

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE
Revised

House Bill 206

(Delegate Dumais, *et al.*)

Judiciary

Judicial Proceedings

Criminal Procedure - United States Park Police - Authority to Enforce Maryland Law in National Park System

This bill provides that a U.S. Park Police officer may exercise the authority of a police officer to issue a citation within the areas of the National Park System.

Fiscal Summary

State Effect: None. The provisions of this bill will not materially affect State finances or operations.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Federal law enforcement officers (including U.S. Park Police officers) have extraterritorial jurisdictional authority to make arrests and execute warrants when: (1) participating in a joint investigation with officials from a State or local law enforcement unit; (2) rendering assistance to a police officer; (3) acting at the request of a local or State police officer; or (4) an emergency exists.

Background: The U.S. Park Police is a law enforcement organization within the Department of the Interior with jurisdiction in National Park Service areas. The U.S. Park Police is charged with providing law enforcement services including investigating and detaining persons suspected of committing offenses against the U.S. However, U.S. Park Police officers do not have the authority to enforce Maryland law on National Park

lands. Current operating procedures require Park Police officers to hold a suspect during an investigation until a Maryland police officer responds to pursue State charges (including signing affidavits for search warrants, signing criminal complaints, and effecting arrests) for matters such as auto theft and crimes perpetrated by juvenile offenders.

The primary areas of patrol for the U.S. Park Police in Maryland include the Baltimore-Washington Parkway, which passes through sections of both Prince George's and Anne Arundel counties, the Suitland Parkway in Prince George's County, the Clara Barton Parkway in Montgomery County, and several parks such as Greenbelt Park, Fort Washington Park, the C & O Canal, as well as certain park areas in Charles County.

This bill would eliminate the need for local law enforcement officers to assist the Park Police in pursuing charges involving violations of Maryland law.

Additional Information

Prior Introductions: None.

Cross File: SB 139 (Senator Garagiola, *et al.*) – Judicial Proceedings.

Information Source(s): Department of State Police, Department of Public Safety and Correctional Services (Police and Correctional Training Commissions), Department of Legislative Services

Fiscal Note History: First Reader - February 4, 2004
mh/jr Revised - House Third Reader - March 24, 2004
Revised - Enrolled Bill - April 13, 2004

Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510