

# **SB 864 BPD Support with Amendment .pdf**

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Position: FWA



# BALTIMORE POLICE DEPARTMENT



**Brandon M. Scott**  
Mayor

**Michael S. Harrison**  
Police Commissioner

TO: The Honorable Members of the House Judiciary Committee

FROM: Michelle Wirzberger, Esq., Director of Government Affairs, Baltimore Police Dept.

RE: Senate Bill 864 Public Safety – Police Officers – Emergency Termination

DATE: March 1, 2022

**POSITION: SUPPORT WITH AMENDMENT**

Chair Smith, Vice-Chair Waldstreicher, and members of the Committee, please be advised that the Baltimore Police Department **supports with amendment** Senate Bill 864.

Senate Bill 864 empowers chiefs of law enforcement agencies across the state to terminate the employment of a police officer under certain circumstances and provides for the mechanism by which the officer can appeal that termination.

Last year the Maryland General Assembly reimagined accountability for law enforcement officers by establishing a new and uniform process by which all public complaints of misconduct will be addressed as of July 1, 2022. The newly reformed process ensures that residents have a direct impact on what charges officers must face when they have been accused of misconduct from the public. The new process also ensures that residents have a vote on the trial board which decides whether the officer is guilty of the administrative charge(s). The new procedures crafted by the legislature will go a long way toward standardizing discipline and strengthening the public's trust in the discipline process.

The Baltimore Police Department applauds the legislature's commitment to transparency and community involvement in the discipline process. During last year's hearings on the various reform bills, Police Commissioner Michael Harrison repeatedly requested the legislature to go just a little bit further by empowering Chiefs to take swift and certain action under certain circumstances.

On May 25, 2020, Minneapolis police officer Derek Chauvin knelt on the neck of George Floyd for approximately 9 minutes, killing him while bystanders videotaped the incident and pleaded for the officer to get off of Mr. Floyd. Shortly thereafter, video footage was released sparking almost universal public outrage at Officer Chauvin's actions. On the very next day, May 26, 2020, Minneapolis Police Chief Medaria Arradondo fired Officer Chauvin.

Chief Arradondo delivered the swift and certain consequence that the public requested and that the situation demanded. Maryland chiefs can not deliver this type of justice now and still will not be able to when HB 670 goes into effect later this year.

To be clear, HB 670 does provide for certain types of emergency discipline. For instance, a chief can suspend an officer without pay for up to 30 days if it is in the best interest of the public and can suspend without pay if the officer is criminally charged with a variety of crimes. An officer can only be fired once he/she is convicted of various crimes or receives a PBJ for a felony.

Criminal cases can take up to a year or more to proceed. A year or more is way too long to allow the individual to continue to identify as a law enforcement officer and for the public to wait for justice.

We firmly believe chiefs should be able to immediately terminate an officer if there is video or audio evidence of him/her violating an individual's constitutional rights in a manner that is egregious or shocks the conscience or if he/she commits a crime of violence and it is in the best interest of the public and the law enforcement agency. An equitable appeal process must be in place for an officer to seek judicial intervention if the officer believes the decision is wrong or biased in some way.

That said, we absolutely support amending the bill to require the Maryland Police Training and Standards Commission to conduct a nation-wide study of how other jurisdictions handle emergency termination as well as the officer's appellate rights. Studying this topic will better inform legislators, agency heads and officers as to the most effective way to provide swift and certain consequences for those who betray the trust of those they serve.

Therefore, the Baltimore Police Department respectfully requests a **favorable with amendment** report on Senate Bill 864.

