

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
19 **Ordinance 12-21**

20
21 **Introduced by: Alderman Savidge**
22 **Co-sponsored by: Alderman Arnett,**
23 **Alderman Schandelmeier**

24
25 **Referred to**
26 **Human Relations Commission**
27 **Economic Matters Committee**
28 **Public Safety Committee**
29 **Rules and City Government Committee**
30 **90 day Rule: _____**

31
32 **AN ORDINANCE** concerning

33
34 **Police Enhancement and Community Engagement**

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

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, ~~AND~~.

36
37 **WHEREAS, THIS LEGISLATION SEEKS TO CLOSE SOME OF THE GAPS IN THE**
38 **LEGISLATION THE MARYLAND GENERAL ASSEMBLY PASSED IN**
39 **THEIR LAST SESSION.**
40

41 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
42 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:
43

44 **Title 2 – ADMINISTRATION**
45 **Chapter 2.36 – POLICE DEPARTMENT**
46

1 **SECTION 2.36.090 –DATA COLLECTION, PUBLICATION, ANALYSIS, AND**
2 **REPORTING.**

3
4 **A. NO-KNOCK WARRANT - REPORTING REQUIREMENTS.** NO LATER THAN
5 JUNE 30TH OF EACH YEAR, THE CHIEF OF POLICE SHALL PUBLISH ON THE
6 DEPARTMENT’S WEBSITE, AND SEND TO THE PUBLIC SAFETY COMMITTEE, A
7 REPORT INDICATING THE FOLLOWING (THIS REPORT CAN BE THE ANNUAL
8 REPORT FILED TO THE STATE IF IT CONTAINS THE FOLLOWING INFORMATION)
9 NUMBER OF NO-KNOCK SEARCH WARRANTS ISSUED ON BEHALF OF:

10
11 1. THE NUMBER OF SERVED AND UNSERVED NO-KNOCK SEARCH
12 WARRANTS BY THE ANNAPOLIS POLICE DEPARTMENT, AND ~~THE ANNAPOLIS~~
13 ~~POLICE DEPARTMENT, AND~~

14 2. ~~ANY ANOTHER AGENCY AT A LOCATION WITHIN ANNAPOLIS. THE~~
15 ~~NUMBER OF SERVED NO-KNOCK SEARCH WARRANTS BY ANOTHER AGENCY AT A~~
16 ~~LOCATION WITHIN ANNAPOLIS.~~

17 3. THE NAME OF THE MUNICIPAL CORPORATION AND THE ZIP CODE OF THE
18 LOCATION WHERE EACH NO-KNOCK SEARCH WARRANT WAS EXECUTED;

19 4. FOR EACH SEARCH WARRANT EXECUTED, THE NUMBER OF DAYS FROM
20 THE ISSUANCE UNTIL THE EXECUTION OF THE SEARCH WARRANT,
21 DISAGGREGATED BY WHETHER THE SEARCH WARRANT WAS A NO-KNOCK
22 SEARCH WARRANT;

23 5. THE LEGAL BASIS FOR EACH NO-KNOCK SEARCH WARRANT ISSUED;

24 6. THE NUMBER OF TIMES A SEARCH WARRANT WAS EXECUTED UNDER
25 CIRCUMSTANCES IN WHICH A POLICE OFFICER MADE FORCIBLE ENTRY INTO THE
26 BUILDING, APARTMENT, PREMISES, PLACE, OR THING TO BE SEARCHED SPECIFIED
27 IN THE WARRANT;

28 7. THE NUMBER OF TIMES AN ~~ASSET~~ TEAM WAS DEPLOYED TO EXECUTE A
29 SEARCH WARRANT;

30 8. THE NUMBER OF ARRESTS MADE, IF ANY, DURING THE EXECUTION OF A
31 SEARCH WARRANT;

32 9. THE NUMBER OF TIMES PROPERTY WAS SEIZED DURING THE EXECUTION
33 OF A SEARCH WARRANT;

34 10. THE NUMBER OF TIMES A WEAPON WAS DISCHARGED BY A POLICE
35 OFFICER DURING THE EXECUTION OF A SEARCH WARRANT; AND

36 11. THE NUMBER OF TIMES A PERSON OR DOMESTIC ANIMAL WAS INJURED
37 OR KILLED DURING THE EXECUTION OF A SEARCH WARRANT, -DISAGGREGATED
38 BY WHETHER THE PERSON OR ANIMAL WAS INJURED OR KILLED BY A POLICE
39 OFFICER.

40
41
42 **B. COMMUNITY POLICING - REPORTING REQUIREMENTS.** EVERY THREE
43 YEARS ~~NO LATER THAN JUNE 30TH OF EACH YEAR,~~ THE DEPARTMENT SHALL
44 SUBMIT TO THE CITY COUNCIL A COMMUNITY POLICING STRATEGIC PLAN
45 THAT CONTAINS A MISSION STATEMENT, GOALS AND OBJECTIVES,

1 BENCHMARKS, AND RECOMMENDATIONS, LEGISLATIVE OR OTHERWISE, ON
2 IMPROVING COMMUNITY POLICING.

3
4 C. **REPORTING.** THE ANNAPOLIS POLICE DEPARTMENT SHALL SUBMIT WRITTEN
5 REPORTS ~~EVERY 6 MONTHS, ALONG WITH AND~~ A CORRESPONDING ORAL
6 PRESENTATION TO THE ~~PUBLIC SAFETY COMMITTEE, AND AN ANNUAL~~
7 ~~REPORT ALONG WITH A CORRESPONDING ORAL PRESENTATION AT A CITY~~
8 COUNCIL AT A WORK SESSION, NO LATER THAN JUNE 30TH OF EVERY YEAR,
9 AND THE ANNUAL REPORT SHALL BE PROVIDED TO THE HUMAN RELATIONS
10 COMMISSION AND PUBLIC SAFETY COMMITTEE, PROVIDING THE FOLLOWING
11 INFORMATION:
12

