

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1068

(Delegate Hammen, *et al.*)

Judiciary

Judicial Proceedings

Baltimore City - Police Jurisdiction - Parks

This bill authorizes special enforcement officers in Baltimore City to issue and serve citations and summonses to appear before the District Court in proceedings for the enforcement of city laws pertaining to parks. The bill also authorizes special traffic enforcement officers to control and direct pedestrian and vehicular traffic on property controlled by the city's Department of Recreation and Parks.

The bill is effective June 1, 2003.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues and expenditures to the extent that additional crimes and infractions are prosecuted in District Court as a result of the bill.

Local Effect: None. Granting special enforcement officers citation issuing authority on property controlled by the Department of Recreation and Parks would not affect city finances.

Small Business Effect: None.

Analysis

Current Law: The Baltimore City Police Commissioner has the authority to appoint special police officers. Special enforcement officers: (1) may issue and serve citations and summonses to appear before the appropriate division of the District Court in

proceedings for enforcement of any city code, ordinance, regulation, or provision of public local law pertaining to building, housing, zoning, fire, public health, and sanitation; (2) may receive complaints and investigate all violations reported to them by any State department or agency; and (3) may not arrest or take into custody any violator.

Special traffic enforcement officers have the authority to control and direct pedestrian and vehicular traffic under Maryland Vehicle Law and Baltimore City ordinances regulating motor vehicles in the Downtown Commercial District, but the officers have no arrest powers and may only issue citations for failure to obey lawful traffic direction or traffic control devices.

There are no provisions in the Baltimore City charter authorizing special enforcement officers in Baltimore City to enforce city laws on property controlled by the Department of Recreation and Parks.

Background: There are a number of special police forces in Baltimore City. The Baltimore City Police Commissioner is authorized to appoint a school police force for city public schools, special enforcement officers, and special parking enforcement officers. There are 147 special enforcement officers in Baltimore City; 71 have duties in parking control, 51 have duties in traffic enforcement, and 25 have duties in sanitation enforcement.

The Baltimore City Department of Recreation and Parks advises that a pilot program providing for law enforcement on property controlled by the department as an urban park ranger program is scheduled to start during Summer 2003. Urban park rangers would be hired on a seasonal basis and would work in conjunction with Baltimore City police officers. Urban park ranger duties would include enforcement of parks rules and regulations, permit and traffic rules and regulations, leash laws, and nuisance/quality of life crimes (loitering, trash, vandalism). The Baltimore City Department of Recreation and Parks' pilot program, funded through a grant from the city police department, has a budget of \$750,000 for fiscal 2004. Eight urban park rangers will be hired to patrol the city's recreation and park areas. Absent the bill, urban park rangers would still be hired, but would not be considered special enforcement officers and would have no citation issuing authority.

In Maryland, Anne Arundel and Prince George's counties operate urban park ranger programs. Other major cities that employ urban park rangers to enforce laws in parks and recreational facilities include, but are not limited to, New York City, Boston, Los Angeles, Indianapolis, and Memphis. Additionally, the U.S. National Park Service employs urban park rangers with law enforcement powers in cities with national parks.

The Baltimore City Department of Recreation and Parks has 46 recreation centers and 19 parks.

State Fiscal Effect: General fund revenues could increase as a result of fines from cases heard in the District Court. General fund expenditures could increase as a result of incarceration penalties due to more people being committed to Division of Correction (DOC) facilities. Any increase is assumed to be minimal.

In Baltimore City, persons are incarcerated in DOC facilities. Currently, the average total cost per inmate, including overhead, is estimated at \$1,850 per month. This bill alone should not create the need for additional beds, personnel, or facilities. Excluding overhead, the average cost of housing a new DOC inmate (including medical care and variable costs) is \$350 per month. Excluding medical care, the average variable cost is \$120 per month.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2003
ncs/cer Revised - House Third Reader - March 28, 2003

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