

authorizing emergency suspension without pay of a law enforcement officer under certain circumstances; providing for a prompt hearing; and generally relating to emergency suspension of law enforcement officers.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section 734A
Annotated Code of Maryland
(1982 Replacement Volume and 1986 Supplement)

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

Article 27 - Crimes and Punishments

734A.

The provisions of this subtitle are not intended to prohibit summary punishment or emergency suspension by higher ranking law-enforcement officers as may be designated by the head of a law-enforcement agency.

(1) Summary punishment may be imposed for minor violations of departmental rules and regulations when: (i) The facts which constitute the minor violation are not in dispute; (ii) the officer waives the hearing provided by this subtitle; and (iii) the officer accepts the punishment imposed by the highest ranking officer of the unit to which the officer is attached.

(2) (I) Emergency suspension WITH PAY may be imposed by the chief when it appears that the action is in the best interest of the public and the law-enforcement agency.

(II) IF THE OFFICER IS SUSPENDED WITH PAY, THE CHIEF MAY SUSPEND THE POLICE POWERS OF THE OFFICER AND REASSIGN THE OFFICER TO RESTRICTED DUTIES PENDING A DETERMINATION BY A COURT OF COMPETENT JURISDICTION WITH RESPECT TO ANY CRIMINAL VIOLATION OR FINAL DETERMINATION BY AN ADMINISTRATIVE HEARING BOARD AS TO ANY DEPARTMENTAL VIOLATION.

(III) Any person so suspended shall be entitled to a prompt hearing.

(3) (I) EMERGENCY SUSPENSION OF POLICE POWERS WITHOUT PAY MAY BE IMPOSED BY THE CHIEF IF A LAW ENFORCEMENT OFFICER HAS BEEN ~~INDICTED FOR~~ CHARGED WITH THE COMMISSION OF A FELONY.

(II) ANY PERSON SO SUSPENDED SHALL BE ENTITLED TO A PROMPT HEARING.