- 13 1. NUMBER OF SWORN POLICE OFFICERS CATEGORIZED BY RACE,
14 ETHNICITY AND GENDER;
- 15 2. NUMBER OF SWORN POLICE OFFICERS THAT RESIDE IN THE CITY;
- 16 3. AVERAGE NUMBER OF SWORN OFFICERS ON EACH SHIFT PER MONTH;
- 17 4. NUMBER OF POLICE OFFICER RECRUITING EVENTS SPONSORED BY THE
18 CITY;
- 19 5. NUMBER OF INSTANCES INVOLVING USE OF FORCE THAT RESULTED IN
20 THE TRANSPORTATION OF A CIVILIAN TO A HOSPITAL IN AN EMERGENCY
21 VEHICLE WHEN THE INJURY OCCURRED AS A DIRECT RESULT OF AN
22 OFFICER'S ACTIONS;
- 23 6. NUMBER OF INSTANCES WHEN USE OF FORCE WAS UTILIZED BY
24 OFFICERS, DISAGGREGATED BY THE RACE, AGE, AND SEX OF THE OFFICER
25 AND SUBJECT OF FORCE INVOLVED IN THE USE OF FORCE INCIDENT,
26 INCLUDING:
 - 27 a. EACH TYPE OF FORCE THAT THE OFFICER USED;
 - 28 b. THE REASON FOR THE OFFICER'S USE OF FORCE;
 - 29 c. WHETHER THE AGENCY DETERMINED THE USE OF FORCE WAS
30 JUSTIFIED;
 - 31 d. WHETHER THE PERSON AGAINST WHOM FORCE WAS USED WAS
32 ARRESTED, AND IF SO, CHARGES FOR THE PERSON ARRESTED; AND
 - 33 e. WHETHER THE OFFICER OR PERSON AGAINST WHOM FORCE WAS
34 USED WAS INJURED OR HOSPITALIZED ~~HAVE DRAWN THEIR GUNS;~~
- 35 7. NUMBER OF CIVILIAN COMPLAINTS OF USE OF FORCE BY AN OFFICER;
- 36 8. NUMBER OF CIVILIAN COMPLAINTS OF DISCRIMINATION AND
37 HARASSMENT BY AN OFFICER;
- 38 9. NUMBER OF "STOP AND FRISK" ACTIONS TAKEN, CATEGORIZED
39 DISAGGREGATED BY RACE, GENDER, AGE, LOCATION, REASON FOR STOP,
40 AND OUTCOME;
- 41 10. NUMBER OF OFFICERS THAT HAD SUSPENDED POLICE POWERS WITH PAY;
- 42 12. PERCENTAGE OF OFFICERS WHO WERE ASSIGNED TO NEIGHBORHOOD
43 PATROLS;
- 44 13. NUMBER OF INDIVIDUALS UNDER 18 YEARS OF AGE REFERRED TO
45 INTERVENTION PROGRAMS BY THE DEPARTMENT;
- 46 14. NUMBER OF CALLS FOR SERVICE RELATED TO SUBSTANCE ABUSE;

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

20 **D. GUN VIOLENCE PREVENTION - DATA GATHERING REQUIREMENTS.** THE
21 POLICE DEPARTMENT SHALL COLLECT THE FOLLOWING DATA AND COMPILE
22 A REPORT THAT SHALL BE SUBMITTED TO THE CITY MANAGER AND CITY
23 COUNCIL AND PUBLISHED ON THE DEPARTMENT'S WEBSITE NO LATER THAN
24 JUNE 30TH OF EACH YEAR EVERY 6 MONTHS:

- 25 1. NUMBER OF TOTAL FIREARM-RELATED INCIDENTS;
26 2. NUMBER OF CONFIRMED INCIDENTS OF GUNSHOTS FIRED-REPORTINGS;
27 3. NUMBER OF DEATHS AND INJURIES CAUSED BY FIREARMS;
28 4. RESULTS OF FIREARM CONTACT TRACING EFFORTS; AND
29 5. IF AVAILABLE, THE NUMBER OF FIREARMS LEGALLY REGISTERED IN THE
30 CITY OF ANNAPOLIS.

31
32 SUCH REPORTING SHALL INCLUDE RECOMMENDATIONS FROM THE
33 DEPARTMENT AS TO HOW THE CITY CAN PROACTIVELY STEM THE ILLEGAL
34 USE OF FIREARMS AND REDUCE THE NUMBER OF GUNS IN THE CITY.

35
36 **E. CITY-OWNED ARMORED VEHICLES – REPORTING REQUIREMENTS.** NO
37 LATER THAN JUNE 30TH OF EACH YEAR, THE POLICE DEPARTMENT SHALL
38 SUBMIT A REPORT TO THE CITY MANAGER AND PUBLISH IT ON THE
39 DEPARTMENT'S WEBSITE FOR EACH OCCURRENCE OF DOCUMENTING THE
40 ACQUISITION OF AN ARMORED VEHICLE, AND WHEN AN THE ARMORED
41 VEHICLE IS DEPLOYED, NOT INCLUDING UTILIZATION IN RECRUITMENT
42 EVENTS OR OTHER PUBLIC OUTREACH ACTIVITIES.

43
44 ~~**F. GUN AND PAWN SHOP – REPORTING REQUIREMENTS.** THE SALE OF~~
45 ~~FIREARMS AND AMMUNITION WITHIN THE CITY OF ANNAPOLIS IS SUBJECT TO~~

~~THE DOCUMENTING AND REPORTING REQUIREMENTS SET FORTH IN CHAPTERS 7.36 AND 11.44 OF THE CITY CODE.~~

SECTION 2.36.100 – COMMUNITY POLICING.

- A. **PURPOSE.** THE PURPOSE OF THIS SECTION IS TO PROMOTE AND STRENGTHEN RELATIONSHIPS OF MUTUAL TRUST BETWEEN THE ANNAPOLIS POLICE DEPARTMENT AND THE COMMUNITIES THEY SERVE.
- B. **COMMUNITY POLICING GUIDELINES.** TO FURTHER COMMUNITY POLICING OBJECTIVES, THE ANNAPOLIS POLICE DEPARTMENT SHALL:
1. ENCOURAGE OFFICERS TO REGULARLY INITIATE AND ENGAGE IN POSITIVE NONENFORCEMENT ACTIVITIES WITH THE COMMUNITIES IN WHICH THEY WORK;
 2. ENSURE CULTURAL COMPETENCY (THE ABILITY TO INTERACT EFFECTIVELY WITH PEOPLE OF DIFFERENT CULTURES AND SOCIO-ECONOMIC BACKGROUNDS) THROUGHOUT THE DEPARTMENT AND INCREASE OFFICER KNOWLEDGE OF THE CITY’S DIVERSE POPULATION;
 3. PRIORITIZE THE RECRUITMENT OF CANDIDATES WITH TIES TO THE CITY;
 4. INCREASE COMMUNITY OUTREACH INITIATIVES THROUGH OFFICER ATTENDANCE AT COMMUNITY EVENTS ON BEHALF OF THE DEPARTMENT;
 5. INCORPORATE MENTAL HEALTH AND POSITIVE YOUTH DEVELOPMENT INITIATIVES IN PARTNERSHIP WITH CITY DEPARTMENTS, AGENCIES, AND COMMUNITY-BASED ORGANIZATIONS.

