HOUSE BILL 1803

By: Delegate Glenn
Introduced and read first time: March 5, 2018
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

AN ACT concerning

Baltimore City – Independent Institutions of Higher Education – Police Force

FOR the purpose of authorizing an independent institution of higher education in Baltimore City to establish a campus police force based on a certain memorandum of understanding; authorizing a police officer of a campus police force of an independent institution of higher education in Baltimore City to exercise the powers granted to a peace and police officer only on certain property with certain exceptions; requiring an independent institution of higher education that establishes a campus police force, in consultation with the Secretary of State Police and the Maryland Police Training and Standards Commission, to adopt certain standards, qualifications, and prerequisites; authorizing an independent institution of higher education that establishes a campus police force to continue to make use of a campus security force or building guards; including a member of a campus police force of an independent institution of higher education in Baltimore City in the defined term “police officer” in connection with provisions of law relating to the authority to make arrests and the Maryland Police Training and Standards Commission; including a member of a campus police force of an independent institution of higher education in Baltimore City in the defined term “law enforcement officer” in connection with provisions of law relating to the Law Enforcement Officers’ Bill of Rights; and generally relating to a police force of an independent institution of higher education in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure
Section 2–101(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 2–101(c)(25) and (26)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
SEC 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Criminal Procedure

2–101.

(a) In this title the following words have the meanings indicated.

(c) “Police officer” means a person who in an official capacity is authorized by law to make arrests and is:

(25) an employee of the Warrant Apprehension Unit of the Division of Parole and Probation in the Department; [or]
(26) a member of the police force of the Anne Arundel Community College;

OR

(27) A MEMBER OF THE CAMPUS POLICE FORCE OF AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION IN BALTIMORE CITY ESTABLISHED IN ACCORDANCE WITH § 10–211.1 OF THE EDUCATION ARTICLE.

Article – Education

10–211.1.

(A) AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION IN BALTIMORE CITY MAY ESTABLISH A CAMPUS POLICE FORCE BASED ON A MEMORANDUM OF UNDERSTANDING ENTERED INTO BY THE INSTITUTION AND THE MAYOR OR THE POLICE COMMISSIONER OF BALTIMORE CITY.

(B) (1) A CAMPUS POLICE OFFICER AUTHORIZED UNDER THIS SECTION HAS THE POWERS GRANTED TO A PEACE AND POLICE OFFICER.

(2) (I) A CAMPUS POLICE OFFICER AUTHORIZED UNDER THIS SECTION MAY EXERCISE THESE POWERS ONLY ON PROPERTY THAT IS OWNED, LEASED, OPERATED BY, OR UNDER THE CONTROL OF THE INDEPENDENT INSTITUTION OF HIGHER EDUCATION IN BALTIMORE CITY BY WHICH THE OFFICER IS EMPLOYED.

(II) THE CAMPUS POLICE OFFICER MAY NOT EXERCISE THESE POWERS ON ANY OTHER PROPERTY UNLESS:

1. ENGAGED IN FRESH PURSUIT OF A SUSPECTED OFFENDER;

2. REQUESTED OR AUTHORIZED TO DO SO BY THE MAYOR OR THE POLICE COMMISSIONER OF BALTIMORE CITY;

3. NECESSARY TO FACILITATE THE ORDERLY FLOW OF TRAFFIC TO AND FROM PROPERTY OWNED, LEASED, OPERATED BY, OR UNDER THE CONTROL OF THE INDEPENDENT INSTITUTION OF HIGHER EDUCATION IN BALTIMORE CITY BY WHICH THE OFFICER IS EMPLOYED; OR

4. ORDERED TO DO SO BY THE GOVERNOR.

(C) IF AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION ESTABLISHES A CAMPUS POLICE FORCE UNDER THIS SECTION, THE INSTITUTION
SHE WILL:

(1) IN CONSULTATION WITH THE SECRETARY OF STATE POLICE AND THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION, ADOPT STANDARDS, QUALIFICATIONS, AND PREREQUISITES OF CHARACTER, TRAINING, EDUCATION, HUMAN AND PUBLIC RELATIONS, AND EXPERIENCE FOR THE CAMPUS POLICE OFFICERS, INCLUDING STANDARDS FOR THE PERFORMANCE OF THEIR DUTIES; AND

(2) TO THE EXTENT PRACTICABLE, ADOPT STANDARDS THAT ARE SIMILAR TO THE STANDARDS ADOPTED FOR THE DEPARTMENT OF STATE POLICE.

(D) IF AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION ESTABLISHES A CAMPUS POLICE FORCE UNDER THIS SECTION, THE INSTITUTION MAY CONTINUE TO MAKE USE OF A CAMPUS SECURITY FORCE OR BUILDING GUARDS IN ADDITION TO A CAMPUS POLICE FORCE.

Article – Public Safety

(a) In this subtitle the following words have the meanings indicated.

(e) (1) “Law enforcement officer” means an individual who:

(i) in an official capacity is authorized by law to make arrests; and

(ii) is a member of one of the following law enforcement agencies:

25. the Warrant Apprehension Unit of the Division of Parole and Probation in the Department of Public Safety and Correctional Services; [or]

26. the police force of the Anne Arundel Community College;

OR

27. THE CAMPUS POLICE FORCE OF AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION IN BALTIMORE CITY ESTABLISHED IN ACCORDANCE WITH § 10–211.1 OF THE EDUCATION ARTICLE.

3–201.

(a) In this subtitle the following words have the meanings indicated.

(f) (1) “Police officer” means an individual who:
(i) is authorized to enforce the general criminal laws of the State;

and

(ii) is a member of one of the following law enforcement agencies:

21. the parole and probation employees of the Warrant Apprehension Unit of the Division of Parole and Probation in the Department who are authorized to make arrests; [or]

22. the police force of the Anne Arundel Community College;

OR

23. THE CAMPUS POLICE FORCE OF AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION IN BALTIMORE CITY ESTABLISHED IN ACCORDANCE WITH § 10–211.1 OF THE EDUCATION ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.