**SB0864-JPR-FAV.pdf**

Uploaded by: Natasha Mehu

Position: FWA



BRANDON M. SCOTT  
MAYOR

*Office of Government Relations  
88 State Circle  
Annapolis, Maryland 21401*

**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**.

**2022-03-01 SB 866 (Amended Letter of Concern).pdf**

Uploaded by: Brian Frosh

Position: UNF

**BRIAN E. FROSH**  
*Attorney General*



**ELIZABETH F. HARRIS**  
*Chief Deputy Attorney General*

**CAROLYN QUATTROCKI**  
*Deputy Attorney General*

**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**

FACSIMILE NO.  
410-576-7046

WRITER'S DIRECT DIAL NO.  
410-576-7071

March 1, 2022

To: The Honorable William C. Smith, Jr.  
Chair, Judicial Proceedings Committee

From: Brian E. Frosh  
Attorney General

Re: Senate Bill 866 (Baltimore Police Department – Consent Decree – Exceptions to State Law): **Concern**

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Senate Bill 866 specifically addresses the Federal Consent Decree with the Baltimore City Police Department (BPD) and provides that the United States District Court for the District of Maryland shall determine if “any provision or requirement with this section is in conflict or otherwise inconsistent with a provision of the consent decree” between Baltimore and the Department of Justice. It also provides that the federal court may determine the resolution in the event of a conflict. Because the legislation and the consent decree do not conflict, there is no need for this provision. And should the legislature wish to provide one, it must guarantee notice and the ability to participate to the Office of the Attorney General, which this bill does not.

There is no conflict between the Baltimore consent decree and the statute. During the formative months after the passage of the original bill (SB 600 (2021)), the Independent Investigations Division (IID) of the Office of the Attorney General met numerous times with BPD, city solicitors, and the Department of Justice to determine whether any provision in the bill conflicts with the consent decree.<sup>1</sup> The Department of Justice, along with all of the aforementioned parties, found no such conflict. Moreover, since SB 600 (2021) went into effect on October 1, 2021, BPD had two qualifying incidents where civilians were fatality shot by officers. The provisions under the consent decree have not encumbered the IID’s investigation into either of these matters, nor has the state law encumbered BPD’s ability to fulfill its own obligations under the consent decree. In short, none of the parties was able to find a conflict in theory, nor has there been a conflict in practice.

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<sup>1</sup> These meetings, in turn, led to a September 30, 2021, “Maryland Attorney General Independent Investigations Division, Maryland State Police, and the Police Department of Baltimore City Memorandum of Understanding.” See attached.



Even if the General Assembly does believe that such a remedy is necessary, the current bill does not provide adequate protections for the State's interests. Senate Bill 866 fails to provide a requirement that BPD or the City of Baltimore notify the IID if they intend to argue to the court that a portion of SB600 should be invalidated, nor does it provide the IID the ability to participate in any such court hearing. As a result, if this statute were enacted as written, portions of SB600 could be invalidated without any notice. Such a system is neither fair nor what the legislature intended in crafting the bill.

Encl: Maryland Attorney General Independent Investigations Division, Maryland State Police, and the Police Department of Baltimore City Memorandum of Understanding

cc: Sponsor

**MARYLAND ATTORNEY GENERAL INDEPENDENT INVESTIGATIONS  
DIVISION, MARYLAND STATE POLICE, AND THE POLICE DEPARTMENT  
OF BALTIMORE CITY MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (the “agreement” or “MOU”) is made this 30th day of September, 2021, between the Maryland Office of the Attorney General (“OAG”), the Maryland Department of State Police (“MSP”), and the Police Department of Baltimore City (“BPD”).

I. Introduction

**WHEREAS**, the Maryland General Assembly, in Senate Bill 600, passed a law mandating an Independent Investigations Division (“IID”) within the OAG to investigate police-involved fatalities in the State of Maryland, and whereas the Mayor and City Council of Baltimore (the “City”) and BPD are under a federal consent decree (the “Consent Decree”), which also addresses the investigation of BPD officer-involved fatalities, the parties have come to an agreement as to how the IID will conduct investigations involving officers of the BPD.

The IID was created as a joint collaborative division between the OAG and MSP for the purpose of investigating alleged or potential police involved deaths of civilians and other crimes related to police misconduct that are discovered during such an investigation. It is undisputed that a BPD officer falls into the definition of a “police officer” covered by this statute. The parties acknowledge that under Maryland Annotated Code, State Government Article, § 6-106.2, the IID will be required to investigate incidents covered by the statute once the bill takes effect on October 1, 2021.

