

SENATE BILL 929

E4

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CF HB 1408

By: ~~Senators Hayes and Smith~~, **Smith, Washington, and Carter**

Introduced and read first time: February 3, 2020

Assigned to: Judicial Proceedings and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 3, 2020

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Baltimore City – P.R.O.T.E.C.T.**
3 **(Public Resources Organizing to End Crime Together) Program**

4 FOR the purpose of authorizing certain employees of ~~the Department of State Police~~ certain
5 State law enforcement agencies to enforce certain motor vehicle laws within
6 Baltimore City under a certain memorandum of understanding; altering the
7 authority granted to certain police employees to act within the limits of Baltimore
8 City; establishing the P.R.O.T.E.C.T. (Public Resources Organizing to End Crime
9 Together) Program for a certain purpose; requiring the Department of State Police,
10 the Division of Parole and Probation, and the Department of Juvenile Services to
11 establish and operate a warrant apprehension task force partnership; requiring the
12 Baltimore Police Department, the Department of Juvenile Services, and the Division
13 of Parole and Probation to establish and operate certain district officer supervision
14 teams; requiring the Department of State Police to extend its jurisdiction for traffic
15 control and accident investigations into certain highways and streets in Baltimore
16 City, as specified by the Baltimore Police Commissioner in consultation with the
17 Secretary of State Police authorizing the State and Baltimore City to enter into a
18 certain memorandum of understanding to give certain State law enforcement
19 agencies concurrent jurisdiction with Baltimore City in a certain area of Baltimore
20 City; requiring a certain memorandum of understanding to be reviewed annually
21 and submitted to certain committees of the General Assembly; requiring that the
22 Baltimore City Juvenile Booking facility and the Baltimore Detention Center
23 Pretrial Complex be staffed by the Department of Juvenile Services and the
24 Department of Public Safety and Correctional Services, respectively; prohibiting
25 Baltimore Police Department sworn officers from being used to staff the Baltimore

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~City Juvenile Booking facility or the Baltimore Detention Center Pretrial Complex;~~
requiring ~~the Department of State Police~~ certain State law enforcement agencies,
the Baltimore Police Department, the Department of Juvenile Services, and the
Department of Public Safety and Correctional Services to make certain efforts to
fully implement this Act at a certain time; authorizing ~~the Department of State~~
~~Police~~ certain State law enforcement agencies, the Baltimore Police Department, the
Department of Juvenile Services, and the Department of Public Safety and
Correctional Services to adopt certain regulations; requiring the Governor's Office of
Crime ~~Control and Prevention, Youth, and Victim Services~~ and the Department of
~~State Police~~ to select certain high-crime micro-zones within the State and create
certain coordinator positions; providing for the requirements and duties of a certain
coordinator; mandating that the Governor include certain appropriations in the
annual budget bill each year; requiring the Department of State Police, Baltimore
City, the Department of Juvenile Services, the Department of Public Safety and
Correctional Services, and the Governor's Office of Crime ~~Control and Prevention,~~
Youth, and Victim Services to report to the Governor and General Assembly on a
certain matter at a certain time; requiring the Department of Juvenile Services and
the Baltimore Police Department to submit a certain annual report to certain
committees of the General Assembly on or before a certain date; and generally
relating to public safety.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–412(c)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY adding to
Article – Public Safety
Section 4–1501 through 4–1504 to be under the new subtitle “Subtitle 15.
P.R.O.T.E.C.T. (Public Resources Organizing to End Crime Together)
Program”
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

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

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 **IF ACTING IN ACCORDANCE WITH A MEMORANDUM OF UNDERSTANDING DESCRIBED IN § 4-1501(E) OF THIS ARTICLE;**

~~(7) in Baltimore City, only when enforcing Title 23 of the Transportation Article;~~

[(8)] (7) in any building or place when ordered by either the President of the Senate or the Speaker of the House of Delegates to guard the safety of legislators or the integrity of the legislative process;

[(9)] (8) to protect the safety of an elected State official;

[(10)] (9) in the municipal corporations of Somerset County;

[(11)] (10) when conducting investigations relating to or otherwise enforcing §§ 3-324, 3-804, 3-805, 3-902, 3-1102, 3-1103, 7-302, 11-207, 11-208, 11-303, 11-304, 11-305, 11-306, and 11-307 of the Criminal Law Article;

[(12)] (11) (i) 1. When participating in a joint investigation with officials from another State, federal, or local law enforcement agency at least one of which has local jurisdiction;

2. when rendering assistance to a police officer;

3. when acting at the request of a local police officer; or

4. when an emergency exists; and

(ii) when acting in accordance with regulations adopted by the Secretary to implement this item; or

1 [(13)] (12) when conducting an investigation under § 9-602.1 of the
2 Correctional Services Article.