SECTION 2.36.110 – TRAINING – REQUIREMENTS.

- A. ALL POLICE OFFICERS SHALL BE TRAINED ON PROHIBITED PRACTICES SUCH AS BIAS-BASED PROFILING AND DISCRIMINATORY POLICING.
- B. ALL POLICE OFFICERS SHALL UNDERGO IMPLICIT BIAS AND DE-ESCALATION TRAINING NO LESS THAN ONCE A YEAR.
- C. ALL POLICE OFFICERS SHALL UNDERGO TRAINING ON USING THE LEAST AMOUNT OF FORCE POSSIBLE WHEN INTERACTING WITH PREGNANT PERSONS; CHILDREN AND YOUTH UNDER THE AGE OF 26 YEARS; ELDERLY PERSONS; PERSONS WITH MENTAL, BEHAVIORAL, DEVELOPMENTAL, INTELLECTUAL, OR PHYSICAL DISABILITIES OR IMPAIRMENTS; PERSONS EXPERIENCING PERCEPTUAL OR COGNITIVE IMPAIRMENTS DUE TO USE OF ALCOHOL, NARCOTICS, HALLUCINOGENS, OR OTHER DRUGS; PERSONS SUFFERING FROM A SERIOUS MEDICAL CONDITION; PERSONS OF COLOR; PERSONS WITH LIMITED ENGLISH PROFICIENCY; AND PERSONS WHO MAY BE ARMED WITH KNIVES OR EDGED OR BLUNT WEAPONS.
- DC. ALL POLICE COMMUNICATIONS OPERATORS SHALL BE TRAINED TO IDENTIFY CALLS FOR SERVICE INVOLVING PERSONS AFFECTED BY MENTAL ILLNESS OR IN CRISIS SO THAT SUCH CALLS CAN BE IMMEDIATELY ASSIGNED TO CRISIS INTERVENTION TRAINED OFFICERS.

- 1 ~~ED.~~ ALL CRISIS INTERVENTION OFFICERS SHALL BE TRAINED TO USE DE-
2 ESCALATION TECHNIQUES WHEN RESPONDING TO CALLS FOR SERVICE
3 INVOLVING PERSONS AFFECTED BY MENTAL ILLNESS OR IN CRISIS. THE
4 POLICE DEPARTMENT SHALL PROVIDE DETAILS TO ITS OFFICERS OF THE
5 AVAILABLE MENTAL HEALTH FACILITIES AND SERVICES IN THE ANNAPOLIS
6 AREA THAT OFFICERS MAY CONTACT TO RECEIVE MENTAL HEALTH
7 ASSISTANCE.
- 8 ~~FE.~~ BY JUNE 30TH OF EACH YEAR, THE POLICE DEPARTMENT SHALL SUBMIT AN
9 ~~ANNUAL~~ REPORT TO THE CITY COUNCIL DETAILING THE TRAINING COURSES
10 PROVIDED TO ITS OFFICERS ~~AS PART OF THE ANNUAL OPERATING BUDGET.~~

11
12 **SECTION 2.36.120 - REGULATIONS**

13 A. SCOPE OF DIRECTIVE. THE DIRECTIVES ESTABLISHED UNDER THIS
14 SECTION:

- 15 1. SHALL NOT BE CONSTRUED TO ALTER STANDARDS OF CIVIL OR
16 CRIMINAL LIABILITY;
17 2. ~~2.~~ SHALL NOT BE CONSTRUED TO CREATE PRIVATE RIGHTS
18 ENFORCEABLE BY ANY PERSON OR INDIVIDUAL; AND
19 3. ~~3.~~ SHALL NOT BE CONSTRUED TO ALTER STATE OR FEDERAL RULES OF
20 EVIDENCE.
21 4. ENFORCEMENT OF ANY POLICIES ADOPTED PURSUANT OF THIS CHAPTER
22 SHALL BE DONE THROUGH THE EXISTING PERSONNEL ENFORCEMENT
23 PROCEDURES AND NOT BE CONSIDERED A MISDEMEANOR CODE VIOLATION.

24
25
26 B. GENERAL RULES OF CONDUCT AND PERFORMANCE

- 27 1. FAMILIARITY WITH RULES AND REGULATIONS. IT SHALL BE THE DUTY OF
28 EVERY EMPLOYEE OF THE POLICE TO BECOME THOROUGHLY FAMILIAR
29 WITH THE GENERAL ORDERS PROMULGATED BY THE POLICE CHIEF.

30 C. ~~PERSONNEL~~ CONSENT SEARCHES – MINIMUM STANDARDS

- 31
32 A1. **RESTRICTIONS.** IN INSTANCES WHEN A SEARCH IS BASED SOLELY ON A
33 SUBJECT'S CONSENT TO THAT SEARCH, AND NOT EXECUTED PURSUANT TO A
34 WARRANT OR CONDUCTED PURSUANT TO AN APPLICABLE EXCEPTION TO
35 THE WARRANT REQUIREMENT, SWORN MEMBERS OF THE ANNAPOLIS POLICE
36 DEPARTMENT SHALL, PRIOR TO THE SEARCH OF A PERSON, VEHICLE,
37 PREMISES, OR PERSONAL PROPERTY:
38 2. ~~(1)~~ ADVISE THE SUBJECT THAT A SEARCH WILL NOT BE CONDUCTED IF THE
39 SUBJECT REFUSES TO PROVIDE CONSENT TO THE SEARCH;
40 (2) ~~3.~~ ADVISE THE SUBJECT OF HIS OR HER LEGAL RIGHT TO DECLINE TO
41 CONSENT TO THE SEARCH;
42 (3) ~~4.~~ OBTAIN CONSENT TO SEARCH WITHOUT THREATS OR PROMISES OF
43 ANY KIND BEING MADE TO THE SUBJECT;
44 5(4). CONFIRM THAT THE SUBJECT UNDERSTANDS THE INFORMATION
45 COMMUNICATED BY THE OFFICER; AND

1 ~~(5)6.~~ WHEN NECESSARY, USE INTERPRETATION SERVICES (INCLUDING A
2 LANGUAGE LINE) IN SEEKING CONSENT TO CONDUCT A SEARCH OF A
3 PERSON WHO IS:

- 4 (A) UNABLE TO ADEQUATELY UNDERSTAND OR EXPRESS THEMSELVES IN
5 SPOKEN OR WRITTEN ENGLISH; OR
6 (B) DEAF OR INCAPABLE OF COMMUNICATING FOR ANY OTHER REASON.
7

