



DEPARTMENT OF POLICE

Marc Elrich
County Executive

Marcus G. Jones
Chief of Police

Statement of Captain Stacey A. Flynn
Montgomery County Department of Police

In Support of SB 0126
*Maryland Police Training and Standards Commission –
Police Officer Certification – Eligibility (Freedom to Serve Act)*

Judicial Proceedings Committee
February 01, 2023

Members of the Judicial Proceedings Committee, thank you for considering my testimony regarding this proposed legislation to **update** Senate Bill 0853, passed in 2019. My name is Captain Stacey Flynn, and I am here on behalf of Chief Marcus Jones with the Montgomery County Department of Police. As a lifelong Maryland resident and a 25-year Police veteran, I am testifying in favor of Senate Bill 0126, introduced this year by Senator Kagan, cross-filed with HB 0145. SB 0126 serves to expand SB 0853, *the Freedom to Serve Act*, by removing the latter portion of the provision that an honorably discharged Military veteran, who is a non-citizen, can apply to become a Maryland Police Officer **ONLY when they are in the process of becoming a citizen.**

The Maryland Police Training and Standards Commission (MPTSC) determines best practices regarding hiring qualifications. Over the decades, these requirements have evolved, reflecting an update of societal and cultural norms. In 2019, the General Assembly, specifically Senators Kagan, Smith, Waldstreicher, and West, among others, saw the wisdom of including honorably discharged non-citizens into the eligibility field for Maryland Law Enforcement. The law has enabled non-citizen residents with honorable military service across the state of Maryland to apply for the position of Police Officer. The additional provision passed in 2019 that the applicant *is in the process of becoming a US citizen* was intended to serve as an extra layer of protection for your constituents but restricts the number of potential applicants.

Some of the opponents of this bill may envision a foreign-born individual who has been handed a gun and a badge and set loose on Maryland residents. Let's be quite clear; we are referring to a permanent legal resident, the foreign-born person who has **lawfully** entered the United States, obtained a work permit and social security number, pays taxes, served honorably in our US military, and merely continues seeking a career based upon service to others. The update to this law merely provides the vehicle for their continued service.

Law Enforcement Agencies can always adopt stricter hiring standards but **cannot** expand the

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standards set by the MPTSC. Adding the provision of needing to be in the process of becoming a US Citizen excluded a percentage of non-citizens from applying. SB 0126 seeks to rectify this provision.

In addition to seeking patient candidates to provide quality customer service and listening skills, police agencies also emphasize candidates who mirror the community they will serve. Approximately 13% of Americans are foreign-born. Our Police Department is a 4% foreign-born population; we seek to increase that number.

Recruiting high-quality police candidates has been made more difficult in recent years. Law enforcement agencies continue to experience challenges in recruiting well-qualified individuals willing to serve their community as law enforcement officers. Most agencies have a 60% reduction in applicants, post-George Floyd. With the recent and tragic killing of Tyre Nichols in Memphis, law enforcement is more aware that we must hire quality people, train them well, and hold them accountable.

SB 0126 is a clean-up of SB 0853 that was passed in 2019 by further expanding the population in our community who can be considered candidates to become law enforcement officers – permanent legal residents who have been honorably discharged from the U.S. armed forces. These members have already enlisted in the U.S. Military and served honorably to protect their new country. Their spirit and willingness to serve are unquestioned. Regardless of citizenship, every applicant still must pass a rigorous background check, perform the physical requirements, communicate effectively, and complete all academic training requirements.

The legislation does not force any department to hire a permanent legal resident but merely provides that option.

In short, this legislation will provide additional opportunities for law enforcement agencies to recruit qualified, diverse applicants when law enforcement agencies face a continued decline in applicants.

Thank you for your time.