3 **SUBTITLE 15. P.R.O.T.E.C.T. (PUBLIC RESOURCES ORGANIZING TO END CRIME**
4 **TOGETHER) PROGRAM.**

5 **4-1501.**

6 (A) THE P.R.O.T.E.C.T. (PUBLIC RESOURCES ORGANIZING TO END
7 CRIME TOGETHER) PROGRAM IS ESTABLISHED TO MAXIMIZE THE USE OF STATE,
8 LOCAL, AND COMMUNITY RESOURCES TO COMBAT NEIGHBORHOOD DECLINE IN THE
9 CITY OF BALTIMORE AND THROUGHOUT THE STATE, SUPPORT COMPREHENSIVE
10 STRATEGIES TO REDUCE CRIME AND FEAR IN THOSE COMMUNITIES, AND ENSURE
11 THAT BALTIMORE POLICE DEPARTMENT SWORN OFFICERS ARE UTILIZED IN
12 DIRECT PUBLIC SAFETY ROLES.

13 (B) IN THIS SUBTITLE, “STATE LAW ENFORCEMENT AGENCIES” INCLUDES:

14 (1) THE MARYLAND STATE POLICE;

15 (2) THE MARYLAND TRANSPORTATION AUTHORITY POLICE;

16 (3) THE MARYLAND DEPARTMENT OF GENERAL SERVICES POLICE;

17 AND

18 (4) THE MARYLAND CAPITOL POLICE.

19 ~~(B)~~ (C) THE DEPARTMENT OF STATE POLICE, THE DIVISION OF PAROLE
20 AND PROBATION WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND
21 CORRECTIONAL SERVICES, AND THE DEPARTMENT OF JUVENILE SERVICES SHALL
22 ESTABLISH AND OPERATE A WARRANT APPREHENSION TASK FORCE PARTNERSHIP.

23 ~~(C)~~ (D) THE BALTIMORE POLICE DEPARTMENT, THE DEPARTMENT OF
24 JUVENILE SERVICES, AND THE DIVISION OF PAROLE AND PROBATION SHALL
25 ESTABLISH AND OPERATE COLLABORATIVE DISTRICT OFFICER SUPERVISION TEAMS
26 THAT PROVIDE INTENSIVE SUPERVISION, INCLUDING INCREASED HOME VISITS, OF
27 ADULT AND JUVENILE VIOLENT OFFENDERS.

28 ~~(D)~~ (E) ~~THE DEPARTMENT OF STATE POLICE SHALL EXTEND ITS~~
29 ~~JURISDICTION FOR TRAFFIC PATROL AND ACCIDENT INVESTIGATIONS INTO~~
30 ~~HIGHWAYS AND STREETS THAT SERVE AS SIGNIFICANT ENTRY AND EXIT CORRIDORS~~
31 ~~TO BALTIMORE CITY, AS SPECIFIED BY THE BALTIMORE POLICE COMMISSIONER IN~~
32 ~~CONSULTATION WITH THE SECRETARY OF STATE POLICE~~

(1) THE STATE AND BALTIMORE CITY MAY ENTER INTO A MEMORANDUM OF UNDERSTANDING TO GIVE STATE LAW ENFORCEMENT AGENCIES AND THE BALTIMORE POLICE DEPARTMENT CONCURRENT JURISDICTION OVER I-83 AND I-295 IN BALTIMORE CITY.

(2) A MEMORANDUM OF UNDERSTANDING ENTERED INTO UNDER THIS SUBSECTION SHALL BE REVIEWED ANNUALLY AND SUBMITTED, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, TO THE HOUSE JUDICIARY COMMITTEE, THE SENATE JUDICIAL PROCEEDINGS COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, AND THE HOUSE APPROPRIATIONS COMMITTEE BY DECEMBER 31, 2020, AND EACH DECEMBER 31 THEREAFTER.

~~(E) (F)~~ (1) ~~THE BALTIMORE CITY JUVENILE BOOKING FACILITY AND THE BALTIMORE DETENTION CENTER PRETRIAL COMPLEX SHALL BE STAFFED BY THE DEPARTMENT OF JUVENILE SERVICES AND THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, RESPECTIVELY.~~

(2) BALTIMORE POLICE DEPARTMENT SWORN OFFICERS MAY NOT BE USED TO STAFF ~~THE BALTIMORE CITY JUVENILE BOOKING FACILITY OR THE BALTIMORE DETENTION CENTER~~ PRETRIAL COMPLEX.