8 IF THE RESTRICTIONS IN SUBPARAGRAPH “A1” ARE NOT SATISFIED, THE
9 POLICE OFFICER CANNOT CONDUCT THE SEARCH BASED SOLELY ON THE
10 SUBJECT’S CONSENT TO THAT SEARCH.
11

12
13 ~~B. SCOPE OF DIRECTIVE. THE DIRECTIVES ESTABLISHED UNDER THIS SECTION:~~

- 14
15 1. ~~SHALL NOT BE CONSTRUED TO ALTER STANDARDS OF CIVIL OR CRIMINAL~~
16 ~~LIABILITY;~~
17 2. ~~SHALL NOT BE CONSTRUED TO CREATE PRIVATE RIGHTS ENFORCEABLE~~
18 ~~BY ANY PERSON OR INDIVIDUAL; AND~~
19 3. ~~SHALL NOT BE CONSTRUED TO ALTER STATE OR FEDERAL RULES OF~~
20 ~~EVIDENCE.~~
21

22 D. SECTION 2.36.130 – USE OF FORCE – MINIMUM STANDARDS

23
24 A1. IN GENERAL. IT IS THE EXPRESS POLICY OF THE ANNAPOLIS POLICE
25 DEPARTMENT THAT POLICE OFFICERS MAY NOT USE FORCE AGAINST A
26 PERSON UNLESS, UNDER THE TOTALITY OF THE CIRCUMSTANCES, THE
27 FORCE IS NECESSARY AND PROPORTIONAL TO:

- 28 (A). PREVENT ANY IMMINENT THREAT OF PHYSICAL INJURY TO A PERSON; OR
29 (B). EFFECTUATE A LEGITIMATE LAW ENFORCEMENT OBJECTIVE.

30 2. A POLICE OFFICER SHALL IMMEDIATELY MODULATE FORCE AS THE THREAT
31 DIMINISHES, AND CEASE THE USE OF FORCE AS SOON AS:

32 (A) THE PERSON WHOM THE FORCE IS USED IS UNDER THE POLICE OFFICER’S
33 CONTROL; OR NO LONGER POSES AN IMMINENT THREAT OF PHYSICAL INJURY OR
34 DEATH TO THE POLICE OFFICER OR TO ANOTHER PERSON; OR

35 (B) THE POLICE OFFICER DETERMINES THAT FORCE WILL NO LONGER
36 ACCOMPLISH A LEGITIMATE LAW ENFORCEMENT OBJECTIVE.

37 3. A POLICE OFFICER SHALL:

38 (A) WHEN TIME, CIRCUMSTANCES, AND SAFETY ALLOW, TAKE STEPS TO GAIN
39 COMPLIANCE AND DE-ESCALATE CONFLICT WITHOUT USING PHYSICAL FORCE;

40 (B) INTERVENE TO PREVENT OR TERMINATE THE USE OF FORCE BY ANOTHER
41 POLICE OFFICER BEYOND WHAT IS AUTHORIZED UNDER SUBSECTION 1. OF THIS
42 SECTION;

43 (C) RENDER BASIC FIRST AID TO A PERSON INJURED AS A RESULT OF POLICE
44 ACTION AND PROMPTLY REQUEST APPROPRIATE MEDICAL ASSISTANCE; AND

45 (D) FULLY DOCUMENT ALL USE OF FORCE INCIDENTS THAT THE OFFICER
46 OBSERVED OR WAS INVOLVED IN.

1 4. A POLICE SUPERVISOR SHALL:

2 (A) RESPOND TO THE SCENE OF ANY INCIDENT DURING WHICH A POLICE
3 OFFICER USED PHYSICAL FORCE AND CAUSED SERIOUS PHYSICAL INJURY; AND

4 (B) GATHER AND REVIEW ALL KNOWN VIDEO RECORDINGS OF A USE OF
5 FORCE INCIDENT.

6 5. THE DEPARTMENT SHALL:

7 (A) HAVE A WRITTEN DE-ESCALATION OF FORCE POLICY; AND

8 (B) ADOPT A WRITTEN POLICY REQUIRING SUPERVISORY AND COMMAND-
9 LEVEL REVIEW OF ALL USE OF FORCE INCIDENTS.

10 6. A POLICE OFFICER SHALL:

11 (A) UNDERGO TRAINING ON WHEN A POLICE OFFICER MAY OR MAY NOT
12 DRAW A FIREARM OR POINT A FIREARM AT A PERSON AND ENFORCEMENT
13 OPTIONS THAT ARE LESS LIKELY TO CAUSE DEATH OR SERIOUS PHYSICAL
14 INJURY, INCLUDING SCENARIO-BASED TRAINING, DE-ESCALATION TACTICS AND
15 TECHNIQUES, AND REASONABLE ALTERNATIVES TO DECREASE PHYSICAL
16 INJURY; AND

17 (B) SIGN A TRAINING COMPLETION DOCUMENT STATING THAT THE OFFICER
18 UNDERSTANDS AND SHALL COMPLY WITH THE MARYLAND USE OF FORCE
19 STATUTE.

20 ~~USE ONLY THE AMOUNT OF FORCE THAT IS REASONABLE TO OVERCOME~~
21 ~~RESISTANCE AND TO ACCOMPLISH LAWFUL OBJECTIVES. A REASONABLE~~
22 ~~AMOUNT OF FORCE IS NOT PREDICATED ON A STRICT HIERARCHICAL SEQUENCE,~~
23 ~~NOR IS AN OFFICER OBLIGATED TO USE THE MINIMUM USE OF FORCE. AN~~
24 ~~OFFICER SHALL EVALUATE THE IMMEDIATE CIRCUMSTANCES AND USE THE~~
25 ~~APPROPRIATE LEVEL OF FORCE THAT IS REASONABLE UNDER THOSE~~
26 ~~PARTICULAR CIRCUMSTANCES. THE LEVEL OF CRIMINAL ACTIVITY IS NOT THE~~
27 ~~DETERMINING FACTOR IN THE USE OF FORCE. THE POLICE OFFICER SHALL USE~~
28 ~~THE AMOUNT OF FORCE NECESSARY TO PROTECT AND PREVENT SERIOUS BODILY~~
29 ~~HARM. WHEN TIME AND CIRCUMSTANCES PERMIT, A POLICE OFFICER SHOULD~~
30 ~~FIRST ATTEMPT TO DE-ESCALATE ANY PERCEIVED OR POTENTIAL THREAT~~
31 ~~WITHOUT THE USE OF PHYSICAL FORCE.~~

32
33 **B2. EQUIPMENT AND CROWD CONTROL - RESTRICTIONS.**

34
35 1. DEFINITIONS.

