



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith Jr., Chairman and
Members of the Judicial Proceedings 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: February 17, 2021

RE: **SB 588 – Law Enforcement Officers – Creditability of Witnesses and
Misconduct Database (Maryland Police Accountability Act of 2021)**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) OPPOSE SB 588. MCPA and MSA support greater transparency and accountability across law enforcement agencies, but have concerns with the requirements of this bill and the construction of a widely available misconduct database.

A key area of concern with respect to the database is the word "ALLEGES." This bill would require law enforcement agencies to transmit to the MPTSC upon receipt all allegations of misconduct prior to any investigation or administrative action being taken. An individual who requests to review the database may form a very different perception of an officer based on alleged complaints. Although the law enforcement agency is required to transmit the final action upon conclusion of a thorough, objective and impartial investigation, the damage to an officer's reputation is already done, is irreversible, and unequivocally unfair. Likewise, an individual's perception may not be swayed by a final action of unsustained or unfounded. For this reason, only sustained complaints should be a part of the database.

Law enforcement agencies receive hundreds of complaints, many of which are false and have no basis. The use of the word "ALLEGES" will capture all these types of complaints in the database. To avoid misconceptions as described above the Committee may wish to narrow the focus of the complaints to those most egregious and again only provide access to those which have been sustained.

Law enforcement agencies do want to know about past infractions of an officer to assist with hiring decisions, but it needs to be done in such a way as to not harm the careers and reputations of good officers. For these reasons, MCPA and MSA OPPOSE SB 588 and an UNFAVORABLE report.