



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Paul G. Pinsky, Chair and
Members of the Education, Health, and Environmental Affairs Committee

FROM: Chief David Morris, Co-Chair, MCPA, Joint Legislative Committee
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

DATE: March 30, 2021

RE: **HB 522 Public Schools – School Resource Officers and School Security Employees - Revisions**

POSITION: **SUPPORT WITH AMENDMENTS**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **SUPPORT HB 522 WITH AMENDMENTS.**

As introduced, HB 522 intended to clarify the role of an SRO in a school by stating an SRO could not be directed by a school administrator to enforce discipline-related school policies, rules, regulations, or procedures. As amended, the bill, in addition to clarifying the SRO's role, expands training and provides for a broader oversight structure. MCPA and MSA worked with the sponsor to address several concerns as the bill was being discussed in the House Ways and Means Committee. These included the assignment of SROs to a school, supervisory oversight of an SRO, and further clarifying an SRO's role in the school system. However, one issue remained unaddressed. Language on page 6, lines 29-32 states "A SCHOOL RESOURCE OFFICER WHO IS UNDER INVESTIGATION FOR EXCESSIVE FORCE SHALL BE REASSIGNED IMMEDIATELY AND MAY NOT BE ASSIGNED TO A PUBLIC SCHOOL UNTIL THE INVESTIGATION HAS CONCLUDED WITH A FINDING THAT EXCESSIVE FORCE WAS NOT USED. This language could lead to an SRO being reassigned for frivolous or unsubstantiated complaints, and presumes the SRO is guilty before an investigation takes place to substantiate the complaint. MCPA and MSA understands there may be a need to reassign SROs under certain circumstances, but a reassignment such as the one described in HB 522 should occur after there is some finding of fact that the act occurred. Therefore, MCPA and MSA suggest the following amendment.

On page 6, strike lines 29-32 and insert

"IF A PRELIMINARY INVESTIGATION DETERMINES AN OFFICER USED EXCESSIVE FORCE, THE OFFICER SHALL BE IMMEDIATELY REASSIGNED AND NOT ASSIGNED TO A PUBLIC SCHOOL.

For these reasons, MCPA and MSA **SUPPORT HB 522 WITH AMENDMENTS.**