

(H) OFFENDERS IN THE PROGRAM ARE NOT AGENTS OR EMPLOYEES OF THE DIVISION.

(I) (1) THE DIRECTOR SHALL EMPLOY PAROLE AND PROBATION EMPLOYEES TO SUPERVISE OFFENDERS IN THE PROGRAM.

(2) THE EMPLOYEES DESIGNATED TO SUPERVISE OFFENDERS IN THIS PROGRAM:

(I) MAY OBTAIN AND EXECUTE SEARCH WARRANTS AS AUTHORIZED BY § 4-602B OF THIS SUBTITLE; AND

(II) HAVE THE POWER TO MAKE ARRESTS AS AUTHORIZED BY ARTICLE 27, § ~~594~~ 594B OF THE CODE.

(J) THE EMPLOYEES EMPOWERED TO MAKE ARRESTS UNDER THIS SECTION SHALL MEET THE MINIMUM QUALIFICATIONS REQUIRED AND SATISFACTORILY COMPLETE THE TRAINING PRESCRIBED BY THE MARYLAND POLICE TRAINING COMMISSION.

(K) THE COMMISSION MAY REMOVE A PAROLEE OR MANDATORY SUPERVISEE FROM THE PROGRAM.

(L) (1) WITH THE APPROVAL OF THE SECRETARY, THE DIRECTOR SHALL ADOPT REASONABLE REGULATIONS TO IMPLEMENT THE PROGRAM.

(2) NOTWITHSTANDING THE PROVISIONS OF § 10-101(E)(2)(I) OF THE STATE GOVERNMENT ARTICLE THE REGULATIONS SHALL BE ADOPTED UNDER TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE.

4-602B.

(A) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY APPLY TO A JUDGE OF THE DISTRICT COURT OR A CIRCUIT COURT FOR A SEARCH WARRANT TO ENTER THE APPROVED DWELLING OF AN OFFENDER IN THE HOME DETENTION PROGRAM TO SEARCH FOR THE OFFENDER.

(B) THE APPLICATION SHALL BE IN WRITING AND SIGNED AND SWORN TO BY THE APPLICANT AND SHALL DESCRIBE THE PREMISES TO BE SEARCHED AND THE NATURE, SCOPE, AND PURPOSE OF THE SEARCH TO BE PERFORMED BY THE APPLICANT.

(C) A JUDGE OF A COURT REFERRED TO IN SUBSECTION (A) OF THIS SECTION MAY ISSUE THE WARRANT ON FINDING THAT:

(1) THE SCOPE OF THE PROPOSED SEARCH IS REASONABLE;  
AND

(2) OBTAINING CONSENT TO ENTER THE PREMISES MAY JEOPARDIZE THE ATTEMPT TO TAKE CUSTODY OF THE OFFENDER.