

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 118

(Chair, Judicial Proceedings Committee)(By Request -
Departmental - Public Safety and Correctional Services)

Judicial Proceedings

Judiciary

Correctional Services - Warrant Apprehension Unit - Transfer

This departmental bill codifies the transfer of the Warrant Apprehension Unit (WAU) within the Department of Public Safety and Correctional Services' (DPSCS) Division of Parole and Probation (DPP) to the Intelligence and Investigative Division (IID) in the department. The authorizations and requirements for WAU are not changed by the bill.

Fiscal Summary

State Effect: None. The bill codifies existing practice.

Local Effect: None.

Small Business Effect: DPSCS has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: WAU within DPSCS is authorized to (1) execute warrants for the retaking of offenders; (2) execute warrants for the arrest of probationers for whom a warrant is issued for an alleged violation of probation; (3) obtain and execute search warrants in connection with offenders in the State's home detention program as authorized by statute; and (4) arrest offenders in the State's home detention program as authorized by statute.

WAU employees who are authorized to make arrests must meet minimum qualifications required by the Maryland Police Training and Standards Commission and satisfactorily

complete training prescribed by the commission. An employee in the unit who is authorized to make arrests is also authorized to exercise the powers of a peace officer and a police officer.

Background: DPSCS reports that WAU was operationally transferred to IID in 2015. Since that time, the unit's role has been expanded to serve the Division of Correction, the department's Human Resources Services Division, and other special operations and not only DPP.

Specifically, WAU assists in apprehending individuals who walk off or abscond from the department's Home Detention program. The unit also assists IID with serving indictments and warrant service during special operations. WAU serves termination papers on certain DPSCS employees after separation from the agency. Further, the unit has specially trained officers who can rapidly respond when called upon to provide protection to DPSCS leadership when threats are made against the Secretary or other personnel.

DPSCS currently employs approximately 66 sworn law enforcement officers – 39 directly in IID and 27 under WAU. WAU currently has 26 sworn detectives, 3 lieutenants, 1 research analyst, 1 major, and 1 chief.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - January 11, 2021
rh/lgc Third Reader - February 2, 2021

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Correctional Services – Warrant Apprehension Unit – Transfer

BILL NUMBER: SB 118

PREPARED BY: Catherine Kahl, Deputy Director, Government & Legislative Affairs

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS