



## "THE STRUGGLE CONTINUES"

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### THE BLACK OFFICERS' ASSOCIATION, INC.

Judicial Proceedings Committee:

**SB 673**, Bill Title: **Natural Resources Police Force - Employees - Authority of Secretary.**

03.08.22

**\*\*UNFAVORABLE\*\***

Judicial Proceedings Committee Members,

I am writing in **UNFAVORABLE** of **SB 673**, Bill Title: **Natural Resources Police Force - Employees - Authority of Secretary.**

I am here to urge this committee NCT to support **SB 673!**

The BOA is committed to being open about our persistence in achieving our goal of a **police agency that reflects the State of Maryland's demographics** and should be composed of a minimum of 31% black officers and not the current 8+%.

We have ongoing severe issues with the hiring and promotional process at Natural Resources Police (NRP) that has and is preventing us from achieving that goal

SB 673 will do little if anything to change the hiring and promotional process at NRP for the following reasons;

1. **There aren't any mandates:** Nothing in SB 673 mandates the Department of Natural Resources (DNR) or NRP to adhere to hiring a consultant. Or, to make any changes that will positively impact the hiring and promotion process to achieve our goal of a police agency that reflects the State of Maryland's demographics.

Every action item in the bill is mandated w/ the verb "**shall**" except for 4. II - "Hire a consultant" and III - "allocate no more than \$100,000.00.". They both merely state that the Secretary "**may**"... "May" is simply a suggestion. There's no penalty or accountability if it isn't done.

DNR & NRP are currently in violation of the Federal Consent Decree, which has been forwarded to the Department of Justice for mediation, has seven (7) Fair Practice

complaints that haven't been investigated and five (5) grievance's that the Secretary refused to hold Step 2 hearings for. The BOA has no confidence that the Secretary "may" do anything she is not forced to do by a court of law.

2. **SB 673 = Maryland State Police:**

- a. **This bill is an attempt to make the Maryland Natural Resources Police (NRP) "more like" the Maryland State Police (MSP).** It includes "language" into law modeled after the MSP, which **excludes** the "BANDING SYSTEM (remove the one, straight, numerically ordered Promotion List" from the eligible list generated by "State applicant tracking system") and the "RULE OF FIVE."

These problems began in 2016 when the "practice" of removing this State Personnel & Pension language was "illegally" negotiated w/ SLEOLA and implemented under the authority of Secretary Mark Belton and Colonel Ken Zeigler. The BOA made Secretary Haddaway-Riccio, Colonel Adrian Baker, Human Resources, and DNR Legal Counsel aware that SLEOLA had no negotiation powers for promotions, but they continued the "illegal" negotiations. The policy results produced a December 15, 2021, promotional list of ZERO (0) out of 46 Black officers promoted in a continued effort to eliminate diversity within NRP.

Until then, the State Personnel & Pension system that SB 673 hopes to replace assisted NRP with, achieving our goal of **a police agency that reflects the State of Maryland's demographics.**

- b. **MSP Demographics as of 01.31.22** (complete list available upon request)
- i. Black Troopers make up 6.8% of high-ranking commissioned officers.
    1. Colonel – 0, Lieutenant Colonel – 1, Major – 1, Captain – 2, Lieutenant – 2
  - ii. Black Troopers make up 11.98% of the agency's non-commissioned officers.
    1. Out of the 1477 non-commissioned Troopers, only 177 are Black.
- c. **MSP Diversity, Equity & Inclusion Record "in the news" February 2021:**
- i. *"We are talking about troopers that have been there 16, 17, 18, in one case 25 years," ... "When they get to a point when they are eligible for a promotion, the rules change."* **Sen. Joanne C. Benson (D-Prince George's)**
  - ii. *"there's a belief that the promotions system is rigged. If they score high, the rules are changed, but that it's understood if a complaint is filed,*

*they'll be retaliated against". - Sen. Joanne C. Benson (D-Prince George's)*

- iii. "And it's never an even playing field." – **Black Troopers**
- iv. "There's the good old boy system, and we're not a part of it" – **Black Troopers**
- v. "A lot of these officers are afraid to come before whatever investigation in the department because of fear of retaliation," - **Del. Darryl Barnes (D-Prince George's), who chairs the Legislative Black Caucus**
- vi. "It's shameful... What's going on is shameful within the state police. This whole department is a mess." - **Sen. Joanne C. Benson (D-Prince George's)**

In closing, the Secretary of DNR hasn't earned the right to be entrusted with the complete autonomy of hiring and promoting a **police agency that reflects the State of Maryland's demographics** given their actions and track record. MSP shouldn't be held up as the "industry standard" as to why the Secretary should be given full autonomy of hiring and promoting a **police agency that reflects the State of Maryland's demographics** given the demographics, documented claims of discrimination in hiring, promotion, and workplace practice that I have detailed above.

For the reasons stated above, I strongly urge this committee to vote **UNFAVORABLY** on **SB 673!**

The Black Officer's Association of the Maryland Natural Resources Police would like to thank you for allowing us to submit this written testimony.

We look forward to testifying and answering any questions you may have in-person later.

