IS PROBABLE CAUSE TO ARREST THE ALLEGED ABUSER.  
27 THE RESPONDING OFFICER IS RESPONSIBLE FOR ENSURING A VICTIM IS  
28 SAFE BY ARRESTING AN ALLEGED ABUSER ON THE SCENE, OR APPLYING  
29 FOR A WARRANT OF ARREST, IF THE OFFICER OR VICTIM IS WORRIED  
30 ABOUT SERIOUS BODILY HARM OR LIFE-THREATENING ABUSE.  
31 3. THE OFFICER WHO RESPONDS TO SUCH A CALL SHALL SUBMIT THE  
32 REPORT TO A SUPERVISOR WHO WILL PROVIDE ANY DEDICATED  
33 DOMESTIC VIOLENCE INVESTIGATOR WITH A COPY OF THE REPORT TO  
34 ENSURE FOLLOW-UP WITH THE VICTIM. THE DEPARTMENT SHALL OFFER  
35 SAFETY-PLANNING ADVICE AND MAKE REFERRALS TO SERVICES NEEDED  
36 BY THE VICTIM AND CHILDREN.

37  
38 B. INTERNAL POLICIES SHALL ALSO BE CREATED THAT GOVERN INTERNAL  
39 ALLEGATIONS OF DOMESTIC ABUSE, AND SHALL CONTAIN, AT MINIMUM, THE  
40 REQUIREMENT THAT AN OFFICER'S WEAPONS SHALL BE TEMPORARILY  
41 CONFISCATED DURING AN INVESTIGATION OF ANY SUCH ABUSE.

42  
43  
44 **Chapter 2.48 - BOARDS, COMMISSIONS AND COMMITTEES**

45 **Article V - Human Relations Commission**

46

1 **Section 2.48.160 – Powers - DUTIES.**

2  
3 The Commission is authorized to:

- 4  
5 A. Accept complaints relating to discrimination and refer the complaints to appropriate  
6 authorities;
- 7 B. Arrange for public hearings and survey current practices and conditions relating to the  
8 treatment of citizens in areas of public accommodations, employment, housing,  
9 recreation, education and other human relations areas;
- 10 C. Make recommendations to appropriate authorities and propose legislation with regard to  
11 human relations practices and conditions;
- 12 D. Conduct program for the purpose of informing the general public regarding matters of  
13 human relations and of bettering human relations within the community;
- 14 E. Act as a mediator to resolve disagreements in matters of human relations;
- 15 F. Coordinate activities with and utilize the resources of other public and private human  
16 relations bodies; AND
- 17 G. Perform other duties and functions as may be specified by the City Council from time to  
18 time.

19  
20 THE COMMISSION SHALL PERFORM THE FOLLOWING DUTIES:

- 21  
22 A. CONDUCT AT LEAST ONE PUBLIC FORUM EACH CALENDAR YEAR FOR THE  
23 PURPOSE OF RECEIVING COMMUNITY INPUT ON POLICING MATTERS;
- 24 B. ACCEPT AND REVIEW CORRESPONDENCE AND COMMENTS FROM  
25 MEMBERS OF THE GENERAL PUBLIC;
- 26 C. ESTABLISH PROCEDURES FOR THE PROCESSING OF COMPLAINTS  
27 RELATED TO PROFILING OR DISCRIMINATORY POLICING PRACTICES;
- 28 D. COORDINATE WITH THE MAYOR’S OFFICE TO PROVIDE FORMS OR  
29 ESTABLISH ELECTRONIC MEANS FOR SUBMITTING COMPLAINTS RELATED  
30 TO PROFILING OR DISCRIMINATORY POLICING PRACTICES;
- 31 E. SUBMIT AN ANNUAL REPORT ON ALL COMPLAINTS RECEIVED RELATED  
32 TO PROFILING OR DISCRIMINATORY POLICING PRACTICES.
- 33  
34

35 **Title 3 – HUMAN RESOURCES**

36 **Chapter 3.16 - APPOINTMENT, STATUS AND SEPARATION**

37  
38 **Section 3.16.070 - Probationary status.**

- 39  
40 A. Except as set forth in an applicable collective bargaining agreement, employees appointed  
41 from appointment lists or by promotion shall be subject to a twelve-month minimum  
42 probationary period. Under no circumstances shall an employee serve in a probationary status  
43 beyond eighteen months except as provided in the rules and regulations of the personnel  
44 system.

