



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger Chairman and
Members of the Judiciary 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 23, 2021

RE: **HB 1286 - Law Enforcement Performance Measurements – Required Reporting**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE HB 1286**. This bill requires all law enforcement agencies to submit certain information relating to a law enforcement officer's performance evaluation measures to the Maryland Police Training and Standards Commission including, a description of each enforcement quota used by the agency to determine the effectiveness of law enforcement officers and the criteria used to determine the effectiveness of each enforcement quota.

Maryland Public Safety Article § 3-504 (b) stipulates that a law enforcement agency may not establish a formal or informal quota for the law enforcement agency or law enforcement officers of the agency, or use the number of arrests made or citations issued by a law enforcement officer as the sole or primary criterion for promotion, demotion, dismissal, or transfer of the officer.

Furthermore, law enforcement performance evaluations are as varied as the types of assignments within a law enforcement agency. Performance expectations of officers assigned to patrol services differ distinctively from those of detectives, specialty units, and administrative positions. Even within each of those broad categories, performance measures differ, e.g., homicide versus narcotic detectives, property officers versus training officers, etc. Performance measure also vary significantly by rank. Rank-and-file officers, supervisors, 1st line administrators, and executive level commanders are evaluate by different metrics based upon their level of responsibility.

Public Safety Article § 3-504 negates the necessity for HB 1286. Furthermore, because it delves into both personnel and operational structures of the law enforcement agency, it is overly intrusive into management's responsibility to evaluate the effectiveness and efficiency not only of its employees, but of the agency's operational capabilities. For these reasons, MCPA and MSA **OPPOSE HB 1286** and urge an **UNFAVORABLE** report.