



Thomas J. Burt
Lodge 16 President

Mark Willitts
Vice President

Maryland Natural Resources Police
Lodge Number 16 of
Fraternal Order of Police, Inc

P. O. Box 16 Parsonsburg, Maryland 21849



Robert Duvall
Secretary

Ryan Colon
Treasurer

Senator William C. Smith Jr.
Chair, Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

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

Dear Senator Smith and distinguished members of the Committee:

I am Charles McCauley, an Officer First Class of the Maryland Natural Resources Police, and the combined state Representative for the Fraternal Order of Police Lodges 16 – Eastern Shore of Maryland Department of Natural Resources Police, 8 – Southern Maryland Department of Natural Resources Police, and 77 Western Maryland Department of Natural Resources Police. Through me, each of these Lodges is requesting a favorable vote on Senate Bill 673.

In 2018, these Lodges, along with the Fraternal Order of Police Lodge 130 – Central Maryland Department of Natural Resources Police and the Black Officers Association, began talks regarding issues we had with the Maryland Natural Resources Police promotional process. Once a common ground was reached, these employee groups came together collectively with, and in support of, the State Law Enforcement Officers Labor Alliance, who is our exclusive bargaining unit, to create the most fair, impartial, unbiased, and transparent promotional process that could be negotiated.

One of the issues addressed was the need for a fair and impartial promotional process for all of the protected classes of the Maryland Natural Resources Police. This includes African Americans, American Indians/Native Americans, Hispanics, Latinos, Asians, those of two or more races, various familial statuses, religions, gender, gender identities, and sexual orientations. It was imperative for all of these employee groups who met to ensure that the Maryland Natural Resources Police would not hold one demographic or protected class in favor of any other; all of the members of each employee group and SLEOLA would be treated equally and fairly.

Another issue addressed was that there had been no set timeline for testing throughout the years. At one point, there was no promotional process or valid promotional list for approximately two years. This was a primary concern for our members as it could affect their livelihood, not only in the short-term but also long term, as it affects officers' retirement as they advance through the ranks. The employee groups each also recognized that this was against the Maryland Natural Resources Consent Decree, which states that promotional exams must be given on a regular basis.



**Maryland Natural Resources Police
Lodge Number 16 of
Fraternal Order of Police, Inc**

P. O. Box 16 Parsonsburg, Maryland 21849



**Thomas J. Burt
Lodge 16 President**

**Mark Willitts
Vice President**

**Robert Duvall
Secretary**

**Ryan Colon
Treasurer**

Lastly, a main issue addressed was that there was no standard or transparency in the promotional process. For some of the ranks within the promotional process, only a written test was held, which we know through research that puts minorities at a disadvantage. There was a written exam and some sort of oral board for other ranks within the promotional process, but there was no description of how it would be graded or the percentage that it would go towards the overall score. We knew an outside vendor would handle these portions of the test; those scores would then be forwarded to Maryland Natural Resources Police Human Resources for banding. This banding system is spelled out in State Personnel and Pensions Title 7. The employee groups do not know where the cut-off in scoring was for each band or who had any influence or oversight to the scoring or banding process of those who took the test. Once those who took the test were banded, they were notified of their band only. Once the names were banded, per State Personnel and Pensions Title 7, they were randomized through the Maryland Department of Natural Resources – Human Resources. That list was sent to Maryland Natural Resources Police Command Staff. There was no notification to our members of what they scored or publishing of a ranked list. It was up to Command Staff to decide who would get promoted with no checks and balances through our labor union or any other oversight that promotions were done fairly and impartially.

To add to this, if someone scored in the best category but was randomized to the last five of the best band, they could be randomized into the better band due to State Personnel and Pensions Title 7. If that person who scored best was also randomized into the last five of the better band, they could be randomized into the qualified band. Meaning, that one of our members who may have scored perfectly could be the last to be promoted. The three Lodges that I represent, SLEOLA and the other employee groups, agreed that this was not the best practice or the most fair, impartial, and transparent way to be promoted.

As a result of our meeting in 2018, SLEOLA, as our exclusive bargaining unit, began negotiations for a better promotional process under our 2019 Memorandum of Understanding. SLEOLA made our employee groups aware that the promotional process was referred to the Labor-Management Committee for disposition. This negotiation process took approximately three years to complete due to changes within the Maryland Natural Resources Police Command Staff and the Maryland Department of Natural Resources Police – Human Resources. Although we were not made privy to the details of the negotiations, we were made aware of many hindrances brought about by State Personnel and Pensions Title 7. Many of these hindrances have been addressed previously in this letter. The fact that the Secretary of the Department of Natural Resources did not have the authority to fully negotiate the promotional process to make it entirely fair, impartial, unbiased, and transparent was the main hold up and topic of grievances regarding the current promotional process.

Fraternal Order of Police Lodges 8, 16, and 77 know that if Senate Bill 673 is voted favorably on, as stands, that it would allow SLEOLA to negotiate directly with the Secretary of the Department of Natural Resources to create a fair, transparent, and unbiased, law enforcement specific promotional process for all of our membership. We know that Senate Bill 673 would allow SLEOLA to have this same ability that it has, and other exclusive bargaining units for other state agencies have, to include the Maryland Transportation Authority Police, Maryland State Police, and Department of Government Service Police already have.



**Maryland Natural Resources Police
Lodge Number 16 of
Fraternal Order of Police, Inc**

P. O. Box 16 Parsonsburg, Maryland 21849



**Thomas J. Burt
Lodge 16 President**

**Mark Willitts
Vice President**

**Robert Duvall
Secretary**

**Ryan Colon
Treasurer**

The Fraternal Order of Police Lodges 8, 16, and 77, also have agreed that the Maryland Natural Resources Police needs to focus and promote hiring within all of the protected classes, to include those of various races, ethnicities, cultural diversities, religions, genders, gender identities, and sexual orientations. Senate Bill 673 addresses this by allowing the Secretary of the Department of Natural Resources to allocate up to \$100,000 each year for a consultant to be hired to target racial and ethnic communities or other individuals who are underrepresented in the Natural Resources Police Force. These Lodges have recognized that there is a common problem to finding viable candidates to apply to be hired within law enforcement today. We know that the passing of Senate Bill 673 would allow the Secretary of the Department of Natural Resources, along with the Maryland Natural Resources Police Management, to consistently work towards the goal of diversifying the Maryland Natural Resources Police.

As the Representative for the Fraternal Order of Police Lodges 16 – Eastern Shore of Maryland Department of Natural Resources Police, 8 – Southern Maryland Department of Natural Resources Police, and 77 Western Maryland Department of Natural Resources Police, I would like to thank the sponsor of Senate Bill 673, and we would like to ask the Committee for favorable support on this crucial legislation.

Sincerely,

Charles McCauley
Representative for FOP lodge 16, 77, and lodge 8