

**SB0673\_SLEOLA\_FAV\_APR\_03-29-2022.pdf**

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Position: FAV



## State Law Enforcement Officers Labor Alliance

March 29, 2022

The Honorable Maggie McIntosh  
Chair, Appropriations Committee  
121 House Office Building  
6 Bladen Street  
Annapolis, Maryland 21401

**Re: SB – 673 – Natural Resources Police Force – Employees – Authority of Secretary  
SUPPORT**

Dear Chair McIntosh:

State Law Enforcement Labor Alliance (SLEOLA) is the exclusive representative for approximately 1,800 active state law enforcement officers, including the Maryland Natural Resources Police. In SLEOLA's role as the exclusive representative in collective bargaining for the pay, benefits, and working conditions of the Maryland Natural Resources Police, we are in Support of Senate Bill 673.

The promotional process is a mandatory subject of collective bargaining, and SLEOLA has the sole responsibility to negotiate in the best interest of all of our represented members. During the negotiations of our current Memorandum of Understanding, the promotional process was referred to the Labor Management Committee for disposition. This referral was the result of numerous complaints from our represented membership and various employee groups that the previous promotional processes lacked transparency in the promotional process and tests were not occurring regularly. Those employee groups include: the Black Officers Association, Fraternal Order of Police Lodge 8 – Southern Maryland Natural Resources Police, Fraternal Order of Police Lodge 130 - Central Maryland Natural Resources Police, Fraternal Order of Police Lodge 16 – Eastern Shore Maryland Natural Resources Police, and Fraternal Order of Police Lodge 77 – Western Maryland Natural Resources Police.

In the interim, SLEOLA has continued to negotiate with management to make improvements to the promotional process. As a part of these negotiations, both Natural Resources Police management and SLEOLA agreed that they were hindered in creating a more fair, transparent, and unbiased promotional process by the provisions of the State Personnel and Pensions Article that dictate the scope of the Natural Resources Police promotional process.

Senate Bill 673 would allow SLEOLA to directly negotiate with the Secretary of the Department of Natural Resources to create a fair, transparent, and unbiased law enforcement-specific promotional process for all of its membership. This is similar to other agencies within the State of Maryland including the Maryland State Police, Maryland Transportation Authority Police, and Department of Government Services Police.

Currently, under the negotiated promotional policy, officers test for the next rank through three portions of a test: a written exam, resume, and oral portion. After the test is completed and scored, the scores are sent to the Department of Maryland Natural Resources – Human Resources for additional preference points to be added based on years of service and in-state living. The names are then banded into

“best,” “better,” and “qualified” based on scoring. Those bands are then randomized. This means that someone who scores a one-hundred and possibly ranks as number one on a ranked system could ultimately rank as the last person on the “best” band.

Once promotions are made from the “best” category the current policy states that if there are five names left in the "best" band they can then be randomized into the “better” band. That same person who scored a one-hundred could then possibly rank at the last of the “better” band; the same could occur for the “qualified” band. Under the “qualified” band, people who do not pass on the scoring of the written exam are also included, even though State Personnel and Pensions 7-208(a)(1)(iv) has an “unsatisfactory” band that currently is not used in our promotional process, due to the interpretation of the language by Department of Natural Resources – Human Resources.

In most other careers, a person, whether in government or the private sector, who scored as the best all-around candidate for a position may fall to the bottom of a promotional list. In some instances, the best candidate could rank below an individual who failed to meet a passing score for one portion of the exam. SLEOLA and NRP Management do not believe that this is the best practice.

In addition, under the State Personnel and Pensions Article, officers who take the promotional test are denied the ability to review their scores and any notes that may indicate why they did not score high enough to be promoted. The Code of Maryland Regulations (COMAR) provides that the written portion of the test may be reviewed, but since there is no mention of any other portion, the State has not allowed other components to be viewed. SLEOLA and NRP management have agreed that this is a hindrance to all of the members who take the promotional exam.

Currently, an officer cannot know their weaknesses, where they need to improve, or information that they have interpreted wrong for future promotional exams, or even at their current position. This can create a liability for not only the officer, but for the agency who would know where an officer is lacking in knowledge or understanding of a portion of the job, but it cannot be addressed.

On behalf of the State Law Enforcement Officer’s Labor Alliance, I would like to thank the sponsor of this bill, and ask the Committee for favorable support of this important legislation.