36
37 (A) (A) —“PEACEFUL PROTESTS” AND “PEACEFUL PROTESTORS” HAVE
38 THE SAME MEANING: A GATHERING OF PEOPLE OR AN INDIVIDUAL,
39 WHETHER PERMITTED OR NOT PERMITTED, THAT ARE EXERCISING
40 THEIR FIRST AMENDMENT RIGHT TO ASSEMBLE, AND THAT ARE
41 TAKING NO VIOLENT ACTION AGAINST ANY PERSON OR PROPERTY.

42 (B) “VIOLENT ACTION” OR “VIOLENT PROTESTS” ARE DEFINED AS ACTIONS
43 AND PROTESTS THAT

44 (A) 1. CONSTITUTE A CLEAR AND PRESENT DANGER AND THAT INVOLVE
45 PHYSICAL ATTACKS AGAINST PERSONS, ANIMALS, OR SIGNIFICANT AND
46 LASTING DESTRUCTIVE ACTIONS TAKEN AGAINST PROPERTIES ~~AND/OR~~

1 2. ~~WHO~~WHERE THE PURPOSE OF THE ASSEMBLY IS TO INSTIGATE A RIOT.

2
3 2. THE ANNAPOLIS POLICE DEPARTMENT SHALL NOT ALLOW USE OF THE
4 FOLLOWING WEAPONS IN THE EXERCISING OF THEIR DUTIES:

- 5
6 (A) BAYONETS;
7 (B) FIREARM MUFFLERS OR SUPPRESSORS;
8 (C) FIREARMS OF .50 CALIBER OR HIGHER;
9 (D) FIREARMS, FIREARM ACCESSORIES, OR OTHER OBJECTS DESIGNED OR
10 CAPABLE OF LAUNCHING EXPLOSIVES, WITH THE EXCEPTION OF
11 DEVICES MEANT TO LAUNCH TEAR GAS CANISTERS—OR
12 PYROTECHNICS, INCLUDING GRENADE LAUNCHERS; AND
13 ~~(E) REMOTELY PILOTED, POWERED AIRCRAFT WITHOUT A CREW~~
14 ~~ABOARD; AND~~

15 3. CROWD CONTROL RESTRICTIONS

16 ~~(A) (F)~~LETHAL MEASURES, TEAR GAS, PEPPER BALLS, OTHER CHEMICAL
17 IRRITANTS, STING BALL GRENADES, WOODEN BULLETS OR OTHER KINETIC
18 IMPACT PROJECTILES, RUBBER BULLETS, ACOUSTIC WEAPONS, TASERS,
19 DIRECTED ENERGY WEAPONS, WATER CANNONS, DISORIENTATION DEVICES,
20 ULTRASONIC CANNONS, ANY DEVICE DESIGNED TO CAUSE PAIN OR DISCOMFORT,
21 OR OTHER OFFENSIVE CROWD-CONTROL MEASURES, SHALL NOT BE USED ON
22 PEACEFUL PROTESTERS. IF SUCH MEASURES ARE USED ON PROTESTERS THAT
23 ARE NOT PEACEFUL, IN ACCORDANCE WITH THIS SECTION AND WITH THE USE OF
24 FORCE POLICY, THAN STEPS SHOULD BE TAKEN TO AVOID IMPACTING THE
25 PEACEFUL PROTESTERS.

26 (B) PROTESTERS/MARCHERS WITH PERMITTED ACTIVITIES THAT INCLUDE
27 A MARCH ROUTE SHALL NOT BE HINDERED FROM REACHING THEIR PERMITTED
28 DESTINATION, BEYOND WHAT IS REASONABLY EXPECTED FOR TEMPORARY
29 TRAFFIC CONTROL.

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

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

- 37
38 (1) RESTRICTING THE VEHICLE'S USE FOR ONLY PROTECTIVE
39 PURPOSES~~PROHIBITING THE VEHICLE'S USE AGAINST PEACEFUL~~
40 ~~PROTESTORS;~~ AND
41 (2) KEEPING THE VEHICLE OUT OF SIGHT OF PERMITTED AND
42 PEACEFUL PROTESTS.

43 (B) THE VEHICLE MAY BE USED FOR RECRUITMENT EVENTS OR OTHER
44 PUBLIC OUTREACH AS ALLOWED IN THE GENERAL ORDERS.

45
46 ~~(B) REQUIRED METRICS AND REPORTING IF THE VEHICLE IS DEPLOYED.~~

1
2 ~~4. THE REQUIREMENTS OF THIS SECTION APPLIES TO ANY LAW~~
3 ~~ENFORCEMENT AGENCY OPERATING IN ANNAPOLIS UNDER MUTUAL AID~~
4 ~~AGREEMENTS WITH THE ANNAPOLIS POLICE DEPARTMENT.~~

5
6 ~~3.~~ **FIREARMS.**

7 -A POLICE OFFICER SHALL NOT:

8
9 ~~1. DISCHARGE A FIREARM FROM OR AT A MOVING VEHICLE, UNLESS A PERSON~~
10 ~~INSIDE THE VEHICLE IS USING OR THREATENING LETHAL FORCE BY MEANS OTHER THAN THE~~
11 ~~VEHICLE ITSELF OR~~

12 ~~DISCHARGE A FIREARM WHENEVER IT APPEARS LIKELY THAT AN~~
13 ~~INNOCENT PERSON MAY BE INJURED.~~

14 ~~2. OR DISCHARGE A FIREARM AT A PERSON WHO IS FLEEING TO AVOID~~
15 ~~ARREST, OR ON A MISDEMEANOR CHARGE. DISCHARGE A FIREARM IN~~
16 ~~GENERAL, UNLESS SUCH FORCE IS NECESSARY, AS A LAST RESORT, TO~~
17 ~~PREVENT IMMINENT AND SERIOUS BODILY INJURY OR DEATH TO THE~~
18 ~~OFFICER OR ANOTHER PERSON; AND~~
19 ~~THE USE OF SUCH FORCE CREATES NO SUBSTANTIAL RISK OF INJURY TO A~~
20 ~~THIRD PERSON; AND~~
21 ~~REASONABLE ALTERNATIVES TO THE USE OF SUCH FORCE HAVE BEEN~~
22 ~~EXHAUSTED.~~

23
24
25 ~~D4.~~ **OLEORESIN CAPSICUM OR COUNTER-ASSAULT PEPPER-MACE. F**

26
27 1. THE USE OF OLEORESIN CAPSICUM OR COUNTER-ASSAULT PEPPER MACE
28 IS LIMITED TO:

29
30 (A) DEFENDING OFFICERS AND CITIZENS AGAINST PHYSICAL ATTACK.