~~(F) (G)~~ ~~THE DEPARTMENT OF STATE POLICE~~ STATE LAW ENFORCEMENT AGENCIES, THE BALTIMORE POLICE DEPARTMENT, THE DEPARTMENT OF JUVENILE SERVICES, AND THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES:

(1) SHALL MAKE DILIGENT EFFORTS TO FULLY IMPLEMENT THE REQUIREMENTS OF THIS SECTION AS QUICKLY AS POSSIBLE; AND

(2) MAY ADOPT REGULATIONS NECESSARY TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION.

4-1502.

(A) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION, YOUTH, AND VICTIM SERVICES ~~AND THE DEPARTMENT OF STATE POLICE~~ SHALL:

(1) SELECT 10 HIGH-CRIME MICRO-ZONES WITHIN THE STATE; AND

(2) CREATE, AS A CIVILIAN POSITION, AN "END THE VIOLENCE" P.R.O.T.E.C.T. COORDINATOR POSITION FOR EACH HIGH-CRIME MICRO-ZONE.

(B) AN “END THE VIOLENCE” P.R.O.T.E.C.T. COORDINATOR SHALL RESIDE IN THE JURISDICTION IN WHICH THE HIGH-CRIME MICRO-ZONE IS LOCATED.

(C) AN “END THE VIOLENCE” P.R.O.T.E.C.T. COORDINATOR SHALL:

(1) ENSURE UTILIZATION OF ALL EXISTING CRIME PREVENTION PROGRAMS AND GRANTS;

(2) COORDINATE COMMUNITY AND YOUTH PROGRAMS;

(3) ASSIST WITH COMMUNITY MOBILIZATION AND ACTIVITIES TO RECLAIM PUBLIC SPACE;

(4) ASSIST WITH RAPID RESPONSE TO PUBLIC NUISANCES; AND

(5) COORDINATE COMMUNITY ENGAGEMENT WITH THE LOCAL LAW ENFORCEMENT AGENCY WITH JURISDICTION IN THE HIGH-CRIME MICRO-ZONE.

4-1503.

FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION:

(1) SUFFICIENT TO FULLY FUND THE REQUIREMENTS OF § 4-1501 OF THIS SUBTITLE; AND

(2) OF AT LEAST \$500,000 IN ADDITION TO THE FUNDING REQUIRED UNDER ITEM (1) OF THIS SECTION TO BE USED BY THE GOVERNOR’S OFFICE OF CRIME ~~CONTROL AND~~ PREVENTION, YOUTH, AND VICTIM SERVICES TO HIRE AND MANAGE “END THE VIOLENCE” P.R.O.T.E.C.T. COORDINATORS ESTABLISHED UNDER § 4-1502 OF THIS SUBTITLE.

4-1504.

(A) ON OR BEFORE DECEMBER 31 ANNUALLY, BEGINNING IN 2020, THE DEPARTMENT OF STATE POLICE, BALTIMORE CITY, THE DEPARTMENT OF JUVENILE SERVICES, THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, AND THE GOVERNOR’S OFFICE OF CRIME ~~CONTROL AND~~ PREVENTION, YOUTH, AND VICTIM SERVICES SHALL EACH REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE PROGRESS MADE IN IMPLEMENTING THE REQUIREMENTS OF THIS SUBTITLE.

1 (B) THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND
2 VICTIM SERVICES SHALL INCLUDE IN THE REPORT REQUIRED UNDER SUBSECTION
3 (A) OF THIS SECTION:

4 (1) A DESCRIPTION OF THE ACTIVITIES OF EACH “END THE
5 VIOLENCE” P.R.O.T.E.C.T. COORDINATOR DURING THE YEAR; AND

6 (2) THE RESULTS OF ANY ACTIVITIES OR PROJECTS COMPLETED
7 DURING THE YEAR IN EACH MICRO-ZONE ESTABLISHED UNDER § 4-1502 OF THIS
8 SUBTITLE.

9 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,
10 2020, the Department of Juvenile Services and the Baltimore Police Department shall
11 submit, in accordance with § 2-1257 of the State Government Article, to the House
12 Judiciary Committee, the Senate Judicial Proceedings Committee, the Senate Budget and
13 Taxation Committee, the House Appropriations Committee, and the Baltimore City
14 Delegation a report detailing plans for reducing the number of sworn officers used to staff
15 the Baltimore City Juvenile Justice Center.

16 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 June 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.