Sincerely,

Brian Gill  
President

cc: House Appropriations Committee

**SenatorBailey\_FAV\_SB673\_House.pdf**

Uploaded by: Jack Bailey

Position: FAV

JACK BAILEY  
*Legislative District 29*  
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Judicial Proceedings Committee



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March 29, 2022

**Senate Bill 673 – Natural Resources Police Force – Employees – Authority of Secretary**

Dear Chair McIntosh and Members of the Committee,

I am writing to introduce Senate Bill 673 – Natural Resources Police Force – Employees – Authority of Secretary. This bill would allow the Natural Resources Police force (NRP) to be governed and managed similarly to how all other statewide police forces operate in Maryland.

The concept for Senate Bill 673 was requested by members of the NRP and resolves an inconsistency in State law. To my knowledge, the NRP is the last statewide law enforcement agency where the Secretary of the department is not given this authority over the management of their police force. In 2020, this Committee and the full General Assembly passed similar legislation to give the Secretary of General Services the same authority over their Department's police force. This language is similar to the provisions of law that govern the Maryland State Police.

During the drafting of this bill, I was approached by members of the Black Officers' Association (BOA) of the NRP, who raised the issue that the NRP's promotion practices were not reflective of the demographics of the State. The figures that they provided were appalling and I understand and share their frustration. I have been in communication with the BOA, as well as the State Law Enforcement Officers Labor Alliance (SLEOLA), the Fraternal Order of Police, and the Department of Natural Resources to make changes to this bill in an effort to respond to their concerns. While it was impossible to satisfy all stakeholders, many of their recommendations are reflected in the bill as it passed the Senate.

As a result of these discussions, Senate Bill 673 requires the NRP to take all necessary actions to pursue diversity within its sworn and civilian ranks so that it reflects the demographics of the State to the extent practical. The bill also includes a requirement for NRP to develop an action plan to diversify its workforce. These provisions are modeled after language from the 2021 Joint Chairmen's Report requiring the State Police to take similar action. It is my belief that, when taken as a whole, Senate Bill 673 holds the Secretary and the Superintendent accountable for resolving these issues while giving the Department the flexibility it needs to implement such a plan.

Having served for 30 years as a member of the NRP, I know how important this agency is to our State and how critical it is that we address these issues as quickly as possible. This bill passed the Senate unanimously. I respectfully request a favorable report on Senate Bill 673. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey

**SB0673\_DNR\_SWA\_APP\_3-29-22.pdf**

Uploaded by: Bunky Luffman

Position: FWA



*Larry Hogan, Governor*  
*Boyd K. Rutherford, Lt. Governor*  
*Jeannie Haddaway-Riccio, Secretary*  
*Allan Fisher, Deputy Secretary*

**Bill Number:** SB 673

**Short Title:** Natural Resources Police Force – Employees – Authority of Secretary

**Department's Position:** Support with Amendments

**Explanation of Department's Position**

The Maryland Department of Natural Resources (DNR or Department) provides the following information on SB 673.

As amended, this bill grants the Secretary of DNR the authority to develop rules for the hiring and promotion of Natural Resources Police (NRP) Officers. The rules developed by the Secretary may, when necessary to improve the efficiency and effectiveness in establishing a highly qualified, diverse workforce of the highest character, supersede those in the Personnel and Pensions Article. It also provides basic frameworks for the appointment and promotion of NRP Officers to certain ranks, while providing the Secretary with the flexibility to declare certain ranks obsolete. In addition, it requires the Secretary to take certain actions with regard to improving the diversity of the sworn and civilian workforce of the NRP, so that it reflects the demographics of the state to the extent practicable. Efforts to achieve a more diverse workforce are to be directed toward strengthening the NRP Cadet Program, increasing recruitment efforts at Historically Black Colleges and Universities and establishment of a Diversity Study Group to identify barriers to diverse employment in NRP, as well as propose corrective actions. Finally, the bill requires the Secretary to develop, publish and regularly update a formal action plan to achieve specific and measurable goals to improve diversity among the NRP workforce. This action plan is to be reported to the General Assembly on or before December 1, 2022. **These measures are consistent with other state law enforcement agencies in Maryland.**

Police recruitment has become increasingly difficult in the past several years and this bill provides the Secretary with the flexibility and authority to utilize funding to hire a consultant specializing in both marketing and police recruiting. **The services of the consultant would be intended to enhance, rather than replace, current recruiting efforts to raise awareness amongst members of these communities of the opportunities and benefits of a career as a NRP Officer.**

For any additional information, please feel free to contact our Legislative and Constituent Services Director, Bunky Luffman.

Contact: Bunky Luffman, Director, Legislative and Constituent Services  
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