
By: Delegate T. Murphy

Introduced and read first time: January 31, 1996

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 20, 1996

CHAPTER ____

1 AN ACT concerning

2 **State Police - Computer Crimes - Jurisdiction of the Department**

3 FOR the purpose of authorizing the Department of State Police to act within certain
4 municipalities under circumstances involving certain computer related crimes; and
5 generally relating to the jurisdictional authority of the Department of State Police.

6 BY repealing and reenacting, with amendments,
7 Article 88B - Department of State Police
8 Section 4
9 Annotated Code of Maryland
10 (1995 Replacement Volume)

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

13 **Article 88B - Department of State Police**

14 4.

15 (a) In this section, "emergency" means a sudden or unexpected happening or an
16 unforeseen combination of circumstances that calls for immediate action to protect the
17 health, safety, welfare, or property of an individual from actual or threatened harm or
18 from an unlawful act.

19 (b) The Secretary, the deputy secretary, and employees designated by the
20 Secretary as police employees shall have throughout the State the same powers,
21 privileges, immunities, and defenses as sheriffs, constables, police officers, and other
22 peace officers possessed at common law and may now or hereafter exercise within their
23 respective jurisdictions. Any warrant of arrest may be executed by a police employee in
24 any part of the State without further endorsement.

1 (c) Police employees shall not act within the limits of any incorporated
2 municipality which maintains a police force except: (1) when in pursuit of an offender or
3 suspected offender; (2) when in search of an offender or suspected offender wanted for a
4 crime committed outside of the limits of the municipality, or when interviewing or seeking
5 to interview a witness or supposed witness to such a crime; (3) when a crime is committed
6 in the presence of the police employee, the arrested party shall be immediately
7 transferred to the custody of the local law enforcement agency; (4) when requested to act
8 by the chief executive officer or the chief police officer of the municipality; (5) when
9 ordered by the Governor to act within the municipality; (6) except in Baltimore City,
10 when enforcing the motor vehicle laws of this State; (7) in Baltimore City, only when
11 enforcing Title 23 (Vehicle Laws - Inspection of Used Vehicles and Warnings for
12 Defective Equipment) of the Transportation Article; (8) in any building or place when
13 ordered by the President of the Senate and the Speaker of the House of Delegates, or
14 either of them, to guard the safety of legislators or the integrity of the legislative process;
15 (9) to protect the safety of an elected State official; (10) in the municipalities of Somerset
16 County; [or] (11) (i) 1. when participating in a joint investigation with officials from any
17 other State, federal, or local law enforcement agency at least one of which shall have local
18 jurisdiction; 2. when rendering assistance to a police officer; 3. when acting at the request
19 of a local police officer; or 4. when an emergency exists; and (ii) when acting in
20 accordance with regulations adopted by the Secretary to implement this paragraph; OR
21 (12) WHEN CONDUCTING INVESTIGATIONS RELATING TO OR OTHERWISE
22 ENFORCING THE PROVISIONS OF ARTICLE 27, § 146 OF THE CODE.

23 (d) No police employee shall be placed on detached service and act for any
24 federal department, agency or committee outside of the State of Maryland without the
25 written approval of the Governor or as otherwise provided by law.

26 (e) The term "incorporated municipality" as used in subsection (b) of this section
27 shall mean the territory within the limits of an incorporated city or town within any county
28 of this State or of Baltimore City. However, this term shall not be construed to include
29 any other territory within the limits of any county.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 1996.