

- (1) ~~has exercised or demanded the rights granted by this subtitle; or~~
- (2) ~~has lawfully exercised constitutional rights.~~

~~[(e)] (F) A statute may not abridge and a law enforcement agency may not adopt a regulation that prohibits the right of a law enforcement officer to bring suit that arises out of the law enforcement officer's duties as a law enforcement officer.~~

~~[(f)] (G) A law enforcement officer may waive in writing any or all rights granted by this subtitle.~~

3-504.

(A) IN THIS SECTION, "QUOTA" MEANS THE MANDATING OF A FINITE NUMBER OF ARRESTS MADE OR CITATIONS ISSUED THAT A LAW ENFORCEMENT OFFICER MUST MEET IN A SPECIFIED TIME PERIOD.

(B) A LAW ENFORCEMENT AGENCY MAY NOT:

(1) ESTABLISH A FORMAL OR INFORMAL QUOTA FOR THE LAW ENFORCEMENT AGENCY OR LAW ENFORCEMENT OFFICERS OF THE AGENCY; OR

(2) USE THE NUMBER OF ARRESTS MADE OR CITATIONS ISSUED BY A LAW ENFORCEMENT OFFICER AS THE SOLE OR PRIMARY CRITERION FOR PROMOTION, DEMOTION, DISMISSAL, OR TRANSFER OF THE OFFICER.

(C) THIS SECTION DOES NOT PRECLUDE A LAW ENFORCEMENT AGENCY FROM:

(1) USING QUANTITATIVE DATA FOR ARRESTS, CITATIONS, AND OTHER LAW ENFORCEMENT ACTIVITIES AS MANAGEMENT TOOLS OR IN EVALUATING PERFORMANCE;

(2) COLLECTING, ANALYZING, AND APPLYING INFORMATION CONCERNING THE NUMBER OF ARRESTS AND CITATIONS IN ORDER TO ENSURE THAT A PARTICULAR LAW ENFORCEMENT OFFICER OR GROUP OF LAW ENFORCEMENT OFFICERS DOES NOT VIOLATE AN APPLICABLE LEGAL OBLIGATION; OR

(3) ASSESSING THE PROPORTION OF THE ARRESTS MADE AND CITATIONS ISSUED BY A LAW ENFORCEMENT OFFICER OR GROUP OF LAW ENFORCEMENT OFFICERS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.

May 26, 2006

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis, MD 21401

Dear Mr. President: