

SENATE BILL 788
EMERGENCY BILL

Unofficial Copy
D2
HB 1269/97 - JUD

1998 Regular Session
8lr2778

By: **Senator Derr**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 10, 1998

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County - Special Deputy Sheriffs - State's Attorney Investigators**

3 FOR the purpose of authorizing the Sheriff of Frederick County to appoint special
4 deputy sheriffs who are investigators in the Office of the State's Attorney for
5 Frederick County; requiring certain special deputy sheriffs to be verified by the
6 State's Attorney as having achieved a certain level of training for police duties;
7 clarifying that certain special deputy sheriffs do not enjoy certain protections or
8 benefits as certain uniformed personnel; making this Act an emergency
9 measure; and generally relating to the Sheriff of Frederick County.

10 BY repealing and reenacting, with amendments,
11 Article - Courts and Judicial Proceedings
12 Section 2-309(1)
13 Annotated Code of Maryland
14 (1995 Replacement Volume and 1997 Supplement)

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

17 **Article - Courts and Judicial Proceedings**

18 2-309.

19 (l) (1) The Sheriff of Frederick County shall receive a salary of \$50,000. The
20 Sheriff shall appoint deputies as necessary, at salaries of at least \$2,400, and jail
21 wardens as necessary, at salaries of at least \$1,320 each. The Sheriff also may appoint
22 additional temporary deputy sheriffs as the Sheriff considers necessary for the public
23 safety, with the approval of the Board of County Commissioners. The County
24 Commissioners shall allow reasonable compensation for the temporary additional
25 deputy sheriffs and the temporary deputies may not serve longer than the occasion
26 requires. The Sheriff may appoint a chief deputy who shall serve at the pleasure of
27 the Sheriff.

1 (2) Any deputy sheriff, with the exception of the chief deputy, appointed
 2 according to this section shall be placed on a probationary status for at least 18
 3 months of continuous employment and may be dismissed by the Sheriff for any reason
 4 during the probationary period.

5 (3) All full-time civilian employees are subject to the county personnel
 6 regulations with regard to qualifications for hiring, promotion, compensation and
 7 disciplinary action. All deputy sheriffs, except the chief deputy, are subject to the
 8 county personnel regulations with regard to qualifications for hiring, promotion and
 9 compensation with regard to matters not covered by the Law-Enforcement Officers'
 10 Bill of Rights.

11 (4) (i) The Sheriff of Frederick County may appoint special deputy
 12 sheriffs who are:

13 1. A. Members of the police force of a Frederick County
 14 municipality;

15 [2.] B. Selected by the chief of police of the municipality;
 16 and

17 [3.] C. Verified by the chief of police of the municipality as
 18 having achieved at least the minimum level of training for police duties in a
 19 municipality as designated by the Maryland Police Training Commission; OR

20 2. A. INVESTIGATORS IN THE OFFICE OF THE STATE'S
 21 ATTORNEY FOR FREDERICK COUNTY; AND

22 B. VERIFIED BY THE STATE'S ATTORNEY FOR FREDERICK
 23 COUNTY AS HAVING ACHIEVED AT LEAST THE MINIMUM LEVEL OF TRAINING FOR
 24 POLICE DUTIES IN A MUNICIPALITY, COUNTY, OR STATE, AS DESIGNATED BY THE
 25 MARYLAND POLICE TRAINING COMMISSION.

26 (II) AN INVESTIGATOR IN THE OFFICE OF THE STATE'S ATTORNEY
 27 FOR FREDERICK COUNTY WHO IS APPOINTED AS A SPECIAL DEPUTY SHERIFF UNDER
 28 THIS SUBSECTION IS:

29 1. NOT SUBJECT TO THE LAW ENFORCEMENT OFFICERS'
 30 BILL OF RIGHTS; AND

31 2. NOT CONSIDERED UNIFORMED PERSONNEL OF THE
 32 SHERIFF'S OFFICE AND IS NOT SUBJECT TO BENEFITS PROVIDED TO UNIFORMED
 33 PERSONNEL IN THE SHERIFF'S OFFICE.

34 [(ii)] (III) The appointment of special deputy sheriffs under this
 35 paragraph is subject to the following conditions:

36 1. The Sheriff may assign the duties of special deputies;

