

HOUSE BILL 680

D2

71r0582

By: **Prince George's County Delegation**

Introduced and read first time: February 8, 2007

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Sheriff and Sheriff's Deputies – Alteration of Duties**

3 **PG 310–07**

4 FOR the purpose of altering the duties of the Sheriff and the Sheriff's deputies of
5 Prince George's County to include certain other duties; requiring the duties to
6 be described in a certain memorandum of understanding entered into by the
7 Sheriff and the county governing body; providing that the memorandum of
8 understanding may only be revised by the county governing body; providing a
9 termination date for the memorandum of understanding; altering the scope of
10 criminal investigations the Sheriff and the Sheriff's deputies may conduct;
11 providing for the termination of this Act; and generally relating to the duties of
12 the Sheriff and the Sheriff's deputies of Prince George's County.

13 BY repealing and reenacting, with amendments,
14 Article – Courts and Judicial Proceedings
15 Section 2–309(r)(8) and (9)
16 Annotated Code of Maryland
17 (2006 Replacement Volume)

18 BY repealing and reenacting, without amendments,
19 Article – Courts and Judicial Proceedings
20 Section 2–309(r)(10)
21 Annotated Code of Maryland
22 (2006 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Courts and Judicial Proceedings**

4 2–309.

5 (r) (8) The Sheriff and the Sheriff's deputies shall be limited in their
6 duties as law enforcement officers, as follows:

7 (i) The full power of arrest, the service of process of all writs,
8 summonses, orders, petitions, subpoenas, warrants, rules to show cause, and all other
9 legal papers;

10 (ii) The care and supervision of prisoners at any of the county
11 detention centers, hospitals, penal institutions, or other places of confinement;

12 (iii) The security of all State and county courts and perform such
13 duties as may be required of them by the courts;

14 (iv) The transportation of all legally detained persons; [and]

15 (v) The administration and enforcement of casino night permits
16 as authorized by the governing body of the county; **AND**

17 **(VI) 1. AS OF OCTOBER 1, 2007, SPECIFIC DUTIES AS**
18 **AUTHORIZED BY THE COUNTY GOVERNING BODY, INCLUDING:**

19 **A. RESPONDING TO DOMESTIC VIOLENCE CALLS;**

20 **B. ACTING AS SCHOOL RESOURCE DEPUTIES IN**
21 **COUNTY SCHOOLS; AND**

22 **C. PROVIDING SECURITY FOR PRINCE GEORGE'S**
23 **COUNTY PUBLIC SCHOOL SPORTING EVENTS AND EXTRACURRICULAR**
24 **ACTIVITIES THAT ARE HELD IN THE COUNTY, SPONSORED BY A PUBLIC SCHOOL,**
25 **AND OPEN TO THE PUBLIC.**

26 **2. A. THE DUTIES AUTHORIZED IN ITEM (VI)1 OF**
27 **THIS PARAGRAPH SHALL BE ENUMERATED IN A MEMORANDUM OF**
28 **UNDERSTANDING ENTERED INTO BY THE PRINCE GEORGE'S COUNTY POLICE**

1 **DEPARTMENT AND THE OFFICE OF THE SHERIFF OF PRINCE GEORGE'S**
2 **COUNTY.**

3 **B. THE MEMORANDUM OF UNDERSTANDING MAY BE**
4 **REVISED ONLY BY THE COUNTY GOVERNING BODY.**

5 **C. THE MEMORANDUM OF UNDERSTANDING IS IN**
6 **EFFECT FROM THE DATE IT IS SIGNED BY BOTH PARTIES BUT NOT BEFORE**
7 **OCTOBER 1, 2007, UNTIL THE END OF SEPTEMBER 30, 2010.**

8 (9) Neither the Sheriff of Prince George's County nor any of the
9 Sheriff's deputies shall conduct criminal investigations, except:

10 (i) In matters concerning the Sheriff's department;

11 (ii) On request of the courts;

12 (iii) As necessary for the administration and enforcement of
13 casino night permits as authorized by the county governing body; or

14 (iv) In investigations arising out of or incident to normally
15 assigned duties **INCLUDING THOSE DUTIES AUTHORIZED BY THE COUNTY**
16 **GOVERNING BODY UNDER PARAGRAPH (8)(VI)1 OF THIS SUBSECTION.**

17 (10) When a Sheriff or Sheriff's deputy has commenced an investigation
18 under paragraph (9)(iv) of this subsection, the Sheriff or the Sheriff's deputy:

19 (i) Shall immediately notify the appropriate law enforcement
20 agency that has jurisdiction over the matter; and

21 (ii) Shall transfer the investigation to an appropriate law
22 enforcement agency that has jurisdiction over the matter on request of the agency.

23 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect
24 October 1, 2007. It shall remain effective for a period of 3 years and, at the end of
25 September 30, 2010, with no further action required by the General Assembly, this Act
26 shall be abrogated and of no further force and effect.