

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 1457
Appropriations

(Charles County Delegation)

Finance

Charles County - Correctional Officers' Bill of Rights Act

This bill establishes a Correctional Officers' Bill of Rights for a correctional officer employed by Charles County. The bill addresses issues relating to employment, investigation, and discipline, and establishes procedures for the investigation or interrogation of a correctional officer.

Fiscal Summary

State Effect: None.

Local Effect: Minimal. The bill's changes will not significantly affect Charles County's operations or finances. Any future impacts arising from decisions of hearing boards cannot be reliably predicted.

Small Business Effect: None.

Analysis

Bill Summary: The bill establishes a certain limitation on administrative charges, provides for procedures for a hearing board for an investigation, provides for expungement of a record of a formal complaint, and provides for disciplinary actions by the sheriff's office under certain circumstances.

The bill's provisions supersede inconsistent provisions of any other State or local law that may conflict with these to the extent of the conflict. The bill does not limit the authority of the Charles County Sheriff to regulate the competent and efficient operation and management of the sheriff's office by any reasonable means including transfer and

reassignment if the action is not punitive in nature and the sheriff determines the action to be in the best interests of internal management of that office. Any dispute concerning the application or interpretation of these provisions must be resolved by the assistant sheriff.

The bill does not define misconduct and differs from the State Correctional Officers' Bill of Rights (COBOR) with respect to some notifications, timeframes for investigations and the filing of charges, actions of hearing boards, and the final settlement of disputes.

Current Law: Chapter 689 of 2008 provided for rights of a correctional officer relating to the employment, investigation, and discipline of correctional officers in Cecil County. Chapter 128 of 2011 included correctional officers in St. Mary's County under these same provisions.

Chapter 194 of 2010 provides for rights of a State correctional officer relating to the employment, investigation, and discipline of correctional officers who are employees of the Division of Correction working in a State correctional facility. COBOR established exclusive procedures for the investigation and discipline of a State employed correctional officer for alleged misconduct.

Background: The bill's provisions are not identical to the provisions of the Bill of Rights for Correctional Officers in Cecil or St. Mary's counties, or the State Correctional Officers' Bill of Rights.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Charles County, Department of Public Safety and Correctional Services, Department of Budget and Management, Department of Legislative Services

Fiscal Note History: First Reader - March 26, 2012
ncs/hlb

Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510