



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter**

**In Favor of SB597 Pensions and Retirement –  
Forfeiture of Benefits – Law Enforcement Officers**

**Before the Budget and Taxation Committee**

**on March 2, 2023**

**Chair Guzzone, Vice-Chair Rosapepe, and Members of the  
Committee:**

- **SB0597 will prevent police officers who are found guilty of a felony, perjury or a misdemeanor relating to truthfulness and veracity, from thereafter enjoying their pension benefits under the State Retirement and Pension System or a local retirement and pension system. The bill outlines the procedural and substantive processes by which these benefits become forfeited.**
- **Currently, police officers, acting under the color of law, commit serious crimes within the scope and course of their duties, continue to be able to collect their benefits, including their pensions. This bill causes the forfeiture of those benefits when a law enforcement officer commits certain qualifying crimes. SB0597 would ensure that**

**officers are not only held accountable, but provide a clear consequence for such egregious behavior, after being afforded due process.**

- **Baltimore City and other jurisdictions have paid millions to settle lawsuits as a result of criminal conduct by police officers. The officers, however, were allowed to collect their full pensions. This cannot (and should not) continue. Police officers should not be allowed to violate their oath, waste the training investment, betray the public trust, and then be rewarded with a state (or local) pension.**
- **This Bill makes clear the stance this body has on those who abuse their authority under color of law to engage in criminal conduct. Pension forfeiture will prevent officers who engage in criminal conduct from collecting a taxpayer-supported benefit, while also allowing the government to recover money paid out to settle lawsuits related to their criminal conduct.**
- **Under SB0597, officers found guilty, pleading guilty, or pleading nolo contendere would be precluded from claiming pension benefits. However, they are not stripped of their due process rights. This bill permits police officers convicted of a qualifying crime to file a claim for partial payment. It permits a wholistic review by the circuit courts to reinstate these partial benefits. Additionally, there are carve outs for child support and other familial needs of children and spouses of convicted officers. It also allows for a claw back so that officers cannot retire to avoid the consequences of their wrongful**

**conduct. Finally, if the conviction is overturned, officers may have their benefits restored.**

- **Twenty-six (26) states have laws that allow for police pension forfeiture if the officer is either convicted or pleads no contest to a felony or unlawful killing. It's time for Maryland to do likewise. Police officers should not be allowed to commit horrible crimes, and then enjoy the benefits of their pensions.**

**For these reasons, I request a favorable report on SB597.**

**Sincerely,**

A handwritten signature in blue ink that reads "Jill P. Carter". The signature is written in a cursive, flowing style.

**Jill P. Carter, Esq.**