

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

House Bill 125 (Chairman, Judiciary Committee)
(Departmental - Public Safety and Correctional Services)

Judiciary

Department of Public Safety and Correctional Services - Internal Investigative Unit

This departmental bill creates an Internal Investigative Unit (IIU) as a separate agency within the Department of Public Safety and Correctional Services (DPSCS). The bill provides IIU's investigators with the same authority, including arrest powers, as police officers on departmental property and, under certain circumstances, off-site. Under current DPSCS operations, there is an Internal Investigation Unit in the Division of Correction (DOC).

The bill also includes investigators of the IIU with other law enforcement officers under provisions relating to the transmission of contagious diseases or viruses. The bill grants all civil immunities to an IIU investigator as would apply to a State police officer. The IIU must make specified advanced notifications to other law enforcement agencies when conducting authorized investigations or enforcement actions in other agencies' jurisdictions.

Fiscal Summary

State Effect: Minimal.

Local Effect: None.

Small Business Effect: The Department of Public Safety and Correctional Services has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Fiscal Analysis

Background: The State Police formerly provided investigators for the IIU that currently exists in DOC with complete police and arrest powers. However, the State Police became a

separate cabinet level department in 1995, and began withdrawal from the IIU responsibilities. By 1996, the IIU was no longer staffed with State troopers. The current DOC IIU has a total staff of 33, of which 29 are actual investigators. The unit's annual budget allotment is included as a part of the DOC headquarters budget and, as such, does not presently have a separate budget line within the division.

State Effect: The current IIU within the DOC will be designated as a "new" separate agency for the department. This change can be accommodated with no fiscal impact on the department. Any additional arrests that result from increased police powers is not expected to significantly affect operations or finances. IIU investigators already satisfy the requirements of the Police Training Academy.

The current IIU believes that the unit would experience a minimal annual savings of \$1,500 - \$2,000 because special police commissions would no longer be needed. Including IIU investigators under provisions relating to the transmission of contagious diseases or viruses would not substantively change State operations or finances. The bill's advance notification requirements codify current practice.

Information Source(s): Department of Public Safety and Correctional Services (Office of the Secretary, Division of Correction), Department of Legislative Services

Fiscal Note History: First Reader - February 11, 1999
Inc/jr Revised - House Third Reader - March 23, 1999

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