

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 873
Appropriations

(Charles County Delegation)

Judicial Proceedings

Charles County - Correctional Officers' Bill of Rights

This bill specifies that, under the Charles County Correctional Officers' Bill of Rights, a "correctional officer" does not include an officer who is in probationary status on initial entry into the Sheriff's Office except if an allegation of brutality in the execution of the officer's duties is made against the officer.

Fiscal Summary

State Effect: None.

Local Effect: Minimal. The bill is not expected to have a significant operational or fiscal impact on Charles County or the Charles County Sheriff's Office.

Small Business Effect: None.

Analysis

Current Law: The Charles County Correctional Officers' Bill of Rights was established by Chapter 441 of 2012. The Act addressed issues relating to employment, investigation, and discipline of correctional officers hired by the Sheriff's Office and established specified procedures for the investigation or interrogation of a correctional officer. The Act established a certain limitation on administrative charges, provided for procedures for a hearing board for an investigation, provided for expungement of a record of a formal complaint, and provided for disciplinary actions by the Sheriff's Office under certain circumstances.

The Act's provisions superseded inconsistent provisions of any other State or local law that may conflict. The Act did not limit the authority of the 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 the bill of rights must be resolved by the assistant sheriff.

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

Chapter 257 of 2014 altered the definition of a State "correctional officer," for purposes of COBR, to exclude the classification of a Correctional Officer I. Chapter 257 removed such officers from COBR and eliminated them from being eligible to serve on a hearing board for disciplinary proceedings under COBR.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 28, 2015
md/lgc

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