

SENATE BILL 139

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2004 Regular Session
4r1381
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By: **Senators Garagiola, Brochin, and Giannetti**
Introduced and read first time: January 23, 2004
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Police Officers - United States Park Police**

3 FOR the purpose of adding members of the United States Park Police to the list of
4 police officers authorized to make arrests, conduct investigations, and otherwise
5 enforce State law with a certain exception throughout the State without
6 limitations as to jurisdiction; and generally relating to police officers in the
7 State.

8 BY repealing and reenacting, without amendments,
9 Article - Criminal Procedure
10 Section 2-101(a) and 2-102(b)
11 Annotated Code of Maryland
12 (2001 Volume and 2003 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Criminal Procedure
15 Section 2-101(c)
16 Annotated Code of Maryland
17 (2001 Volume and 2003 Supplement)

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

20 **Article - Criminal Procedure**

21 2-101.

22 (a) In this title the following words have the meanings indicated.

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

25 (1) a member of the Department of State Police;

26 (2) a member of the Police Department of Baltimore City;

- 1 (3) a member of the Baltimore City School Police Force;
- 2 (4) a member of the police department, bureau, or force of a county;
- 3 (5) a member of the police department, bureau, or force of a municipal
4 corporation;
- 5 (6) a member of the Maryland Transit Administration Police Force,
6 Maryland Port Administration Police Force, or Maryland Transportation Authority
7 Police Force;
- 8 (7) a member of the University of Maryland Police Force or Morgan State
9 University Police Force;
- 10 (8) a special police officer who is appointed to enforce the law and
11 maintain order on or protect property of the State or any of its units;
- 12 (9) a member of the Department of General Services security force;
- 13 (10) the sheriff of a county whose usual duties include the making of
14 arrests;
- 15 (11) a regularly employed deputy sheriff of a county who is compensated
16 by the county and whose usual duties include the making of arrests;
- 17 (12) a member of the Natural Resources Police Force of the Department of
18 Natural Resources;
- 19 (13) an authorized employee of the Field Enforcement Division of the
20 Comptroller's Office;
- 21 (14) a member of the Maryland-National Capital Park and Planning
22 Commission Park Police;
- 23 (15) a member of the Housing Authority of Baltimore City Police Force;
- 24 (16) a member of the Crofton Police Department;
- 25 (17) a member of the WMATA Metro Transit Police, subject to the
26 jurisdictional limitations under Article XVI, § 76 of the Washington Metropolitan
27 Area Transit Authority Compact, which is codified at § 10-204 of the Transportation
28 Article;
- 29 (18) a member of the Internal Investigative Unit of the Department;
- 30 (19) a member of the State Forest and Park Service Police Force of the
31 Department of Natural Resources;
- 32 (20) a member of the Department of Labor, Licensing, and Regulation
33 Police Force; [or]

1 (21) a member of the Washington Suburban Sanitary Commission Police
2 Force; OR

3 (22) A MEMBER OF THE UNITED STATES PARK POLICE.

4 2-102.

5 (b) (1) Subject to the limitations of paragraph (3) of this subsection, a police
6 officer may make arrests, conduct investigations, and otherwise enforce the laws of
7 the State throughout the State without limitations as to jurisdiction.

8 (2) This section does not authorize a police officer who acts under the
9 authority granted by this section to enforce the Maryland Vehicle Law beyond the
10 police officer's sworn jurisdiction.

11 (3) A police officer may exercise the powers granted by this section when:

12 (i) 1. the police officer is participating in a joint investigation
13 with officials from another State, federal, or local law enforcement unit, at least one
14 of which has local jurisdiction;

15 2. the police officer is rendering assistance to another police
16 officer;

17 3. the police officer is acting at the request of a police officer
18 or State Police officer; or

19 4. an emergency exists; and

20 (ii) the police officer is acting in accordance with regulations
21 adopted by the police officer's employing unit to carry out this section.

22 (4) The powers granted by this section are in addition to the powers
23 granted by §§ 5-801, 5-802, 5-807, 5-808, and 5-901 of the Criminal Law Article and
24 to the powers of fresh pursuit granted by Subtitle 3 of this title.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2004.