



State of Maryland
Department of State Police
Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: March 9, 2023

BILL NUMBER: House Bill 1077 **POSITION:** Support

BILL TITLE: Public Safety – Use of Department of State Police Articles for Commercial Purposes - Prohibitions

REVIEW AND ANALYSIS

This legislation seeks to prohibit the copying, reproduction, distribution, or use of the shield, badge, insignia, emblem, or shoulder patch adopted by the Maryland Department of State Police (MDSP) for commercial purposes without the permission of the Superintendent.

Under current law, the use or possession of these items is prohibited only if the person is trying to impersonate a police officer. However, what has occurred recently in the public arena has raised a number of concerns about the current statute.

As highlighted in the media, by both the Washington Post and NBC4, the MDSP shield has appeared on various coins which have been described as racial and disgusting. One such coin included the parts of a woman with the MDSP shield just below her waist. Another coin was circulated with the saying “Make Waldorf Great Again”. Both coins were not sanctioned by the Department but received a great deal of negative media. Some publicly claimed that the Department was racist and sexist because these coins were allowed to be made and sold. Unfortunately, the Department was powerless to stop it.

The Assistant Attorney General working for the MDSP researched the issue and they believe that, as written, the bill does not present a first amendment issue. This bill only focuses on the use of the actual shield, badge, insignia, emblem, shoulder patch or badge. Not a distortion of the article. Second, it makes it clear it is not to be used for commercial purposes, i.e. it cannot be sold or distributed for any reason without the permission of the Superintendent.

In Maryland, there are organizations that legitimately use the shield, badge, insignia, emblem, or shoulder patch on commercial items such as clothing, ballcaps, etc. The Maryland Troopers Association and the Fraternal Order of Police sell these items to the members of their organizations, both active and retired troopers and their families. Additionally, units within the Department often have similar items made to show pride in their specific unit or division. These legitimate uses will continue to be approved by the Superintendent.

House Bill 1077 is trying to stop the misuse of the shield, badge, insignia, emblem, or shoulder patch as a means to insult or demean others for profit.

For these reasons, the Maryland Department of State Police urges the Committee to give House Bill 1077 a favorable report.

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