



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 4, 2021

RE: **SB 600 Office of the Attorney General – Investigation and Prosecution of
Deaths Caused by Police Officers**

POSITION: OPPOSE

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE SB 600**. This bill requires a law enforcement agency to notify the Office of the Attorney General of any alleged or potential incident involving the death of a person caused by a police officer as soon as the law enforcement agency becomes aware and establishes a process by which the Office of the Attorney General will investigate all alleged or potential incidents involving the death of a person caused by a police officer.

MCPA and MSA are concerned SB 600 diminishes the role of the Chief or Sheriff by removing the investigative authority from that office and limits their ability to hold officers accountable in the circumstances outlined in the bill. Under current operational practices, law enforcement agencies may seek the assistance of outside agencies to investigate officer involved shootings. Many smaller agencies routinely seek the assistance of the Maryland State Police or other large policing agencies. This discretion allows an agency to determine the most effective approach for these investigations and to discuss matters of process, both administrative and criminal, as appropriate with the investigative agency.

In those jurisdictions where the law enforcement agency is managed by an elected sheriff, the electorate has granted the authority and accountability to the sheriff to handle these complex investigations. Likewise, Chiefs of Police are appointed by their County Executive, Mayor, or other elected official and are held directly responsible for the manner in which these investigations are conducted. Any independent investigative approach must preserve the accountability of the Chief or Sheriff and not limit their authority. Further, investigators must have experience in conducting complex criminal investigations. These types of requirements are not specified in the bill.

For these reasons, MCPA and MSA **OPPOSE SB 600** and urge an **UNFAVORABLE** Committee Report.

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