

HOUSE BILL 641

Unofficial Copy
L2

2002 Regular Session
(2lr0536)

ENROLLED BILL
-- Judiciary/Judicial Proceedings --

Introduced by **Prince George's County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County - Sheriffs - Criminal Investigations**
3 **PG 302-02**

4 FOR the purpose of authorizing the Sheriff of Prince George's County or the Sheriff's
5 deputies to conduct certain criminal investigations under ~~a certain agreement~~
6 ~~with certain law enforcement agencies~~ certain circumstances; requiring the
7 Sheriff or Sheriff's deputy to notify certain law enforcement agencies within a
8 certain time that an investigation has commenced; requiring the Sheriff or
9 Sheriff's deputy to transfer an investigation under certain circumstances;
10 making certain stylistic changes; and generally relating to criminal
11 investigations conducted by the Sheriff of Prince George's County and the
12 Sheriff's deputies.

13 BY repealing and reenacting, with amendments,
14 Article - Courts and Judicial Proceedings
15 Section 2-309(r)(8)

1 Annotated Code of Maryland
2 (1998 Replacement Volume and 2001 Supplement)

3 BY adding to

4 Article - Courts and Judicial Proceedings
5 Section 2-309(r)(10)
6 Annotated Code of Maryland
7 (1998 Replacement Volume and 2001 Supplement)

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

10 **Article - Courts and Judicial Proceedings**

11 2-309.

12 (r) (8) The Sheriff and the Sheriff's deputies shall be limited in their duties
13 as law enforcement officers, as follows:

14 (i) The full power of arrest, the service of process of all writs,
15 summonses, orders, petitions, subpoenas, warrants, rules to show cause, and all other
16 legal papers;

17 (ii) The care and supervision of prisoners at any of the county
18 detention centers, hospitals, penal institutions, or other places of confinement;

19 (iii) The security of all State and county courts and perform such
20 duties as may be required of them by the courts;

21 (iv) The transportation of all legally detained persons; AND

22 (v) The administration and enforcement of casino night permits as
23 authorized by the governing body of the county[; and].

24 [(vi)] (9) Neither the Sheriff of Prince George's County nor any of
25 the Sheriff's deputies shall conduct criminal investigations, except [in]:

26 (I) IN matters concerning the Sheriff's department [or upon];

27 (II) ON request of the courts[, or as];

28 (III) AS necessary for the administration and enforcement of casino
29 night permits as authorized by the county governing body; OR

30 (IV) ~~IN ANY OTHER MATTER AS AGREED TO IN A MEMORANDUM OF~~
31 ~~UNDERSTANDING ENTERED INTO BETWEEN THE SHERIFF'S DEPARTMENT AND ANY~~
32 ~~OTHER LAW ENFORCEMENT AGENCY HAVING JURISDICTION OVER THE MATTER~~
33 INVESTIGATIONS ARISING OUT OF OR INCIDENT TO NORMALLY ASSIGNED DUTIES.

1 (10) WHEN A SHERIFF OR SHERIFF'S DEPUTY HAS COMMENCED AN
2 INVESTIGATION UNDER PARAGRAPH (9)(IV) OF THIS SUBSECTION, THE SHERIFF OR
3 THE SHERIFF'S ~~DESIGNEE~~ DEPUTY:

4 (I) SHALL IMMEDIATELY NOTIFY THE APPROPRIATE LAW
5 ENFORCEMENT AGENCY THAT HAS JURISDICTION OVER THE MATTER; AND

6 (II) SHALL TRANSFER THE INVESTIGATION TO AN APPROPRIATE
7 LAW ENFORCEMENT AGENCY THAT HAS JURISDICTION OVER THE MATTER ON
8 REQUEST OF THE AGENCY.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2002.