

## **Chapter 39**

**(Senate Bill 218)**

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–101(e)

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

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

#### **Article – Public Safety**

3–101.

- (e) (1) “Law enforcement officer” means an individual who:
- (i) in an official capacity is authorized by law to make arrests;
- and
- (ii) is a member of one of the following law enforcement agencies:
    - 1. the Department of State Police;
    - 2. the Police Department of Baltimore City;
    - 3. the Baltimore City School Police Force;
    - 4. the Baltimore City Watershed Police Force;
    - 5. the police department, bureau, or force of a county;

6. the police department, bureau, or force of a municipal corporation;
7. the office of the sheriff of a county;
8. the police department, bureau, or force of a bicounty agency;
9. the Maryland Transportation Authority Police;
10. the police forces of the Department of Transportation;
11. the police forces of the Department of Natural Resources;
12. the Field Enforcement Bureau of the Comptroller's Office;
13. the Housing Authority of Baltimore City Police Force;
14. the Crofton Police Department;
15. the police force of the Department of Health and Mental Hygiene;
16. the police force of the Department of General Services;
17. the police force of the Department of Labor, Licensing, and Regulation;
18. the police forces of the University System of Maryland;
19. the police force of Morgan State University;
20. the office of State Fire Marshal;
21. the Ocean Pines Police Department;
22. the police force of the Baltimore City Community College; [or]
23. the police force of the Hagerstown Community College; **OR**

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

(2) "Law enforcement officer" does not include:

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

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

(iii) the police chief of a municipal corporation;

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

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

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

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

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

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

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

**Approved by the Governor, April 12, 2011.**