

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 448
Appropriations

(Delegate Smigiel, *et al.*)

Judicial Proceedings

Cecil County - Sheriff's Department - Law Enforcement and Correctional
Officers

This bill provides that law enforcement officers and correctional officers in the Cecil County Sheriff's Department may be terminated only for just cause.

Fiscal Summary

State Effect: None.

Local Effect: Cecil County expenditures could decrease minimally due to avoided costs associated with wrongful termination lawsuits.

Small Business Effect: None.

Analysis

Current Law: In Cecil County, deputy sheriffs who serve as law enforcement officers and correctional officers of the Cecil County Sheriff's Department are not expressly protected from termination without just cause.

In Howard, St. Mary's, Somerset, and Worcester counties and Baltimore City, there is no provision of law that deputy sheriffs are afforded express protection from termination without just cause.

In Allegany, Anne Arundel, Baltimore, Charles, Frederick, Garrett, Montgomery, Prince George's, and Wicomico counties, deputy sheriffs are part of the county merit system and

are not subject to dismissal without just cause. In Calvert County, deputy sheriffs who are funded through the county commissioners are not subject to dismissal without just cause; however, sheriffs funded through grants or other sources may be dismissed without cause when the funding source is depleted.

In Carroll, Harford, and Washington counties, deputy sheriffs may only be dismissed for just cause. In Caroline, Dorchester, Kent, Queen Anne's, and Talbot counties, a sheriff may not refuse to reappoint a deputy sheriff without just cause.

Generally, throughout Maryland, any deputy sheriff in a probationary status may be dismissed without just cause.

Background: Cecil County advises that there have been several wrongful termination lawsuits filed by former employees of the Cecil County Sheriff's Department over the last five years.

Additional Information

Prior Introductions: None.

Cross File: SB 23 (Cecil County Senators) – Judicial Proceedings.

Information Source(s): Cecil County, Department of Legislative Services

Fiscal Note History: First Reader - January 30, 2004
ncs/jr

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