31 (B) EFFECTUATING AN ARREST WHEN VIOLENT OR AGGRESSIVE
32 BEHAVIOR IS ENCOUNTERED AND ALL OTHER REASONABLE
33 ATTEMPTS TO RESTRAIN AN INDIVIDUAL HAVE FAILED.

34 (C) CONTROLLING AN ARRESTEE WHO IS PHYSICALLY VIOLENT OR
35 AGGRESSIVE WHEN ALL OTHER REASONABLE ATTEMPTS TO
36 RESTRAIN THE INDIVIDUAL HAVE FAILED.

37 (D) CONTROL ANIMALS THAT ARE DISPLAYING HOSTILE OR AGGRESSIVE
38 BEHAVIOR.

39
40 2. WHENEVER PRACTICAL, A POLICE OFFICER SHOULD WARN THE SUSPECT
41 AND ANY SURROUNDING OFFICERS OF AN INTENT TO USE
42 OLEORESIN CAPSICUM SPRAY.

43
44 ~~1. 3.~~ OLEORESIN CAPSICUM, COUNTER-ASSAULT PEPPER MACE, OR
45 OTHER SIMILAR SUBSTANCE SHALL NOT BE USED DURING PEACEFUL
46 FIRST AMENDMENT, PERMITTED RALLIES OR PROTESTS, UNLESS IT IS

1 USED IN A TARGETED MANNER PREDOMINANTLY ON PROTESTERS THAT
2 HAVE BECOME VIOLENT OR DESTRUCTIVE AS DEFINED IN THIS SECTION,
3 AND COMPLIES WITH THE USE OF FORCE POLICY. ~~UNLESS EXPRESSLY~~
4 ~~AUTHORIZED BY THE CHIEF OF POLICE.~~

5
6 **E5. NECK RESTRAINTS.**

7
8 **2. ~~1.~~—DEFINITIONS.**

- 9
10 (A) “NECK RESTRAINT” IS ANY TECHNIQUE, INCLUDING POSITIONAL OR
11 COMPRESSION ASPHYXIATION THAT IS INTENDED TO OR HAS THE
12 RESULT OF RESTRICTING THE FLOW OF BLOOD OR OXYGEN TO THE
13 BRAIN AND IS CONSIDERED DEADLY FORCE.
14 (B) “RESTRAINED INDIVIDUAL” MEANS AN INDIVIDUAL WHO IS UNDER
15 CONTROL, IS NOT RESISTING ARREST, AND NO LONGER POSES A
16 THREAT TO THE OFFICER OR OTHERS IN THE IMMEDIATE AREA.

17
18 **3. ~~2.~~—UNDER NO CIRCUMSTANCES SHALL A POLICE OFFICER:**

- 19
20 (A) APPLY A NECK RESTRAINT, UNLESS SUCH FORCE IS NECESSARY,
21 AS A LAST RESORT, TO PREVENT IMMINENT AND SERIOUS BODILY INJURY
22 OR DEATH TO THE OFFICER OR ANOTHER PERSON; AND
23 THE USE OF SUCH FORCE CREATES NO SUBSTANTIAL RISK OF INJURY TO
24 A THIRD PERSON; AND
25 REASONABLE ALTERNATIVES TO THE USE OF SUCH FORCE HAVE BEEN
26 EXHAUSTED.; OR
27 (B) STRIKE A RESTRAINED INDIVIDUAL.
28
29 3. ANY OFFICER WHO APPLIES A NECK RESTRAINT AND ANY OFFICER WHO
30 OBSERVES ANOTHER OFFICER’S APPLICATION OF A NECK RESTRAINT
31 SHALL:
32
33 (A) IMMEDIATELY RENDER, OR CAUSE TO BE RENDERED, FIRST AID ON
34 THE PERSON ON WHOM THE NECK RESTRAINT WAS APPLIED; OR
35 (B) IMMEDIATELY REQUEST EMERGENCY MEDICAL SERVICES FOR THE
36 PERSON ON WHOM THE NECK RESTRAINT WAS APPLIED.

37
38 **F6. DUTY TO INTERVENE.**

- 39
40 1. AN OFFICER SHALL INTERVENE TO PREVENT, STOP, OR ATTEMPT TO STOP,
41 AND REPORT TO A SUPERVISOR, ANY OFFICER WHO IS USING EXCESSIVE
42 FORCE, VIOLATES ANY PROVISION OF THIS SECTION, THE USE OF FORCE
43 POLICY, OR IS COMMITTING A CRIME, AND PROMPTLY REPORT THE
44 OFFICER TO A SUPERVISOR.
45
46 2. ANY INTERVENING OFFICER TAKING ACTION TO STOP SUCH BEHAVIOR BY
47 ANOTHER OFFICER SHALL BE FREE FROM RETALIATION OR DISCIPLINE. IF

1 AN OFFICER OBSERVES SUCH BEHAVIOR AND DOES NOT INTERVENE,
2 THEY MAY BE SUBJECT TO DISCIPLINARY ACTIONS.

3
4 ~~G. SCOPE OF DIRECTIVE. THE DIRECTIVES ESTABLISHED UNDER THIS SECTION:~~

- 5
6 ~~1. SHALL NOT BE CONSTRUED TO ALTER STANDARDS OF CIVIL OR CRIMINAL~~
7 ~~LIABILITY;~~
8 ~~2. SHALL NOT BE CONSTRUED TO CREATE PRIVATE RIGHTS ENFORCEABLE~~
9 ~~BY ANY PERSON OR INDIVIDUAL; AND~~
10 ~~3. SHALL NOT BE CONSTRUED TO ALTER STATE OR FEDERAL RULES OF~~
11 ~~EVIDENCE.~~

12
13 ~~E. SECTION 2.36.140 — FIRST AMENDMENT ASSEMBLIES — MINIMUM~~
14 ~~STANDARDS.~~

- 15
16 A. DURING A FIRST AMENDMENT ASSEMBLY, ALL UNIFORMED ANNAPOLIS
17 POLICE OFFICERS SHALL PROMINENTLY DISPLAY THEIR BADGE OR
18 OTHERWISE IDENTIFY THEIR AFFILIATION WITH LOCAL LAW ENFORCEMENT.
19

