

# SENATE BILL 218

E4

1lr1367

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By: **Senator Shank**

Introduced and read first time: January 27, 2011

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Law Enforcement Officers’ Bill of Rights – Internal**  
3 **Investigation Unit**

4 FOR the purpose of including the Internal Investigation Unit of the Department of  
5 Public Safety and Correctional Services in the definition of law enforcement  
6 officer covered by the Law Enforcement Officers’ Bill of Rights.

7 BY repealing and reenacting, with amendments,  
8 Article – Public Safety  
9 Section 3–101(e)  
10 Annotated Code of Maryland  
11 (2003 Volume and 2010 Supplement)

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

14 **Article – Public Safety**

15 3–101.

16 (e) (1) “Law enforcement officer” means an individual who:

17 (i) in an official capacity is authorized by law to make arrests;

18 and

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

21 1. the Department of State Police;

22 2. the Police Department of Baltimore City;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 3. the Baltimore City School Police Force;
- 2 4. the Baltimore City Watershed Police Force;
- 3 5. the police department, bureau, or force of a county;
- 4 6. the police department, bureau, or force of a municipal  
5 corporation;
- 6 7. the office of the sheriff of a county;
- 7 8. the police department, bureau, or force of a bicounty  
8 agency;
- 9 9. the Maryland Transportation Authority Police;
- 10 10. the police forces of the Department of Transportation;
- 11 11. the police forces of the Department of Natural  
12 Resources;
- 13 12. the Field Enforcement Bureau of the Comptroller's  
14 Office;
- 15 13. the Housing Authority of Baltimore City Police Force;
- 16 14. the Crofton Police Department;
- 17 15. the police force of the Department of Health and  
18 Mental Hygiene;
- 19 16. the police force of the Department of General  
20 Services;
- 21 17. the police force of the Department of Labor, Licensing,  
22 and Regulation;
- 23 18. the police forces of the University System of  
24 Maryland;
- 25 19. the police force of Morgan State University;
- 26 20. the office of State Fire Marshal;
- 27 21. the Ocean Pines Police Department;

1                                   22. the police force of the Baltimore City Community  
2 College; [or]

3                                   23. the police force of the Hagerstown Community  
4 College; OR

5                                   **24. THE INTERNAL INVESTIGATION UNIT OF THE**  
6 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

7                                   (2) “Law enforcement officer” does not include:

8                                   (i) an individual who serves at the pleasure of the Police  
9 Commissioner of Baltimore City;

10                                  (ii) an individual who serves at the pleasure of the appointing  
11 authority of a charter county;

12                                  (iii) the police chief of a municipal corporation;

13                                  (iv) an officer who is in probationary status on initial entry into  
14 the law enforcement agency except if an allegation of brutality in the execution of the  
15 officer’s duties is made;

16                                  (v) a Montgomery County fire and explosive investigator as  
17 defined in § 2–208.1 of the Criminal Procedure Article;

18                                  (vi) an Anne Arundel County or City of Annapolis fire and  
19 explosive investigator as defined in § 2–208.2 of the Criminal Procedure Article;

20                                  (vii) a Prince George’s County fire and explosive investigator as  
21 defined in § 2–208.3 of the Criminal Procedure Article;

22                                  (viii) a Worcester County fire and explosive investigator as  
23 defined in § 2–208.4 of the Criminal Procedure Article; or

24                                  (ix) a City of Hagerstown fire and explosive investigator as  
25 defined in § 2–208.5 of the Criminal Procedure Article.

26                                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2011.