

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 752
Police Discipline – Order to Show Cause
DATE: February 15, 2023
(3/14)
POSITION: Oppose, as drafted

The Maryland Judiciary opposes Senate Bill 752, as drafted.

The Judiciary has no position on the policy aims of this legislation or the bill's overall intent. We write to make the Committee aware of an inherent statutory conflict. Public Safety § 3-106(k) allows appeals of trial board decisions to be taken in the circuit court for the county where the incident giving rise to the disciplinary proceeding occurred. However, this bill would require officers of statewide or bi-county agencies to file these particularized show causes in the Circuit Court for Anne Arundel County only. That provision, on page 2, lines 4-6, causes conflict and is the drafting issue about which we note our opposition.

cc. Hon. William Folden
Judicial Council
Legislative Committee
Kelley O'Connor