

HOUSE BILL 680

D2

71r0582

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

Introduced and read first time: February 8, 2007

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2007

CHAPTER _____

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 Office of the Sheriff and the ~~county governing body~~ Prince George's County
8 Police Department; providing that the memorandum of understanding may only
9 be revised by the county governing body; providing a termination date for the
10 memorandum of understanding; altering the scope of criminal investigations
11 the Sheriff and the Sheriff's deputies may conduct; providing for the
12 termination of this Act; and generally relating to the duties of the Sheriff and
13 the Sheriff's deputies of Prince George's County.

14 BY repealing and reenacting, with amendments,
15 Article – Courts and Judicial Proceedings
16 Section 2-309(r)(8) and (9)
17 Annotated Code of Maryland
18 (2006 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,
 2 Article – Courts and Judicial Proceedings
 3 Section 2–309(r)(10)
 4 Annotated Code of Maryland
 5 (2006 Replacement Volume)

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

8 **Article – Courts and Judicial Proceedings**

9 2–309.

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

12 ~~(i)~~ **1.** The full power of arrest, the service of process of all writs,
 13 summonses, orders, petitions, subpoenas, warrants, rules to show cause, and all other
 14 legal papers;

15 ~~(ii)~~ **2.** The care and supervision of prisoners at any of the county
 16 detention centers, hospitals, penal institutions, or other places of confinement;

17 ~~(iii)~~ **3.** The security of all State and county courts and perform
 18 such duties as may be required of them by the courts;

19 ~~(iv)~~ **4.** The transportation of all legally detained persons; [and]

20 ~~(v)~~ **5.** The administration and enforcement of casino night permits
 21 as authorized by the governing body of the county; **AND**

22 ~~(vi)~~ **1. 6.** **AS OF OCTOBER 1, 2007, SPECIFIC DUTIES AS**
 23 **AUTHORIZED BY THE COUNTY GOVERNING BODY, INCLUDING:**

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

25 **B. ACTING AS SCHOOL RESOURCE DEPUTIES IN**
 26 **COUNTY SCHOOLS; AND**

27 **C. PROVIDING SECURITY FOR PRINCE GEORGE'S**
 28 **COUNTY PUBLIC SCHOOL SPORTING EVENTS AND EXTRACURRICULAR**

1 **ACTIVITIES THAT ARE HELD IN THE COUNTY, SPONSORED BY A PUBLIC SCHOOL,**
 2 **AND OPEN TO THE PUBLIC.**

3 ~~2.~~ ~~A. (II) 1.~~ **THE DUTIES AUTHORIZED IN ~~ITEM (VI) 1~~**
 4 **SUBPARAGRAPH (I)6 OF THIS PARAGRAPH SHALL BE ENUMERATED IN A**
 5 **MEMORANDUM OF UNDERSTANDING ENTERED INTO BY THE PRINCE GEORGE'S**
 6 **COUNTY POLICE DEPARTMENT AND THE OFFICE OF THE SHERIFF OF PRINCE**
 7 **GEORGE'S COUNTY.**

8 ~~B. 2.~~ **THE MEMORANDUM OF UNDERSTANDING MAY BE**
 9 **REVISED ONLY BY THE COUNTY GOVERNING BODY.**

10 ~~C. 3.~~ **THE MEMORANDUM OF UNDERSTANDING IS IN**
 11 **EFFECT FROM THE DATE IT IS SIGNED BY BOTH PARTIES BUT NOT BEFORE**
 12 **OCTOBER 1, 2007, UNTIL THE END OF SEPTEMBER 30, 2010.**

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

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

16 (ii) On request of the courts;

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

19 (iv) In investigations arising out of or incident to normally
 20 assigned duties, **INCLUDING THOSE DUTIES AUTHORIZED BY THE COUNTY**
 21 **GOVERNING BODY UNDER PARAGRAPH (8)~~(VI) 1~~ (I)6 OF THIS SUBSECTION.**

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

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

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

28 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
 29 **October 1, 2007. It shall remain effective for a period of 3 years and, at the end of**

1 September 30, 2010, with no further action required by the General Assembly, this Act
2 shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.