

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

**Article - Courts and Judicial Proceedings**

2-608.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CHARGING DOCUMENT" MEANS A WRITTEN ACCUSATION ALLEGING THAT A DEFENDANT HAS COMMITTED AN OFFENSE.

(3) "CITATION" MEANS A CHARGING DOCUMENT, OTHER THAN AN INDICTMENT, AN INFORMATION, OR A STATEMENT OF CHARGES, ISSUED TO A DEFENDANT BY A PEACE OFFICER OR OTHER PERSON AUTHORIZED BY LAW TO DO SO.

(4) "INDICTMENT" MEANS A CHARGING DOCUMENT RETURNED BY A GRAND JURY AND FILED IN CIRCUIT COURT.

(5) "INFORMATION" MEANS A CHARGING DOCUMENT FILED IN COURT BY A STATE'S ATTORNEY.

(6) "OFFENSE" MEANS A VIOLATION OF THE CRIMINAL LAWS OF THE STATE OR ANY POLITICAL SUBDIVISION OF THE STATE.

(7) "STATEMENT OF CHARGES" MEANS A CHARGING DOCUMENT, OTHER THAN A CITATION, FILED IN DISTRICT COURT BY A PEACE OFFICER, A DISTRICT COURT JUDGE, OR A DISTRICT COURT COMMISSIONER.

(8) "LAW ENFORCEMENT OFFICER" HAS THE MEANING STATED IN ARTICLE 27, § 727(B) OF THE CODE.

(B) AN APPLICATION FILED IN THE DISTRICT COURT THAT REQUESTS THAT A STATEMENT OF CHARGES BE FILED AGAINST A LAW ENFORCEMENT OFFICER FOR AN OFFENSE ALLEGEDLY COMMITTED IN THE COURSE OF EXECUTING THE OFFICER'S LAW ENFORCEMENT DUTIES SHALL IMMEDIATELY BE FORWARDED TO THE STATE'S ATTORNEY.

(C) (1) UPON RECEIVING AN APPLICATION FILED IN DISTRICT COURT REQUESTING THAT A STATEMENT OF CHARGES BE FILED AGAINST A LAW ENFORCEMENT OFFICER, THE STATE'S ATTORNEY SHALL:

(I) INVESTIGATE THE CIRCUMSTANCES OF THE MATTER;  
AND

(II) MAKE A RECOMMENDATION TO THE DISTRICT COURT COMMISSIONER AS TO WHETHER A STATEMENT OF CHARGES SHOULD BE FILED AGAINST THE LAW ENFORCEMENT OFFICER.