The parties are aware that BPD is under a federal Consent Decree. The Consent Decree was entered on January 12, 2017, in the U.S. District Court for the District of Maryland under Civil Action No. 17-JKB-0099. The Consent Decree does not have an enumerated termination date but ends “Upon the Court’s determination that the City and BPD have achieved Full and Effective Compliance with this Agreement as defined below and have maintained such compliance for at least one year.” Any party to the Consent Decree may move to show this compliance after the Consent Decree has been in place for at least five years. Therefore, it is clear that Senate Bill 600 will take effect while the Consent Decree is still in place and the statute and Consent Decree will coexist for an undetermined amount of time.

The parties further acknowledge that the Consent Decree addresses the criminal investigation of BPD officer-involved deaths and therefore overlaps with Senate Bill 600. The parties have entered into this agreement in an effort to fully comply with both Senate Bill 600 and the Consent Decree.

II. Definitions

1. The “**Independent Investigations Division**” or “**IID**” refers to the division created by Senate Bill 600 consisting of both OAG and MSP personnel.
2. The “**Consent Decree**” refers to the consent decree dated January 12, 2017, and entered as an Order on April 17, 2017, in the case of *U.S. v. Police Department of Baltimore City, et. al.*, in the U.S. District Court for the District of Maryland under Civil Action No. 17-JKB-0099.
3. “**Officer-Involved Death**” means an alleged or potential death of an individual resulting from an action or an omission of a law enforcement officer while the law enforcement officer is on duty or while the law enforcement officer is off duty but performing activities that are within the scope of his or her law enforcement duties. The following are examples of, but not limited to, Officer-Involved Deaths: shootings that are fatal or result in the likelihood of death, use of force incidents that are fatal or result in the likelihood of death, deaths occurring while an individual is in police custody, and vehicle pursuits by law enforcement that result in death or the likelihood of death.

### III. Agreement

1. The parties agree that alleged or potential incidents involving the death of a person caused by a BPD officer fall within the parameters of Senate Bill 600 and must be investigated by the IID.
2. The parties acknowledge that BPD has established policies to investigate the death of a person caused by a BPD officer and that some of these policies have been or will be reviewed and/or approved by the various entities and the U.S. District Court for the District of Maryland involved in implementing and overseeing the Consent Decree. The parties agree that to the extent it is consistent with State Law, the IID will give deference to these BPD policies.
3. The parties agree that cases of Officer-Involved Deaths involving BPD are controlled by this MOU, and that, accordingly, those cases are not subject to the IID protocols concerning Notification, Media, and Evidence Collection unless the protocols, or a portion of the protocols, are adopted in this MOU. The IID protocols for States Attorneys’ Offices will continue to apply to all BPD cases.
4. The parties agree that BPD will notify the IID immediately upon learning of an Officer-Involved Death in the City of Baltimore. This notification should be made to the MSP Duty Officer, at 410-653-4200. As part of notification, BPD will provide a point of contact for the incident. If BPD is uncertain whether an incident qualifies as an Officer-Involved Death, BPD will contact MSP at the above number. The IID will respond to the point of contact to inform BPD

whether it will send IID personnel to the scene. If the IID cannot reach the BPD point of contact, it will call BPD Communications at 410-396-2284. BPD will conduct any other notifications it deems appropriate according to its normal procedures.

