

(2) THE PEACE OFFICER HAS THE SAME POWER TO KEEP CUSTODY OF THE ARRESTED PERSON UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT THE PEACE OFFICER HAS IN THE JURISDICTION FOR WHICH THE PEACE OFFICER IS APPOINTED AND THE ARREST IS MADE.

(B) PERSON ARRESTED IN ANOTHER JURISDICTION.

(1) A PEACE OFFICER, WHO IS APPOINTED IN THE JURISDICTION FOR WHICH A CHARGING DOCUMENT IS ISSUED FOR A PERSON WHO IS ARRESTED IN ANOTHER JURISDICTION, MAY OBTAIN CUSTODY OF THE ARRESTED PERSON IN THE OTHER JURISDICTION TO BRING THE PERSON BEFORE A DISTRICT COURT COMMISSIONER IN THE JURISDICTION IN WHICH THE CHARGING DOCUMENT IS ISSUED.

(2) THE PEACE OFFICER HAS THE SAME POWER TO KEEP CUSTODY OF THE ARRESTED PERSON UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT THE PEACE OFFICER HAS IN THE JURISDICTION FOR WHICH THE PEACE OFFICER IS APPOINTED.

(C) EFFECT OF SECTION.

THIS SECTION DOES NOT AFFECT OR EXTEND THE TIME PERIOD FOR BRINGING AN ARRESTED PERSON BEFORE A JUDICIAL OFFICER AFTER ARREST.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 602C.

In subsection (a)(1) of this section, the reference to keeping custody of an arrested person "in another jurisdiction in which a District Court commissioner is located" is substituted for the former reference to maintaining custody to bring the person "before a District Court commissioner beyond the boundaries of the jurisdiction for which the peace officer was appointed and in which the arrest was made" for brevity.

Also in subsection (a)(1) of this section, the phrase "in this State", which formerly modified "peace officer", is deleted as implicit.

In subsection (c) of this section, the reference to "bringing" an arrested person before a judicial officer after arrest is substituted for the former reference to "taking" an arrested person for consistency with terminology used in subsections (a)(1) and (b)(1) of this section.

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that the meaning of the term "peace officer", which is used throughout this section, is vague. In practice, "peace officer" generally includes a greater range of personnel than just those who have been certified by the Police Training Commission, such as mall security guards. The General Assembly may wish to clarify the term "peace officer" or replace it with a more precise term, e.g. "law enforcement officer", to avoid the erroneous implication that this section applies to personnel who have not been certified by the Commission.