- 1 B. NOTWITHSTANDING THE EXCEPTION IN PARAGRAPH A, COMMENCING JULY 1,  
2 2022, NEWLY HIRED AND LATERAL TRANSFER POLICE OFFICERS SHALL BE  
3 SUBJECT TO AN EIGHTEEN-MONTH PROBATIONARY PERIOD.
- 4 C. If the work of a probationary employee is found to be below standards satisfactory to the  
5 appointing authority, the appointing authority may dismiss, demote or transfer the  
6 probationary employee at any time during the probationary period. These actions by the  
7 appointing authority shall not be subject to review or appeal.
- 8 ~~E~~D. Upon promotion, a promoted employee who previously held permanent civil service status  
9 shall retain all permanent status rights and privileges during the probationary period.

10  
11  
12 **Chapter 3.32 – Employee-Management Relations**  
13 **Section 3.32.040 - Employer rights.**

14  
15 A. Notwithstanding any other provision contained in this chapter, it is the exclusive right of the  
16 employer to determine the mission of each of its constituent agencies, set standards of services  
17 to be offered to the public and exercise control and direction over its organization and  
18 operations. It is also the right of the employer to direct its employees, to hire, promote,  
19 transfer, assign or retain employees in positions within an agency and, in that regard, to  
20 establish reasonable work rules. It also retains the right to suspend, demote, discharge or take  
21 any other appropriate disciplinary action against its employees for just cause, and in  
22 accordance within the provisions relating to the civil service code and other applicable laws  
23 or to relieve its employees from duty in the event of lack of work or funds or for other  
24 legitimate reasons. The provisions of this section are a part of every memorandum of  
25 understanding reached between the employer and an employee organization; provided, that  
26 nothing contained in this section denies the right of any employee to submit a grievance as  
27 defined in Section 3.32.020.

28  
29 B. THE MINIMUM STANDARDS OF THE POLICIES UNDER CITY CODE CHAPTER  
30 2.36:

- 31  
32 1. SHALL NOT BE CONSTRUED TO BE MANDATORY SUBJECTS OF  
33 COLLECTIVE BARGAINING UNDER SECTION 3.32.060; AND  
34 2. SHALL BE CONSIDERED EMPLOYER RIGHTS NOT SUBJECT TO  
35 COLLECTIVE BARGAINING UNDER SECTION 3.32.040.

36  
37  
38 **Title 7 – BUSINESS LICENSES, TAXES, AND REGULATIONS**  
39 **Chapter 7.36 - PAWNBROKERS**

40  
41 **Section 7.36.070 - Control and disposal of property.**

42  
43 A. List of Property. Each licensed pawnbroker shall keep, written in a legible and accurate  
44 manner on forms specified by the Chief of Police, a list of all articles of personal property  
45 received on pledge and all other personal property purchased, and shall forward a copy of the

1 list to the Police Department daily. In the alternative and with the approval of the Chief of  
2 Police, the list may be kept and forwarded electronically.

3 B. Disposal. A pawnbroker may not transfer or dispose of property for a period of thirty days  
4 after the date upon which the transaction was reported to the Police Department, except that  
5 the property may be redeemed or repurchased with the original pawn ticket by the person who  
6 pawned the property or by that person's authorized agent.

7 C. Stolen Items. If an item located in a pawnshop has been reported to a law enforcement agency  
8 as having been stolen, the pawnbroker shall release the item without payment or  
9 reimbursement to the Police Department on written demand signed by the Chief of Police or  
10 the designee of the Chief of Police. The item shall be returned to the pawnbroker if the  
11 identification is proven erroneous.

12  
13 **SECTION 7.36.075 - FIREARMS AND AMMUNITION—REGISTER OF PURCHASERS.**

14  
15 A PAWNBROKER SHALL KEEP A REGISTER OF THE NAME AND ADDRESS OF  
16 THE PERSON PURCHASING ANY FIREARMS, CARTRIDGES OR OTHER  
17 AMMUNITION, NOTING THE MAKE, CALIBER AND DATE OF PURCHASE. THE  
18 REGISTER SHALL BE OPEN TO THE INSPECTION OF THE POLICE AT ALL TIMES.

19  
20  
21 **Title 11 - PUBLIC PEACE, MORALS AND WELFARE**  
22 **Chapter 11.44 – WEAPONS**

23  
24 **Section 11.44.030 - Firearms and ammunition—Register of purchasers.**

25  
26 Each person engaged in the business of selling or exchanging any firearms, except ~~shotguns~~  
27 ~~and~~ air and cat rifles, or ammunition, shall keep a register of the name and address of the person  
28 purchasing any firearms, cartridges or other ammunition, noting the make, caliber and date of  
29 purchase. The register shall be open to the inspection of the police at all times.

30  
31  
32 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
33 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.

34  
35  
36 **Explanation:**

37 UPPERCASE indicates matter added to existing law.

38 ~~Strikethrough~~ indicates matter stricken from existing law.

39 Underlining indicates amendments.