5. The parties agree that both IID and BPD personnel shall respond to the scene of an Officer-Involved Death in the City of Baltimore as soon as they deem appropriate. BPD may begin its investigation upon arrival and is not required to wait for IID or MSP personnel to arrive at the scene before taking actions. The parties will each designate an on-scene supervisor, who will work cooperatively to lead the investigation. The parties agree that the IID and BPD will make every effort to work together during the investigation. As soon as the IID and MSP arrive at the scene of an Officer-Involved Death, they will be integrated into the decision-making structure.
6. BPD and the IID will each identify a primary detective or investigator for the case, who will coordinate with each other about investigative steps, both on-scene and subsequently. The parties agree that BPD investigators will conduct the investigations pursuant to BPD's approved procedures. During these investigations, BPD will allow IID investigators to fully participate in the investigation. BPD agrees to fully cooperate with IID investigators during the investigation and to include them in all facets of the investigation. BPD further agrees that it will make every effort to follow recommendations provided by IID investigators.
7. IID and BPD investigators will cooperate and communicate with each fully during an investigation. It is the intent of the parties that this cooperation and communication will facilitate agreement for most investigative decisions. To the extent there is a disagreement regarding how a particular issue should be handled at the scene or subsequently while both the IID and the BPD are investigating, the parties agree to make every effort to resolve the issue in the most efficient manner possible in a manner consistent with Senate Bill 600 and the Consent Decree. To this end, the primary investigators or detectives assigned by the IID and BPD for the case will confer and attempt to resolve any disagreement. If they are unable to resolve a matter, they will refer it to the IID Chief and the Deputy Commissioner Police Integrity Bureau who will confer and try to resolve the disagreement. If a solution cannot be reached, the parties agree that the IID Chief will make the final decision as to the aspect of the investigation that is in dispute. In this regard, the IID agrees to be respectful of BPD policies and the Consent Decree and make every effort to not make any decisions that would lead to a situation in which BPD will not be in conformance with its policies or with the Consent Decree.

8. BPD agrees to include IID personnel in its notification to the family members of the person involved in the incident. If such inclusion is not possible for timeliness or public safety reasons, BPD will provide the family with the contact information of the IID and provide the IID with the contact information of the involved family.
9. BPD will be responsible for the processing of physical evidence at the scene or scenes. BPD's Forensic Science & Evidence Services Division ("BPD-ESD") will process the scene in accordance with its established standard operating procedures in collaboration in BPD's on-scene lead investigator and under the direction of the joint on-scene command team composed of BPD and IID personnel. To avoid spoliation of any evidence, BPD-ESD shall fully complete its processing of any crime scene or evidence that it begins to process or analyze at a crime scene or subsequently in BPD-ESD facilities. BPD-ESD shall deliver all crime scene evidence to BPD's Evidence Management Unit ("BPD-EMU"). The IID may submit written requests for (i) analysis of crime scene evidence by BPD, or (ii) in the extreme case described in Section 19, below where the IID fully takes over the investigation and becomes the sole investigative agency involved in the matter, transfers of evidence to MSP's Forensic Sciences Division ("MSP-FSD"). BPD agrees to either conduct the analysis requested by the IID or transfer the evidence to MSP-FSD so that it may conduct its own analysis. Throughout the investigation, each of the IID and BPD will give orders to their respective personnel and make requests through their respective chains of command.
10. BPD may take "public safety statements" pursuant to paragraph 362 of the Consent Decree and the PIB manual. BPD and the IID may also take non-compelled statements of officers or other personnel. BPD may take compelled statements of officers or other personnel only pursuant to the procedures set forth in paragraphs 360-362 of the Consent Decree, and it will implement procedures to prevent IID personnel from exposure to those compelled statements or any evidence derived from them.
11. If BPD or IID believes that it is appropriate to offer immunity to an officer—even limited immunity—such immunity must be agreed to by both parties before being taken to the SAO for approval.
12. Each of IID and BPD may conduct media communications at the scene or thereafter if it so chooses. Each of the IID and BPD will make reasonable attempts to inform the other's personnel about the contents of all media communication prior to public release, with the understanding that the IID's mandate of independence may require confidentiality on some occasions. Each of IID and BPD will make reasonable efforts to incorporate any suggestions

made by the other's personnel regarding media communications. The IID will have communications personnel respond to the scene and may make statements either at the scene or subsequently.

