

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 714
Judiciary

(Charles County Delegation)

Criminal Procedure - Service of Arrest Warrants

This bill adds requirements relating to a police officer's authority to arrest a person in another jurisdiction when acting under an agreement between primary law enforcement officers. It requires a police officer who is arresting a person without limitations to jurisdiction to give advance notice of the arrest to the primary law enforcement officer of the jurisdiction in which the arrest takes place. The bill also specifies that an officer of the jurisdiction where the arrest takes place does not need to be present unless the primary law enforcement officer of the jurisdiction orders it.

Fiscal Summary

State Effect: None. The change would not materially affect governmental operations or expenditures.

Local Effect: None – see above.

Small Business Effect: None.

Analysis

Current Law: A police officer may arrest a person in the State without limitations as to jurisdiction if:

- a warrant has been issued against the person;
- the police officer is participating in a joint operation created by an agreement between the primary law enforcement officers;

- the arrest occurs within one of the participating jurisdictions in accordance with the agreement; and
- the police officer is acting in accordance with regulations that the police officer's employing unit adopts.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Prince George's County, Garrett County, Department of State Police, Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2005
ncs/jr

Analysis by: Kineta A. Rotan

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