

## **CHAPTER 389**

**(House Bill 361)**

AN ACT concerning

### **Public Safety – Hagerstown Community College Police Force**

FOR the purpose of establishing a police force for the Hagerstown Community College; specifying the powers of a Hagerstown Community College police officer; requiring the Board of Trustees of the Hagerstown Community College to adopt certain standards and regulations; including a member of the police force of the Hagerstown Community College in the defined term “police officer” in connection with provisions of law relating to the authority to make arrests; including a member of the police force of the Hagerstown Community College in the defined term “law enforcement officer” in connection with provisions of law relating to the Maryland Police Training Commission and the Law Enforcement Officers’ Bill of Rights; and generally relating to the police force of the Hagerstown Community College.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 2–101(c)(22) and (23)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Criminal Procedure  
Section 2–101(c)(24)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Education  
Section 16–407.1  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 3–101(e)(1)(ii)21. and 22. and 3–201(e)(1)(ii)18. and 19.  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY adding to

Article – Public Safety  
Section 3–101(e)(1)(ii)23. and 3–201(e)(1)(ii)20.  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Article – Criminal Procedure**

2–101.

(c) “Police officer” means a person who in an official capacity is authorized by law to make arrests and is:

(22) a member of the Ocean Pines Police Department; [or]

(23) a member of the police force of the Baltimore City Community College; **OR**

**(24) A MEMBER OF THE POLICE FORCE OF THE HAGERSTOWN COMMUNITY COLLEGE.**

**Article – Education**

**16–407.1.**

**(A) THERE IS A HAGERSTOWN COMMUNITY COLLEGE POLICE FORCE.**

**(B) (1) A HAGERSTOWN COMMUNITY COLLEGE POLICE OFFICER HAS THE POWERS GRANTED TO A PEACE AND POLICE OFFICER.**

**(2) (I) A HAGERSTOWN COMMUNITY COLLEGE POLICE OFFICER MAY EXERCISE THESE POWERS ONLY ON PROPERTY THAT IS OWNED, LEASED, OPERATED BY, OR UNDER THE CONTROL OF HAGERSTOWN COMMUNITY COLLEGE.**

**(II) THE POLICE OFFICER MAY NOT EXERCISE THESE POWERS ON ANY OTHER PROPERTY UNLESS:**

**1. ENGAGED IN FRESH PURSUIT OF A SUSPECTED OFFENDER;**

**2. NECESSARY TO FACILITATE THE ORDERLY FLOW OF TRAFFIC TO AND FROM PROPERTY OWNED, LEASED, OPERATED BY, OR UNDER THE CONTROL OF HAGERSTOWN COMMUNITY COLLEGE; OR**

**3. ORDERED TO DO SO BY THE GOVERNOR.**

**(C) (1) IN CONSULTATION WITH THE SECRETARY OF STATE POLICE AND THE MARYLAND POLICE TRAINING COMMISSION, THE HAGERSTOWN COMMUNITY COLLEGE BOARD OF TRUSTEES SHALL ADOPT STANDARDS, QUALIFICATIONS, AND PREREQUISITES OF CHARACTER, TRAINING, EDUCATION, HUMAN AND PUBLIC RELATIONS, AND EXPERIENCE FOR HAGERSTOWN COMMUNITY COLLEGE POLICE OFFICERS, INCLUDING STANDARDS FOR THE PERFORMANCE OF THEIR DUTIES.**

**(2) TO THE EXTENT PRACTICABLE, THE BOARD SHALL ADOPT STANDARDS THAT ARE SIMILAR TO THE STANDARDS ADOPTED FOR THE DEPARTMENT OF STATE POLICE.**

**(D) THE HAGERSTOWN COMMUNITY COLLEGE BOARD OF TRUSTEES SHALL ADOPT REGULATIONS GOVERNING THE OPERATION AND CONDUCT OF THE HAGERSTOWN COMMUNITY COLLEGE POLICE FORCE AND OF HAGERSTOWN COMMUNITY COLLEGE POLICE OFFICERS.**

**Article - Public Safety**

3-101.

(e) (1) "Law enforcement officer" means an individual who:

(ii) is a member of one of the following law enforcement agencies:

21. the Ocean Pines Police Department; [or]

22. the police force of the Baltimore City Community College; **OR**

**23. THE POLICE FORCE OF THE HAGERSTOWN COMMUNITY COLLEGE.**

3-201.

(e) (1) "Police officer" means an individual who:

(ii) is a member of one of the following law enforcement agencies:

18. the Ocean Pines Police Department; [or]

19. the police force of the Baltimore City Community College; **OR**

**20. THE POLICE FORCE OF THE HAGERSTOWN COMMUNITY COLLEGE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.

**Approved by the Governor, May 7, 2009.**