

# **SB 1114 Jason Dykes Testimony .pdf**

Uploaded by: Jason Dykes

Position: FAV

Cpl. Jason Dykes  
Maryland State Police  
Senate Bill 1114 - Support

For the record, my name is Jason Dykes. I currently serve as a corporal in the Maryland State Police and have served in law enforcement in Maryland for 30 years.

I respectfully am requesting a transfer of my prior service with the Salisbury Police Department to the State Retirement and Pension System through Senate Bill 1114.

As way of background, I have been working in good faith to resolve this matter for the past several years when I began the process of attempting to purchase my nearly 10 years of service with the Salisbury Police Department more than a decade ago. My time with SPD was credited under a state combined pension system (MACLEO) that no longer exists. Eventually I received a phone call stating that I was not able to purchase my SPD time due to a break in service as my time with the Wicomico County Sheriff's Office, which is not under a state retirement system. At that time, I was not given information regarding appeal options before the SRPS.

In 2015, I contacted local Senators and Delegates for guidance and assistance in this matter and was advised to work directly with the staff from the State Retirement and Pension System. After considerable communications, I was told that my time with the Wicomico County Sheriff's Office was a break in service greater than 30 days and that I was ineligible to buy my nearly decade of service back.

Also in 2015, I contacted then President of the Maryland Troopers Association, Kirk Daugherty, for assistance in possibly pursuing the buy back/roll over option. President Daugherty put me in touch with Richard Norman, SRPS Board of Trustees Member. He informed me that SRPS has considered breaks in service over 30 days for approval of transfer of service.

Given the lack of awareness and transparency on this point, and inconsistent application of COMAR, President Daugherty put me in touch with the MTA attorney, Rebecca Smith. Through Rebecca Smith's representation, eventually, I was denied by SRPS again. SRPS referenced COMAR as the reason for my ineligibility.

I discovered, not via SRPS, that I could request a hearing and if that failed, I could appeal. Both of which I did. Although I was represented at this hearing by my attorney, I was unable to personally present my appeal due to the fact I was attending the funeral of WCSO Cpl. Hilliard who was killed in the line of duty. Ms. Smith advised me that my request was denied; however, she further indicated that Comptroller Franchot (a member of SRPS at the time) shared with my attorney that he was sympathetic of the situation and advised pursuing a legislative bill as my State Senator has offered to do given that I have exhausted non-legislative actions to resolve this matter.

In 2022, I began working with Senator Carozza on this matter. After consulting and working with senior SRPS personnel for the past couple of years, Senator Carozza and Delegate Carl Anderton agreed to sponsor a transfer of service bill this session.

I've been a lifelong resident of Maryland. I have been a LEO in this state since 1996 (I started in 1994 as a Cadet with SPD). My SPD time is vested and is in a state system. I receive my MSP retirement information from SRPS, as well as my SPD retirement information.

I am unable to understand how a law enforcement officer serving out of state with a break in service is eligible and I am not. I cannot fathom why I'm being penalized for dedicating a 30-year career in Maryland as LEO by not being able to purchase my time of service.

I am not asking for something that's not mine, nor something that's not there nor something that I have not earned. I understand that I will pay out of pocket or take a deficit in retirement percentage to rollover my time.

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During my career, I have served in numerous roles from a road patrol officer, to an officer on the fugitive warrant unit, a mounted patrol officer, a detective, an undercover narcotics investigator and a current member of the MSP Digital Forensic Lab. I have had two incidents in my career where I've been shot at by a suspect, both of whom ultimately shot themselves, including one of whom I exchanged gunfire with. I attended two funerals for two LEO's, WCSO Cpl. Glenn Hilliard and Delmar Police Cpl. Keith Heacock, both whom I have known for many years and both losing their lives in the line of duty.

During a time when this Maryland General Assembly has focused on the recruitment and retention of dedicated law enforcement, I am only asking to be treated fairly, and in a way that is transparent and consistent with other approvals that have been made in the past.

Thank you for your time, and I respectfully urge a favorable report on Senate Bill 1114.

**SB 1114 - Carozza Testimony\_FINAL.pdf**

Uploaded by: Senator Mary Beth Carozza

Position: FAV

MARY BETH CAROZZA  
Legislative District 38  
Somerset, Wicomico,  
and Worcester Counties

Education, Energy, and  
the Environment Committee

Executive Nominations Committee



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**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

**March 12, 2024**

**The Budget and Taxation Committee**

**SB 1114 – State Retirement and Pension System – Transfer of Service  
Statement of Support by Bill Sponsor Senator Mary Beth Carozza**

Thank you Chair Guzzone, Vice Chair Rosapepe, and members of the distinguished Senate Budget and Taxation Committee for this opportunity to present Senate Bill 1114 – State Retirement and Pension System – Transfers of Service. This bill would simply allow for the transfer of service of Maryland State Police Corporal Jason Dykes with the Salisbury Police Department to the State Retirement and Pension System.

