

Article - Criminal Procedure

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§2–106.1.

(a) This section applies only in Allegany County.

(b) Except as provided in subsection (c) of this section, a police officer or an agent acting on behalf of a law enforcement agency shall keep custody of an arrested person from the time of arrest until the arrested person is:

- (1) committed by lawful authority to a State or local correctional facility;
- (2) released from custody; or
- (3) in the custody of another police officer.

(c) A correctional officer may keep custody of or provide transport for an arrested person who is awaiting transfer to another jurisdiction or waiting to see a judicial officer of the court if:

(1) the Commissioner of the Division of Pretrial Detention and Services or local managing official has assigned the correctional officer to supervise and transport inmates;

(2) the correctional officer will supervise the arrested person in a correctional facility or during transport; and

(3) the correctional facility is not addressing a situation that poses a severe threat to maintaining the desired level of security and safety of the arrested person or persons inside the correctional facility at the time of the transfer of custody.

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