
By: **Prince George's County Delegation and Montgomery County
Delegation**

Introduced and read first time: February 6, 2002

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Police Force**
3 **PG/MC 101-02**

4 FOR the purpose of establishing the Washington Suburban Sanitary Commission
5 (WSSC) police force; limiting the law enforcement powers of WSSC police
6 officers to certain property; specifying certain conditions under which WSSC
7 police officers may exercise law enforcement powers on certain property;
8 requiring the WSSC to adopt certain regulations; providing that certain
9 standards do not affect the status of certain officers; providing that the WSSC
10 police force is exempt from certain provisions of law; conforming certain
11 provisions of law relating to law enforcement officers; making certain stylistic
12 changes; and generally relating to the WSSC police force.

13 BY repealing and reenacting, with amendments,
14 Article 27 - Crimes and Punishments
15 Section 727(b)(8)
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 2001 Supplement)

18 BY adding to
19 Article 29 - Washington Suburban Sanitary District
20 Section 18-108
21 Annotated Code of Maryland
22 (1997 Replacement Volume and 2001 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article 41 - Governor - Executive and Administrative Departments
25 Section 4-201(a)(8)(i)12 and 13
26 Annotated Code of Maryland
27 (1997 Replacement Volume and 2001 Supplement)

28 BY adding to

1 Article 41 - Governor - Executive and Administrative Departments
2 Section 4-201(a)(8)(i)14
3 Annotated Code of Maryland
4 (1997 Replacement Volume and 2001 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article - Criminal Procedure
7 Section 2-101(c)(19) and (20)
8 Annotated Code of Maryland
9 (2001 Volume)

10 BY adding to
11 Article - Criminal Procedure
12 Section 2-101(c)(21)
13 Annotated Code of Maryland
14 (2001 Volume)

15 BY repealing and reenacting, without amendments,
16 Article - Criminal Procedure
17 Section 2-202
18 Annotated Code of Maryland
19 (2001 Volume)

20 BY repealing and reenacting, with amendments,
21 Article - Labor and Employment
22 Section 9-503(b)
23 Annotated Code of Maryland
24 (1999 Replacement Volume and 2001 Supplement)

25 Preamble

26 WHEREAS, The Washington Suburban Sanitary Commission (WSSC)
27 currently has "special police officers" assigned to the Security and Safety Services
28 Group; and

29 WHEREAS, The special police officers have full police powers on WSSC
30 property and while in fresh pursuit of criminal suspects; and

31 WHEREAS, The special police officers are not part of a police force established
32 in State law; and

33 WHEREAS, Only a police force established under State law is allowed access
34 to a network of criminal justice and motor vehicle information; and

1 WHEREAS, Access to criminal and motor vehicle history will significantly
2 increase officer safety in the officer's interactions with people resulting from
3 violations of laws, rules, and regulations; now, therefore,

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

6 **Article 27 - Crimes and Punishments**

7 727.

8 (b) "Law enforcement officer" means any person who, in an official capacity, is
9 authorized by law to make arrests and who is a member of one of the following law
10 enforcement agencies:

11 (8) The police department, bureau, or force of any bicounty agency,
12 EXCEPT THE WASHINGTON SUBURBAN SANITARY COMMISSION;

13 **Article 29 - Washington Suburban Sanitary District**

14 18-108.

15 (A) THERE IS A WSSC POLICE FORCE.

16 (B) (1) A WSSC POLICE OFFICER MAY EXERCISE THE POWERS OF A LAW
17 ENFORCEMENT OFFICER IN THE STATE ON PROPERTY THAT IS OWNED, LEASED,
18 OPERATED BY, OR UNDER THE CONTROL OF THE WSSC.

19 (2) A WSSC POLICE OFFICER MAY NOT EXERCISE LAW ENFORCEMENT
20 POWERS ON ANY OTHER PROPERTY UNLESS THE OFFICER IS:

21 (I) ENGAGED IN FRESH PURSUIT OF A SUSPECTED OFFENDER;

22 (II) REQUESTED OR AUTHORIZED TO DO SO IN A POLITICAL
23 SUBDIVISION BY THE CHIEF EXECUTIVE OFFICER OR CHIEF POLICE OFFICER OF THE
24 SUBDIVISION;

25 (III) NEEDED FOR THE ORDERLY FLOW OF TRAFFIC TO AND FROM
26 PROPERTY OWNED, LEASED, OPERATED BY, OR UNDER THE CONTROL OF THE WSSC;
27 OR

28 (IV) ORDERED TO DO SO BY THE GOVERNOR.