20 ~~F. SECTION 2.36.150 — PROFILING - DISCRIMINATORY POLICING PRACTICES~~
21 ~~— MINIMUM STANDARDS — PROHIBITED.~~

- 22
23 A. IT IS PROHIBITED FOR ANY MEMBER OF THE ANNAPOLIS POLICE
24 DEPARTMENT, INCLUDING AFFILIATED LAW ENFORCEMENT OFFICERS,
25 CIVILIAN EMPLOYEES, AND INDIVIDUALS UNDER CONTRACT, TO ENGAGE IN
26 BIAS-BASED PROFILING AND DISCRIMINATORY PRACTICES AS DEFINED BY
27 GENERAL ORDERS. IN ADDITION, NO MEMBER OF THE DEPARTMENT SHALL
28 POST POTENTIALLY DISCRIMINATORY SOCIAL MEDIA POSTS IN EITHER AN
29 OFFICIAL OR PRIVATE CAPACITY. COMPLAINTS CONCERNING SUCH POSTS
30 SHALL BE REFERRED TO THE HUMAN RELATIONS COMMISSION.
31

- 32 B. IT IS PROHIBITED FOR A POLICE OFFICER TO CONDUCT A “STOP AND FRISK”
33 SEARCH ~~FOR WEAPONS~~, AS DEFINED BY GENERAL ORDER, BASED SOLELY ON
34 THE RACE, GENDER, SEXUAL ORIENTATION, OR OTHER DISCRIMINATORY
35 PROFILING PRACTICE THAT IS UNRELATED TO THE DESCRIPTION PROVIDED
36 TO THAT OFFICER OF ~~THE A~~ SUSPECT.
37

38 ~~SECTION 2.36.160 — NO KNOCK WARRANTS~~

39
40 ~~A. ONLY AN OFFICER ASSIGNED TO THE ANNAPOLIS POLICE DEPARTMENT’S~~
41 ~~ANNAPOLIS SPECIAL EMERGENCY TEAM (“ASET”) MAY PARTICIPATE IN THE~~
42 ~~EXECUTION OF A NO-KNOCK WARRANT.~~

43
44 ~~B. AN OFFICER MAY NOT ENTER PRIVATE PREMISES WITHOUT FIRST KNOCKING~~
45 ~~AND ANNOUNCING THE OFFICER’S PRESENCE UNLESS:~~
46

1 ~~1. OTHER METHODS OF SERVING THE WARRANT, INCLUDING METHODS~~
2 ~~THAT WOULD MITIGATE RISK, HAVE BEEN CONSIDERED AND HAVE BEEN~~
3 ~~DETERMINED TO:~~

- 4
5 ~~(A) POSE A RISK TO THE LIFE AND SAFETY OF THE EXECUTING OFFICERS~~
6 ~~OR ANOTHER PERSON; OR~~
7 ~~(B) BE FUTILE;~~

8
9 ~~2. THE CRIME BEING INVESTIGATED IS:~~

- 10
11 ~~(A) A CRIME OF VIOLENCE AS DEFINED IN SECTION 14-101(A) OF THE~~
12 ~~CRIMINAL LAW ARTICLE OF THE MARYLAND ANNOTATED CODE, AS~~
13 ~~MAY BE AMENDED;~~
14 ~~(B) RELATED TO FIREARMS POSSESSION;~~
15 ~~(C) RELATED TO A WARRANT OBTAINED PURSUANT TO SECTION 5-607 OF~~
16 ~~THE PUBLIC SAFETY ARTICLE OF THE MARYLAND ANNOTATED CODE,~~
17 ~~AS MAY BE AMENDED;~~
18 ~~(D) RELATED TO CHILD ABUSE;~~
19 ~~(E) RELATED TO CHILD PORNOGRAPHY;~~
20 ~~(F) RELATED TO DOMESTIC VIOLENCE; OR~~
21 ~~(G) RELATED TO TERRORISM; AND~~

22
23 ~~3. AT LEAST ONE OF THE FOLLOWING FACTORS IS PRESENT:~~

- 24
25 ~~(A) REASONABLE SUSPICION THAT A PERSON IS PRESENT AT THE~~
26 ~~LOCATION WHO HAS DEMONSTRATED A PROPENSITY FOR VIOLENCE;~~
27 ~~OR~~
28 ~~(B) REASONABLE SUSPICION THAT ENTRY INTO THE LOCATION HAS BEEN~~
29 ~~FORTIFIED, IS "BOOBY TRAPPED", OR HAS UNIQUE CHARACTERISTICS~~
30 ~~THAT WOULD PRECLUDE THE OFFICER FROM FIRST KNOCKING AND~~
31 ~~ANNOUNCING DUE TO INHERENT SAFETY REASONS.~~

32
33 ~~C. A POLICE OFFICER IS PROHIBITED FROM ENTERING PRIVATE PREMISES~~
34 ~~WITHOUT FIRST KNOCKING AND ANNOUNCING THE OFFICER'S PRESENCE IF~~
35 ~~THE SOLE PURPOSE OF ENTERING THE PREMISES IS TO PREVENT THE~~
36 ~~DESTRUCTION OF EVIDENCE.~~

37
38 ~~D. SCOPE OF DIRECTIVE. THE DIRECTIVES ESTABLISHED UNDER THIS SECTION:~~

- 39
40 ~~1. SHALL NOT BE CONSTRUED TO ALTER STANDARDS OF CIVIL OR CRIMINAL~~
41 ~~LIABILITY;~~
42 ~~2. SHALL NOT BE CONSTRUED TO CREATE PRIVATE RIGHTS ENFORCEABLE~~
43 ~~BY ANY PERSON OR INDIVIDUAL; AND~~
44 ~~3. SHALL NOT BE CONSTRUED TO ALTER STATE OR FEDERAL RULES OF~~
45 ~~EVIDENCE.~~

46

1 G. SECTION 2.36.170 – DOMESTIC ABUSE – MINIMUM
2 STANDARDS PROCEDURES.

3
4 A. THE DEPARTMENT SHALL DRAFT GENERAL ORDERS RELATED SPECIFICALLY
5 TO ALLEGATIONS AND INVESTIGATIONS INTO CRIMES OF DOMESTIC
6 VIOLENCE. AT A MINIMUM, SUCH STANDARDS SHALL INCLUDE THE
7 FOLLOWING:

