

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 139

(Senator Garagiola, *et al.*)

Judicial Proceedings

Judiciary

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

This bill authorizes officers of the U.S. Park Police to make arrests, conduct investigations, issue citations, and otherwise enforce the laws of the State within areas of the National Park System. The bill also requires the U.S. Park Police to reimburse the District Court for the printing of citation forms for Park Police use.

Fiscal Summary

State Effect: None. Any costs to the District Court for the printing of citation forms for the Park Police will be reimbursed.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: There are 21 categorized police officers with arrest authority throughout the State without regard to jurisdiction if:

- (1) the police officer is participating in a joint investigation with officials from another state, federal, or local law enforcement unit, at least one of which has local jurisdiction; (2) the police officer is rendering assistance to another police officer; (3) the police officer is acting at the request of a police officer or State Police officer; or (4) an emergency exists; and

- the police officer is acting in accordance with regulations adopted by the police officer's employing unit.

These powers are in addition to the powers granted by specified provisions of the Criminal Law Article relating to criminal procedure and violations of the Criminal Law Article considered felonies, and to the existing powers of fresh pursuit.

Under provisions prohibiting impersonating a police officer and provisions authorizing the wearing of police articles, U.S. Park Police are included with: (1) a police force of Maryland or another state; (2) a police force of a county or municipal corporation of Maryland or another state; (3) the U.S. Secret Service Uniformed Division; (4) the FBI; (5) the DEA; or (6) a division of a federal agency with primary duties to investigate, apprehend, or detain individuals suspected or convicted of federal crimes. Violators are guilty of a misdemeanor and subject to maximum penalties of imprisonment for six months and/or a fine of \$100.

Background: The U.S. Park Police is a unit of the Department of the Interior, National Park Service, National Capitol Region, with jurisdiction in all National Park Service areas and certain other federal/State lands. The U.S. Park Police is charged with providing law enforcement services which includes the investigation and detention of persons suspected of committing offenses against the U.S. Additionally, law enforcement services are provided for the many notable civic events conducted within the National Park Service.

Additional Information

Prior Introductions: None.

Cross File: HB 206 (Delegate Dumais, *et al.*) – Judiciary.

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

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