13. The parties agree that the IID may release the name of the involved officers within 48 hours of the incident, though that period may be extended if there is a specific reason to believe that an officer's safety is at risk. If BPD wishes to release the name of the officer itself prior to the IID doing so, it may, after notification to the IID.
14. In accordance with the goals of the Consent Decree and to promote transparency, the parties agree that BPD may release body camera footage in accordance with BPD Policy 607 that currently provides for release of body camera footage within seven (7) days of an incident after consulting with the IID. There may be situations where more than seven (7) days are necessary, including if investigators need more time to complete witness interviews, if there are technical delays caused by the need to redact the identities of civilian witnesses, or to allow family members to view the video before it is released to the public.
15. BPD will provide copies to the IID of any part of the file, or the complete file, upon request of IID personnel, and will make it a practice throughout the investigation of sharing information with the IID while the investigation is ongoing. BPD will provide copies of any video, photographic, or audio files to the IID upon request. BPD will allow IID personnel access to any non-duplicative evidence upon written request at a time and location agreeable to the parties. To the extent that case files, reports, or evidence are maintained electronically, BPD will give IID personnel access to or copies of the electronically stored reports, files, and evidence. As a general matter, the criminal investigation of cases under this MOU will proceed as joint investigations, and the IID will offer reciprocal cooperation and access to its evidence, raw data, and factual information to BPD, with the exception of files IID believes are necessary to keep confidential in order to preserve the independence of the investigation. In those instances where the IID is withholding files from BPD, it will inform BPD that some information has been withheld. Where the IID withholds any evidence or information from BPD, it will be responsible for disclosing such evidence or information under *Brady/Giglio*.
16. In every investigation covered by this agreement, each of BPD and the IID will conduct a conflict check to determine if any BPD or IID personnel involved in the investigation has any actual, potential, or perceived conflicts of interest that might undermine public confidence in the impartiality and independence of the

investigation. Each of the IID and BPD will conduct this conflict-of-interest inquiry as soon as practical.

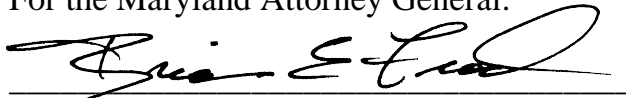
17. Each of the IID and BPD will promptly report the results of the conflict-of-interest inquiry to the other. BPD will defer to the IID on decisions regarding the results of the conflict of interests vetting procedure. If, however, BPD determines that the risk of a potential conflict of interest is present, BPD may remove BPD personnel from the investigation on its own.
18. The parties agree that IID personnel have the right to use grand jury proceedings during an investigation if they determine it is necessary. If the IID wishes to have a BPD officer appear before the grand jury, BPD agrees it will assist in procuring the officer's appearance at the grand jury.
19. In extreme cases in which the Attorney General, at the recommendation of IID personnel, determines that BPD's investigation in a particular case no longer maintains the level of impartiality required by Senate Bill 600, the IID will request that its personnel become the sole investigative agency involved in the investigation and BPD's criminal investigation of that case will cease. The IID acknowledges that this scenario is unlikely given the current level of oversight of BPD, but the IID reserves this right to comply with its statutory obligations. If the IID believes that this situation is occurring, notification will be made by the Director of the IID or the Attorney General directly to the BPD Commissioner. If BPD and IID can develop safeguards to put in place in a particular case to the satisfaction of the Director of the IID, the case may proceed with the involvement of the BPD. If the IID Chief is still not satisfied, the IID will then be the sole investigator in that particular case. If this situation occurs, BPD will be required to notify and seek input from the U.S. Department of Justice and the Consent Decree Monitoring Team. The IID will consult with and attempt to follow any recommendations provided by these entities.
20. The parties agree that the procedures in this MOU will govern criminal investigations involving both the IID and BPD. The parties agree that a criminal investigation will not be considered complete until both BPD and IID personnel agree that the case has been finalized and no further investigation is necessary. At that point, all of BPD's relevant reports will be provided to the IID, so that the IID may complete its report as required by Senate Bill 600. The IID will then forward that report to the State's Attorney's Office, as required by law. The IID will release its report, with appropriate redactions for confidentiality, within 30 days of a final judgment of all defendants in a prosecuted case, or within 30 days of a determination by the SAO or other relevant prosecutorial entity that they are declining to prosecute.

IV. Termination

This agreement will remain in effect for one year, or earlier if changes to State law require modifications, at which point the parties will review and re-evaluate the agreement and may mutually agree to continue, terminate, or modify the agreement. The agreement may be modified at any time with the agreement of all three parties.

**IN WITNESS WHEREFORE**, the undersigned Representatives hereby agree on behalf of their respective agencies, to the ratification of this agreement.

