

HOUSE BILL 1803

E4, F2

8lr4009
CF SB 1241

By: **Delegate Glenn**

Introduced and read first time: March 5, 2018

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Independent Institutions of Higher Education – Police Force**

3 FOR the purpose of authorizing an independent institution of higher education in
4 Baltimore City to establish a campus police force based on a certain memorandum
5 of understanding; authorizing a police officer of a campus police force of an
6 independent institution of higher education in Baltimore City to exercise the powers
7 granted to a peace and police officer only on certain property with certain exceptions;
8 requiring an independent institution of higher education that establishes a campus
9 police force, in consultation with the Secretary of State Police and the Maryland
10 Police Training and Standards Commission, to adopt certain standards,
11 qualifications, and prerequisites; authorizing an independent institution of higher
12 education that establishes a campus police force to continue to make use of a campus
13 security force or building guards; including a member of a campus police force of an
14 independent institution of higher education in Baltimore City in the defined term
15 “police officer” in connection with provisions of law relating to the authority to make
16 arrests and the Maryland Police Training and Standards Commission; including a
17 member of a campus police force of an independent institution of higher education
18 in Baltimore City in the defined term “law enforcement officer” in connection with
19 provisions of law relating to the Law Enforcement Officers’ Bill of Rights; and
20 generally relating to a police force of an independent institution of higher education
21 in Baltimore City.

22 BY repealing and reenacting, without amendments,
23 Article – Criminal Procedure
24 Section 2–101(a)
25 Annotated Code of Maryland
26 (2008 Replacement Volume and 2017 Supplement)

27 BY repealing and reenacting, with amendments,
28 Article – Criminal Procedure
29 Section 2–101(c)(25) and (26)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2008 Replacement Volume and 2017 Supplement)

3 BY adding to
4 Article – Criminal Procedure
5 Section 2–101(c)(27)
6 Annotated Code of Maryland
7 (2008 Replacement Volume and 2017 Supplement)

8 BY adding to
9 Article – Education
10 Section 10–211.1
11 Annotated Code of Maryland
12 (2014 Replacement Volume and 2017 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Public Safety
15 Section 3–101(a) and (e)(1)(i) and 3–201(a) and (f)(1)(i)
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2017 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Public Safety
20 Section 3–101(e)(1)(ii)25. and 26. and 3–201(f)(1)(ii)21. and 22.
21 Annotated Code of Maryland
22 (2011 Replacement Volume and 2017 Supplement)

23 BY adding to
24 Article – Public Safety
25 Section 3–101(e)(1)(ii)27. and 3–201(f)(1)(ii)23.
26 Annotated Code of Maryland
27 (2011 Replacement Volume and 2017 Supplement)

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

30 **Article – Criminal Procedure**

31 2–101.

32 (a) In this title the following words have the meanings indicated.

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

35 (25) an employee of the Warrant Apprehension Unit of the Division of Parole
36 and Probation in the Department; [or]

1 (26) a member of the police force of the Anne Arundel Community College;

2 **OR**

3 (27) A MEMBER OF THE CAMPUS POLICE FORCE OF AN INDEPENDENT
4 INSTITUTION OF HIGHER EDUCATION IN BALTIMORE CITY ESTABLISHED IN
5 ACCORDANCE WITH § 10-211.1 OF THE EDUCATION ARTICLE.

6 **Article – Education**

7 **10-211.1.**

8 (A) AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION IN BALTIMORE
9 CITY MAY ESTABLISH A CAMPUS POLICE FORCE BASED ON A MEMORANDUM OF
10 UNDERSTANDING ENTERED INTO BY THE INSTITUTION AND THE MAYOR OR THE
11 POLICE COMMISSIONER OF BALTIMORE CITY.

12 (B) (1) A CAMPUS POLICE OFFICER AUTHORIZED UNDER THIS SECTION
13 HAS THE POWERS GRANTED TO A PEACE AND POLICE OFFICER.

14 (2) (I) A CAMPUS POLICE OFFICER AUTHORIZED UNDER THIS
15 SECTION MAY EXERCISE THESE POWERS ONLY ON PROPERTY THAT IS OWNED,
16 LEASED, OPERATED BY, OR UNDER THE CONTROL OF THE INDEPENDENT
17 INSTITUTION OF HIGHER EDUCATION IN BALTIMORE CITY BY WHICH THE OFFICER
18 IS EMPLOYED.

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

21 1. ENGAGED IN FRESH PURSUIT OF A SUSPECTED
22 OFFENDER;

23 2. REQUESTED OR AUTHORIZED TO DO SO BY THE
24 MAYOR OR THE POLICE COMMISSIONER OF BALTIMORE CITY;

25 3. NECESSARY TO FACILITATE THE ORDERLY FLOW OF
26 TRAFFIC TO AND FROM PROPERTY OWNED, LEASED, OPERATED BY, OR UNDER THE
27 CONTROL OF THE INDEPENDENT INSTITUTION OF HIGHER EDUCATION IN
28 BALTIMORE CITY BY WHICH THE OFFICER IS EMPLOYED; OR

29 4. ORDERED TO DO SO BY THE GOVERNOR.

30 (C) IF AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION
31 ESTABLISHES A CAMPUS POLICE FORCE UNDER THIS SECTION, THE INSTITUTION

1 **SHALL:**

2 **(1) IN CONSULTATION WITH THE SECRETARY OF STATE POLICE AND**
 3 **THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION, ADOPT**
 4 **STANDARDS, QUALIFICATIONS, AND PREREQUISITES OF CHARACTER, TRAINING,**
 5 **EDUCATION, HUMAN AND PUBLIC RELATIONS, AND EXPERIENCE FOR THE CAMPUS**
 6 **POLICE OFFICERS, INCLUDING STANDARDS FOR THE PERFORMANCE OF THEIR**
 7 **DUTIES; AND**

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

10 **(D) IF AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION**
 11 **ESTABLISHES A CAMPUS POLICE FORCE UNDER THIS SECTION, THE INSTITUTION**
 12 **MAY CONTINUE TO MAKE USE OF A CAMPUS SECURITY FORCE OR BUILDING GUARDS**
 13 **IN ADDITION TO A CAMPUS POLICE FORCE.**

14 **Article – Public Safety**

15 3–101.

16 (a) In this subtitle the following words have the meanings indicated.

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

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

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

20 25. the Warrant Apprehension Unit of the Division of Parole
 21 and Probation in the Department of Public Safety and Correctional Services; [or]

22 26. the police force of the Anne Arundel Community College;

23 **OR**

24 **27. THE CAMPUS POLICE FORCE OF AN INDEPENDENT**
 25 **INSTITUTION OF HIGHER EDUCATION IN BALTIMORE CITY ESTABLISHED IN**
 26 **ACCORDANCE WITH § 10–211.1 OF THE EDUCATION ARTICLE.**

27 3–201.

28 (a) In this subtitle the following words have the meanings indicated.

29 (f) (1) “Police officer” means an individual who:

1 (i) is authorized to enforce the general criminal laws of the State;
2 and

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

4 21. the parole and probation employees of the Warrant
5 Apprehension Unit of the Division of Parole and Probation in the Department who are
6 authorized to make arrests; [or]

7 22. the police force of the Anne Arundel Community College;
8 OR

9 **23. THE CAMPUS POLICE FORCE OF AN INDEPENDENT**
10 **INSTITUTION OF HIGHER EDUCATION IN BALTIMORE CITY ESTABLISHED IN**
11 **ACCORDANCE WITH § 10-211.1 OF THE EDUCATION ARTICLE.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2018.