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MAYOR

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SB 864

March 1, 2022

TO: Members of the Senate Judicial Proceedings Committee
FROM: Natasha Mehu, Director, Office of Government Relations
RE: Senate Bill 864 – Public Safety-Police Officers- Emergency Termination
POSITION: Support with Amendments

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 864 **with amendments**.

SB 864 would grant the authority of a Maryland jurisdictions' police chief, or the chief's designee, the ability to terminate the employment of a police officer at any time prior to the police officer being administratively charged if the police officer has been accused of violating an individual's constitutional rights in a manner that is egregious or shocks the conscience or committing a crime of violence and there is video or audio evidence of the police officer committing the act.

Inspired by the decisive actions taken by the Minneapolis Police Department, who fired then Officer Derek Chauvin one day after the footage of the tragic death of George Floyd came to light, SB 864 considers granting those same emergency powers to local Maryland jurisdictions, who currently would not be able to immediately terminate a police officer should similar circumstances occur. SB 864 considers opportunities for police officers terminated in these circumstances to appeal this decision, balancing due process with the public interest, as the Baltimore City Administration believes that without the ability to take immediate action in this type of emergency situation, residents may believe that the Chief or Commissioner does not appropriately value the discipline process, or the harm an offending officer's actions may have on police-community relations, further exacerbating tensions.

Recognizing the significant interest this bill has garnered and the questions that have arisen regarding due process, the BCA supports amendments to SB 864 that would authorize the Maryland Police Training and Standards Commission to study the authority of local police chiefs to immediately terminate a police officer under certain circumstances, such as those that occurred in Minneapolis, with a report being generated by December 15, 2022. The Baltimore City Administration looks forward to working with all parties to discuss the results of this study and believes this will lead to the best possible legislative outcome.

For these reasons we respectfully request a **favorable** report on SB 864, **with amendments**.