Regards,

Steven Muse, Capt. (Ret.) Natural Resources Police *SM* President, Black Officers Association

Henr Agbo – civilian

Cpl. Ray Griggs

Kevin Thomas – civilian

Sgt. Roderick Brown

OFC. Billy Jackson

Sgt. Mance McCall

OFC. Chris Parker

Lt. James Johnson

OFC. Jamil Elliott

Lt. Donald Mackall

OFC. Janice Lopez

Lt. (Ret. / Past BOA President Joe Offer

OFC. Shae Waters

Maj. (Ret.) Wayne Jones

Cpl. Tony Deepree

Maj. (Ret. / Past BOA President) Michael Sewell

OFC. Vernon Owens

Lieutenant Colonel (Ret.) Alphonso Hawkins

Cpl. (Ret.) Tony Milburn





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**RANK & FILE of BLACK COMMISSIONED TROOPERS WITHIN MSP**

Col. -0, Lt. Col. – 1, Maj. – 1, Capt. – 2, Lt. – 2

**MSP EMPLOYMENT STATISTICS DATA as of 01.31.22**

MSP Racial Workforce - Officer			Female		Male	
Row Labels	Count of Race/Ethnicity	Percent	Count	Percent	Count	Percent
American Indian or Alaska Native (Not Hispanic or Latino) (United States of America)	4	0.27%	0	0.00%	4	0.27%
Asian (Not Hispanic or Latino) (United States of America)	19	1.29%	0	0.00%	19	1.29%
Black or African American (Not Hispanic or Latino) (United States of America)	177	11.98%	17	1.15%	160	10.83%
Hispanic or Latino (United States of America)	33	2.23%	2	0.14%	31	2.10%
Two or More Races (Not Hispanic or Latino) (United States of America)	9	0.61%	3	0.20%	6	0.41%
Unknown or Decline to State (United States of America)	6	0.41%	0	0.00%	6	0.41%
White (Not Hispanic or Latino) (United States of America)	1227	83.07%	89	6.03%	1138	77.05%
Native Hawaiian or Other Pacific Islander	2	0.14%	0	0.00%	2	0.14%
<b>Grand Total</b>	<b>1477</b>		<b>111</b>	<b>7.52%</b>	<b>1366</b>	<b>92.48%</b>







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**RANK & FILE of BLACK OFFICERS WITHIN NRP**

Col. -0, Lt. Col. – 1, Maj. – 0, Capt. – 0, Lt. – 2, Sgt. – 3, Cpl. – 4, Officer 1<sup>st</sup> Class - 11

**NRP EMPLOYMENT STATISTICS DATA as of 01.01.22**

NRP Racial Workforce - Officer	Count of Race/Ethnicity	Percent	Female		Male	
			Count	Percent	Count	Percent
American Indian or Alaska Native (Not Hispanic or Latino) (United States of America)	2	0.79%	0	0.00%	2	0.79%
Asian (Not Hispanic or Latino) (United States of America)	3	1.19%	0	0.00%	3	1.19%
Black or African American (Not Hispanic or Latino) (United States of America)	21	8.30%	0	0.00%	21	8.30%
Hispanic or Latino (United States of America)	5	1.98%	2	0.79%	3	1.19%
Two or More Races (Not Hispanic or Latino) (United States of America)	8	3.16%	3	1.19%	5	1.98%
Unknown or Decline to State (United States of America)	1	0.40%	0	0.00%	1	0.40%
White (Not Hispanic or Latino) (United States of America)	212	83.79%	37	14.62%	175	69.17%
(blank)	1	0.40%		0.00%	1	0.40%
<b>Grand Total</b>	<b>253</b>		<b>42</b>	<b>16.60%</b>	<b>211</b>	<b>83.40%</b>







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### THE BLACK OFFICERS' ASSOCIATION, INC.

#### SB 673 2022 LEGISLATIVE REFERENCE

##### HISTORY OF INSTITUTIONALIZED RACISM

- Mid-1970's – Natural Resources Police (NRP) hired their first Black officers.
- From Mid-1970 through Mid-1980, white colleagues subjected the black officers to racial slurs and jokes and circulated racially offensive literature.
- In the mid-1980s - the BOA filed a **Federal Lawsuit** over the treatment of four Black officers who were the only minorities employed at the time out of 215 officers.
- Mid-1990's - a **second Federal Lawsuit** was filed because the NRP violated the “provisions” and spirit of the first Consent Decree from the first lawsuit.
- 2017 – **A VOTE OF NO CONFIDENCE** was taken against the Secretary of DNR and the Col. of NRP.

##### HIRING

- NRP **has not hired a black female officer since 1998**, over 24 years!
- 2007 – 2021: Of the 241 officers hired during those 14 years, only **18 (<8%)** of them were black.
- 2022 The current NRP recruit Class is **sixteen (16)** police recruits; **one 1** is black.

##### PROMOTIONS

- 2016 – 2021: DNR's HR unit & Superintendent of NRP; has illegally negotiated with SLEOA (State Law Enforcement Officers Association) to implement a discriminatory and racially motivated promotion policy. This policy has resulted in black officers not receiving promotions, being placed at the bottom of promotional lists or being promoted last in all ranks.
- 2021 – Of the **forty-five (45)** officers promoted to the rank of Corporal, Sergeant, Lieutenant, Captain, and Major **ZERO (0)** were black.

##### WORKPLACE CLIMATE

- Black officers lack a sense of belonging, experiencing alienation and resistance from the current dominant culture and its influences causing some to become silent, reclusive, disengaged and not seeking out opportunities of advancement in the Natural Resources Police organization.
- Black officers are treated differently than other State Employees, State Law and NRP Policy when trying to file a grievance over the promotion policy.
- DNR has refused to investigate Fair Practice complaints filed by **eight (8)** different Black officers.
- DNR & NRP are currently in violation of the Federal Consent Decree.
- NRP only has **twenty-one (21) (8%)**, Black officers out of 253 Officers.
- **ZERO (0)** Black Female Officers! The last one was hired 24 years ago in 1998.
- **ZERO (0)** Black officers work in **fourteen (14)** of the 23 Counties in the State, including Baltimore City.
- Only **one (1)** Black officer works in a Specialized Unit.
- Of the 22 Commanders between the Ranks of Lt., Capt., & Maj. only **TWO (2)** are black.

**Supporting documentation available upon request**

