



State of Maryland
Department of State Police
Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: March 3, 2020

BILL NUMBER: House Bill 252 **POSITION:** Letter of Information

BILL TITLE: Public Safety – Department of State Police – Primary Enforcement for Interstate 83 (Jones Falls Expressway) in Baltimore City

REVIEW AND ANALYSIS:

This legislation seeks to establish the Department of State Police (DSP) primary traffic enforcement and emergency response on Interstate 83 in Baltimore City.

Under current law, Article – Public Safety 2–412. (c) Police employees may not act within the limits of a municipal corporation that maintains a police force except:

- (1) when in pursuit of a criminal or suspect;
- (2) when in search of a criminal or suspect wanted for a crime committed outside of the limits of the municipal corporation or when interviewing or seeking to interview a witness or supposed witness to the crime;
- (3) when a crime is committed in the presence of the police employee, and the arrested party must be immediately transferred to the custody of the local law enforcement agency;
- (4) when requested to act by the chief executive officer or chief police officer of the municipal corporation;
- (5) when ordered by the Governor to act within the municipal corporation;
- (6) when enforcing the motor vehicle laws of the State, except in Baltimore City;**
- (7) in Baltimore City, only when enforcing Title 23 of the Transportation Article;**

This statute allows for exception #4. The Mayor or Commissioner may request the assistance of the DSP through a Memorandum of Understanding (MOU) at any time. The MOU is much more flexible than codified law and allows the Commissioner to allocate mutual aid resources in the areas that are identified to be in the most need.

Currently, the Department has agreements with Baltimore City Police Department (BPD) to conduct highly visible saturation patrols in the City at the direction of the Chief of Patrols. This legislation also enables traffic enforcement only. If a criminal action occurs in the presence of the Trooper, according to #3 above the person detained must be turned over to BPD.

The Department recommends continued use of MOUs to maximize its effort in Baltimore City to support BPD and the citizens and visitors to the City.

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