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Courthouse Security (continued)

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Office of the Sheriff
Somerset County, Maryland

General Order: 01-14-09

Effective Date: September 1, 2014

Revised date: March 1, 2014

Chapter 14

Section 2

Special Police Officers

1. Authority

- A. Pursuant to MD Code Ann., Public Safety Article, Title 3, § 3–301, et seq., the position of Special Police is hereby established for the service to the Sheriff of Somerset County.
- B. The Somerset County Sheriff’s Office will submit to the Secretary of the State Police an application for a commission for each individual hired as a Special Police Officer, pursuant to MD Code Ann., Public Safety Art. § 3-304.
- C. Within 30 days after issuance of the commission and before performing the duties of a special police officer, each special police officer shall take the oath required by Article I, § 9 of the Maryland Constitution before the clerk of the circuit court of Somerset County.

2. Purpose

The Special Police Officer is authorized to protect and preserve peace and good order on the property described in the application for the commission, specifically, the property of the circuit court and the Orphan’s Court for Somerset County.

3. Scope

- A. Each Special Police Officer employed by the Sheriff shall protect and preserve peace and good order on the property described in the application for the commission and that the Special Police Officer may:

- i. Arrest individuals who trespass or commit offenses on the property described in the application for the commission;
- ii. Exercise the powers of a police officer on the property described in the application for the commission;
- iii. Exercise the powers of a police officer in a county or municipal corporation of the State in connection with the care, custody, and protection of other property of the entity that requested the appointment of the special police officer or other property, real or personal, for which the entity has assumed an obligation to maintain or protect; and
- iv. Direct and control traffic on public highways and roads in the immediate vicinity of the property described in the application for the commission in order to facilitate the orderly movement of traffic to and from the property, if the Secretary of State Police approves of this activity in advance;
- v. Make an arrest or issue a traffic citation for a violation of the Maryland vehicle law or any other State or local traffic law or regulation only if the Special Police Officer:
 - a. has a probationary or permanent appointment as a security officer or is a member of an industrial police force;
 - b. has completed the basic training course for police officers as established by the Police Training Commission; and
 - c. is authorized by the Sheriff to do so.
- vi. Exercise the power described above only on the property of the circuit court and the Orphan's Court for Somerset County, as described in the application for the commission, unless If the Special Police Officer is in active pursuit for the purpose of immediate apprehension of a person suspected to have committed a criminal violation on the property, he or she may reasonably exercise the police power described above to apprehend the offender.

4. Liability for wrongful actions or abuse of powers

- A. A Special Police Officer is liable for any abuse of his or her powers, and the exercise of the powers on property not within the Special Police Officer's jurisdiction.

- B. The Sheriff of Somerset County, as the entity that requested the appointment of the special police officer, is also responsible for any wrongful action that the Special Police Officer commits in the course of the special police officer's duties; and any abuse of powers granted by the commission, either on or off the premises, without waiving any of the privileges and immunities otherwise provided by Maryland law.

5. Operational Procedures

- A. An individual may not exercise or attempt to exercise any of the powers of a special police officer granted under this subtitle without a commission; an individual may not exercise or attempt to exercise any of the powers of a special police officer granted under this subtitle if the individual knows of the suspension or termination of the individual's commission or if the individual has in any manner received notice of the suspension or termination of the individual's commission.
- B. A Special Police Officer who is a full or part-time employee of the Somerset County Sheriff's Office (SCSO) is subject to all applicable regulations of the SCSO.
- C. Unless a Special Police Officer is on detective duty, as assigned by the Sheriff, the officer shall: (i) wear a uniform provided by the SCSO that gives notice that the special police officer is a law enforcement official; (ii) wear a distinctive police badge provided by the SCSO that properly identifies the officer as a special police officer, which shall be worn in plain view; (iii) utilize any other equipment (e.g., handcuffs, OC, Taser) as issued by the Somerset County Sheriff's Office; and (iv) be permitted to sign out/in a firearm pursuant to the procedures and regulations as defined by the SCSO. The uniform, badge, and identification are subject to approval by the Department of State Police.
- D. The Special Police Officer will surrender any issued firearm to a supervisor at the end of his/her tour of duty for the day to be secured in an appropriate safe in the courthouse. The Officer will retrieve the firearm from the supervisor at the start of the next tour of duty.
- E. A special police officer shall surrender to the Sheriff any identification or badge that identifies the individual as a special police officer within 48 hours after the suspension or termination of (i) the employment of the special police officer or (ii) the commission of the special police officer in accordance with Md. Code Ann Public Safety Art., § 3-313.
- F. The Special Police Officer is a contractual employee of the SCSO and is not entitled to the rights provided by the Law Enforcement Officers' Bill of Rights, MD Code Ann., Public Safety Art., Title 3, Sub-title 1.

6. Chapter Revisions

- A. General Order 01-10-09 "Court Security" has been revised.
- B. General Order 01-14-09 supersedes General Order 01-10-09.

Robert N. Jones

Sheriff
Somerset County, Maryland