- 8
9 ~~1. THE DEPARTMENT SHALL COMPILE A COMPLETE REPORT FOLLOWING~~
10 ~~ANY ALLEGATION OF DOMESTIC VIOLENCE.~~
11 ~~2. SUCH ALLEGATIONS SHALL BE INVESTIGATED TO DETERMINE WHETHER~~
12 ~~OR NOT THERE IS PROBABLE CAUSE TO ARREST THE ALLEGED ABUSER.~~
13 ~~THE RESPONDING OFFICER IS RESPONSIBLE FOR ENSURING A VICTIM IS~~
14 ~~SAFE BY ARRESTING AN ALLEGED ABUSER ON THE SCENE, OR APPLYING~~
15 ~~FOR A WARRANT OF ARREST, IF THE OFFICER OR VICTIM IS WORRIED~~
16 ~~ABOUT SERIOUS BODILY HARM OR LIFE THREATENING ABUSE.~~
17 ~~3. THE OFFICER WHO RESPONDS TO SUCH A CALL SHALL SUBMIT THE~~
18 ~~REPORT TO A SUPERVISOR WHO WILL PROVIDE ANY DEDICATED~~
19 ~~DOMESTIC VIOLENCE INVESTIGATOR WITH A COPY OF THE REPORT TO~~
20 ~~ENSURE FOLLOW UP WITH THE VICTIM. THE DEPARTMENT SHALL OFFER~~
21 ~~SAFETY PLANNING ADVICE AND MAKE REFERRALS TO SERVICES NEEDED~~
22 ~~BY THE VICTIM AND CHILDREN.~~

- 23 1. REPORTING ON ALLEGATIONS OF DOMESTIC VIOLENCE, HOW THE
24 SAFETY OF VICTIMS WILL BE ENSURED, AND THAT ADEQUATE
25 FOLLOW UP WILL BE DONE WITH THE VICTIMS.

26 B. INTERNAL POLICIES SHALL ALSO BE CREATED THAT GOVERN INTERNAL
27 ALLEGATIONS OF DOMESTIC ABUSE, AND SHALL CONTAIN, AT MINIMUM, THE
28 REQUIREMENT THAT THAT THE CHIEF MAY TEMPORARILY CONFISCATE AN
29 OFFICER'S WEAPONS – AN OFFICER'S WEAPONS SHALL BE TEMPORARILY
30 CONFISCATED DURING AN INVESTIGATION OF ANY SUCH ABUSE.

31 B.C. NEW OFFICER CANDIDATES SHALL BE SCREENED FOR ANY CURRENT OR
32 PAST DOMESTIC VIOLENCE INCIDENTS.

33 H. SECTION 2.36.120 – BODY CAMERA FOOTAGE

- 34 A. ALL BODY CAMERA FOOTAGE FROM AN INCIDENT WHERE A POLICE
35 OFFICER WAS INVOLVED IN A SHOOTING, SHALL BE MADE AVAILABLE TO
36 THE PUBLIC, IF REQUESTED, WITHIN 7 BUSINESS DAYS.

37
38 ∩

39 SECTION 2.36.130 – GENERAL ORDERS

40 A. ANY CHANGES TO THE GENERAL ORDERS SHALL BE REPORTED TO THE PUBLIC SAFETY
41 COMMITTEE ON A MONTHLY BASIS AND SHALL BE SUMMARIZED TO THE COUNCIL IN THE
42 ANNUAL REPORTING REQUIREMENT AS DETAILED IN 2.36.90.

43 B. ALL OF THE GENERAL ORDERS SHALL BE POSTED ON THE DEPARTMENT'S WEBSITE,
44 UNLESS DEEMED SENSITIVE OR CONFIDENTIAL BY THE CHIEF, CITY MANAGER, AND PUBLIC
45 SAFETY COMMITTEE.

46
47 **Chapter 2.48 - BOARDS, COMMISSIONS AND COMMITTEES**

1 **Article V - Human Relations Commission**

2
3 **Section 2.48.160 – Powers - DUTIES.**

4
5 The Commission is authorized to:

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

21
22 THE COMMISSION SHALL PERFORM THE FOLLOWING DUTIES:

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

36
37
38 **Title 3 – HUMAN RESOURCES**

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

40
41 **Section 3.16.070 - Probationary status.**

- 42
43 A. Except as set forth in an applicable collective bargaining agreement, employees appointed
44 from appointment lists or by promotion shall be subject to a twelve-month minimum
45 probationary period. Under no circumstances shall an employee serve in a probationary status

beyond eighteen months except as provided in the rules and regulations of the personnel system.

~~B. NOTWITHSTANDING THE EXCEPTION IN PARAGRAPH A, COMMENCING JULY 1, 2022, NEWLY HIRED AND LATERAL TRANSFER POLICE OFFICERS SHALL BE SUBJECT TO AN EIGHTEEN MONTH PROBATIONARY PERIOD.~~

C. If the work of a probationary employee is found to be below standards satisfactory to the appointing authority, the appointing authority may dismiss, demote or transfer the probationary employee at any time during the probationary period. These actions by the appointing authority shall not be subject to review or appeal.

D. Upon promotion, a promoted employee who previously held permanent civil service status shall retain all permanent status rights and privileges during the probationary period.

Chapter 3.32 – Employee-Management Relations

Section 3.32.040 - Employer rights.

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

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

1. SHALL NOT BE CONSTRUED TO BE MANDATORY SUBJECTS OF COLLECTIVE BARGAINING UNDER SECTION 3.32.060; AND
2. SHALL BE CONSIDERED EMPLOYER RIGHTS NOT SUBJECT TO COLLECTIVE BARGAINING UNDER SECTION 3.32.040.

~~Title 7 – BUSINESS LICENSES, TAXES, AND REGULATIONS~~

~~Chapter 7.36 – PAWNBROKERS~~

~~Section 7.36.070 – Control and disposal of property.~~

~~A. List of Property. Each licensed pawnbroker shall keep, written in a legible and accurate manner on forms specified by the Chief of Police, a list of all articles of personal property~~

1 received on pledge and all other personal property purchased, and shall forward a copy of the
2 list to the Police Department daily. In the alternative and with the approval of the Chief of
3 Police, the list may be kept and forwarded electronically.

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

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

13
14 ~~**SECTION 7.36.075 – FIREARMS AND AMMUNITION – REGISTER OF PURCHASERS.**~~

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

20
21
22 ~~**Title 11 – PUBLIC PEACE, MORALS AND WELFARE**~~

23 ~~**Chapter 11.44 – WEAPONS**~~

24
25 ~~**Section 11.44.030 – Firearms and ammunition – Register of purchasers.**~~

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

31
32
33 ~~**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
34 ~~**ANNAPOLIS CITY COUNCIL** that the Police Chief must issue the regulations required under
35 ~~**this Ordinance within 6 months after the effective date.**~~~~~~

36
37 ~~**SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**~~
38 ~~**ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.~~

39
40
41 **Explanation:**

42 UPPERCASE indicates matter added to existing law.

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

44 Underlining indicates amendments.