



M a r y l a n d Troopers Association



INCORPORATED 1979

March 1, 2022

The Honorable Will Smith, Chair and Members of the Judicial Proceedings Committee

RE: SB 864 – Public Safety – Police Officers – Emergency Termination

POSITION: OPPOSE

The MTA opposes SB 864 which authorizes a chief of a law enforcement agency to terminate the employment of a law enforcement officer under certain circumstances.

Any termination is punitive in nature. This proposed legislation would eliminate any due process rights that a police officer is entitled to before being terminated. All government employees are entitled to due process before being terminated. This would separate police officers from other government employees. This bill would allow an appeal to the Circuit Court from the denial; however, police officers who are facing termination charges would be unable to fully participate in the appeal process with a criminal case pending due to potential violation of constitutional rights to remain silent and not to testify. This bill does not allow for reinstatement or a definition of the eligible relief should the matter be overturned on appeal.

This bill is fatally flawed as in conflict with other laws thereby necessitating substantial litigation to determine how such conflict of laws and rights should be adjudicated.

We request an unfavorable report of SB 864.

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