For the Maryland Attorney General:



Brian E. Frosh  
Maryland Attorney General

Date: September 30, 2021

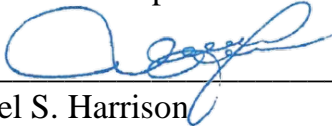
For the Maryland Department of State Police:



Colonel Woodrow W. Jones III  
Superintendent

Date: September 30, 2021

For the Police Department of Baltimore City:



Michael S. Harrison  
Commissioner

Date: September 30, 2021



**MTA Unfavorable SB 864 3-1-22.pdf**

Uploaded by: Jenna Massoni

Position: UNF



# 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.

Brian Blubaugh  
President  
Maryland Troopers Association

**Member of National Troopers Coalition**

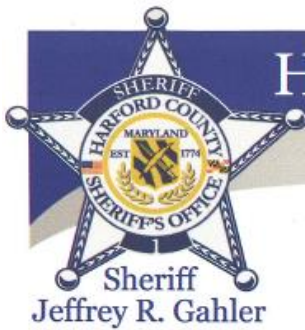
1300 REISTERSTOWN ROAD, PIKESVILLE, MARYLAND 21208 (410) 653-3885 1-800-TROOPER

E-mail: [info@mdtroopers.org](mailto:info@mdtroopers.org)

# **SB 864 Emergency Termination.pdf**

Uploaded by: Sheriff Jeff Gahler

Position: UNF



# HARFORD COUNTY SHERIFF'S OFFICE

COURAGE HONOR INTEGRITY

**Senate Bill 864 - Oppose**

## Public Safety – Police Officers – Emergency Termination

### Letter of opposition to the Senate Judicial Proceedings Committee

March 1, 2022

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Mr. Chairman and Members of the Senate Judicial Proceedings Committee, I am pleased to submit my written testimony in opposition to Senate Bill 864.

Many good men and women make the decision to enter a career as a law enforcement officer and swear an oath to uphold the laws and to protect the public. They complete a six-month academy followed by additional field training in order to gain the experience and knowledge to serve in the policing profession. The vast majority provide their service with honor and integrity and these men and women deserve the same rights to Due Process as any other American citizen.

Senate Bill 864 takes away an officer's or deputy's right to Due Process and gives a Chief or Sheriff the ability to terminate for a variety of reasons which would include just because a video of an incident or arrest did not look good. This is concerning in a society built around the premise of "Innocent until Proven Guilty" and no doubt would also serve to diminish the ability of an individual charged with a crime to receive a fair and impartial trial.

Last year my Office received a 20 second video of a deputy's interaction with a citizen. The video clearly did not tell the whole story and provided an edited account of an incident that occurred, and the actions the deputy took. Members of the public who viewed only this video "that did not look good" called on me as Sheriff to terminate this deputy immediately.

As part of the thorough internal investigation into this matter, we reviewed the deputy's body camera footage, in car camera footage and the account and statement from a second deputy on scene. It was clear that the deputy took the appropriate actions and the



individual accusing the deputy of wrongdoing later, as part of his plea, wrote an apology letter to the deputy, withdrew his complaint, and accepted a period of community service.

Under this legislation, Chiefs and Sheriffs would have the ability to make a knee jerk decision after receiving pressure from the public or elected officials to act without a full and complete investigation. Again, not only is this extremely concerning, it is against the most basic premise of our entire criminal justice system - Due Process.

In a time when we are considering putting individuals on Police Accountability Boards that were once convicted of a felony and allowing for the termination of police officers before all the facts of an incident are compiled or a full investigation takes place - truly puts us in a state where we are putting the rights of criminals or biased individuals ahead of those men and woman that are sworn to protect us and put their lives on the line each day doing an incredibly difficult job to keep us safe.

As Sheriff of Harford County, I have no problem terminating employees who do not live up to our high standards, or cops who have questionable integrity; I have separated many during my two terms in Office as the elected Sheriff. However, until the facts of an incident are presented, and it is clear that a deputy acted outside the bounds of the law and their sworn oath, they, like everyone else deserve to be afforded Due Process.

I ask for an unfavorable report on Senate Bill 864.