29 (C) (1) IN CONSULTATION WITH THE SUPERINTENDENT OF THE
30 DEPARTMENT OF STATE POLICE AND THE MARYLAND POLICE TRAINING
31 COMMISSION, THE WSSC SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION,
32 INCLUDING STANDARDS FOR CHARACTER, TRAINING, EDUCATION, HUMAN
33 RELATIONS, EXPERIENCE, AND JOB PERFORMANCE FOR WSSC POLICE OFFICERS.

1 (2) TO THE EXTENT PRACTICABLE, THE WSSC SHALL ADOPT STANDARDS
2 THAT ARE SIMILAR TO THOSE OF THE DEPARTMENT OF STATE POLICE.

3 (3) STANDARDS ADOPTED ON OR AFTER OCTOBER 1, 2002 ON MINIMUM
4 HIRING QUALIFICATIONS OF WSSC POLICE OFFICERS DO NOT AFFECT THE STATUS
5 OF ANY INDIVIDUAL WHO WAS A QUALIFIED WSSC SPECIAL POLICEMAN ON
6 OCTOBER 1, 2002.

7 **Article 41 - Governor - Executive and Administrative Departments**

8 4-201.

9 (a) As used in this section:

10 (8) (i) "Police officer" means a person who has the authority to enforce
11 the general criminal laws of this State and is a member of any of the following law
12 enforcement units:

13 12. Crofton Police Department; [or]

14 13. Department of Labor, Licensing, and Regulation Police
15 Force; OR

16 14. THE WASHINGTON SUBURBAN SANITARY COMMISSION
17 POLICE FORCE.

18 **Article - Criminal Procedure**

19 2-101.

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

22 (19) a member of the State Forest and Park Service Police Force of the
23 Department of Natural Resources; [or]

24 (20) a member of the Department of Labor, Licensing, and Regulation
25 Police Force; OR

26 (21) A MEMBER OF THE WASHINGTON SUBURBAN SANITARY
27 COMMISSION POLICE FORCE.

28 2-202.

29 (a) A police officer may arrest without a warrant a person who commits or
30 attempts to commit a felony or misdemeanor in the presence or within the view of the
31 police officer.

32 (b) A police officer who has probable cause to believe that a felony or
33 misdemeanor is being committed in the presence or within the view of the police

1 officer may arrest without a warrant any person whom the police officer reasonably
2 believes to have committed the crime.

3 (c) A police officer without a warrant may arrest a person if the police officer
4 has probable cause to believe that a felony has been committed or attempted and the
5 person has committed or attempted to commit the felony whether or not in the
6 presence or within the view of the police officer.

7 **Article - Labor and Employment**

8 9-503.

9 (b) (1) THIS SUBSECTION DOES NOT APPLY TO THE WASHINGTON
10 SUBURBAN SANITARY COMMISSION POLICE FORCE.

11 (2) A paid police officer employed by an airport authority, a county, the
12 Maryland-National Capital Park and Planning Commission, a municipality, or the
13 State, a deputy sheriff of Montgomery County, or, subject to paragraph [(2)] (3) of this
14 subsection, a Prince George's County deputy sheriff or Prince George's County
15 correctional officer is presumed to be suffering from an occupational disease that was
16 suffered in the line of duty and is compensable under this title if:

17 (i) the police officer, deputy sheriff, or correctional officer is
18 suffering from heart disease or hypertension; and

19 (ii) the heart disease or hypertension results in partial or total
20 disability or death.

21 [(2)] (3) (i) A Prince George's County deputy sheriff or Prince George's
22 County correctional officer is entitled to the presumption under this subsection only
23 to the extent that the individual suffers from heart disease or hypertension that is
24 more severe than the individual's heart disease or hypertension condition existing
25 prior to the individual's employment as a Prince George's County deputy sheriff or
26 Prince George's County correctional officer.

27 (ii) To be eligible for the presumption under this subsection, a
28 Prince George's County deputy sheriff or Prince George's County correctional officer,
29 as a condition of employment, shall submit to a medical examination to determine
30 any heart disease or hypertension condition existing prior to the individual's
31 employment as a Prince George's County deputy sheriff or Prince George's County
32 correctional officer.

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