Over the past two years, I have been working with the State Retirement and Pension System, the Comptroller's Office, and local law enforcement to assist my constituent, Corporal Jason Dykes. Based on those conversations, and the work that Corporal Dykes has done over the years, I am now seeking to resolve the matter through the legislation before you.

This narrowly-focused bill would allow a former member of the Local Fire and Police Retirement System (LFPRS) who is an active member of the State Police Retirement System (SPRS) and incurred a break in service to transfer his service from the LFPRS to the SPRS. There is no fiscal impact.

Corporal Jason Dykes served for nearly 10 years with the Salisbury Police Department and during that time contributed to the LFPRS, which no longer exists. He then served one year with the Wicomico County Sheriff's Office, which is not under a State Retirement System, before serving the past 19 years with the Maryland State Police where he continues to contribute to the SPRS.

Due to his time with the Wicomico County Sheriff's Office, which the State Retirement and Pension System considers a break in service, Corporal Dykes is ineligible to buy back his almost decade of service with the Salisbury Police Department. Since 2015, Corporal Dykes has been trying through non-legislative means to rectify the situation. He has worked with staff from the State Retirement and Pension System, received representation from the Maryland Troopers Association, requested a hearing, and appealed that hearing's decision. He was unable to personally present his appeal as he was attending the funeral of Corporal Glenn Hilliard who was

killed in the line of duty. However, his representative from the Maryland Troopers Association informed him that Comptroller Franchot, who was a member of the State Retirement and Pension System at the time, indicated he was sympathetic to the situation and advised pursuing legislation to address the matter.

Corporal Dykes has served Maryland honorably as a law enforcement professional for 30 years. In 2023 he was awarded the Superintendent's Citation and received the 2022 Noncommissioned Officer of the Year. He was previously nominated for Trooper of the Year in 2014 and in 2006, as well as being nominated for the 2006 Medal of Honor through the Maryland Chiefs of Police Association.

He has served in numerous roles from a road patrol officer, to an officer on the fugitive warrant unit, a mounted patrol officer, a detective, an undercover narcotics investigator and a current member of the Maryland State Police Digital Forensic Lab. Corporal Dykes often goes above and beyond the call of duty to help our community. He is an exemplary officer and often puts his own needs on hold to support others.

Corporal Jason Dykes has exhausted all non-legislative actions to resolve this situation. Under current law, an officer serving out of state with a break in service would be eligible for a transfer of service, and yet because Corporal Dykes served in Maryland he does not qualify. SB 1114 would simply allow Corporal Dykes to be treated fairly and receive the time he has earned through his dedicated service to the State of Maryland.

I thank you for your kind attention and consideration, and I respectfully request a favorable and very swift report on SB 1114.

# **SB 1114 Background.pdf**

Uploaded by: Senator Mary Beth Carozza

Position: FAV



Corporal Jason Dykes, Maryland State Police  
Criminal Enforcement Division  
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[jason.dykes@maryland.gov](mailto:jason.dykes@maryland.gov)

### **Statement of Request**

I have lived in Maryland my entire life and honorably served this State for 30 years.

Those who serve out of State, both at the federal and local levels, are eligible to buy back their service. However, under current law, I am not allowed to buy back my time with the Salisbury Police Department due to what is considered a “break in service” with the Wicomico County Sheriff’s Office.

I should not be disadvantaged because I chose to serve within the State, to serve my home. My only desire is to be treated fairly and to be eligible to buy my time back.

### **Timeline of Events:**

- 2005           Hired by MSP
  
- 2012           Initiated Request to Purchase Previous Service, a service verified by Human Resources. After I initiated request, I was advised I was ineligible to buy back due to a break in service.
  
- 2015           Reinitiated contact regarding buy back. On November 9, 2015, I was advised that had my service been federal or out-of-state, I would have been eligible for purchase. However, because my service was in State, I did not qualify.
  
- 2016           On May 18, 2016, I was advised by MTA attorney Rebecca Smith that the Board’s policy is 30 days break in service but that the Board historically allows a buy back if applied for within the year.
  
- 2022           Per MTA Attorney Rebecca Smith, Comptroller Franchot indicated that he was sympathetic to the situation but there was nothing he/SRPS could do based on the current law and that it would require legislation.

### **Years of Service:**

- 6/25/1994 – 2/13/2003           Salisbury Police Department
  
- 2003 – 2004                       Wicomico County Sheriff’s Office (break in service)
  
- 2005 – present                     Maryland State Police

**Awards:**

*As a Maryland State Trooper*

- 2023            Awarded Superintendent's Citation & 2022 NCO of the Year
- 2017            CED Lower Shore – Unit Citation
- 2015            Promotion to Corporal
- 2014            Nominated Trooper of the Year, CED-SCNTF, LT Daugherty
- 2007            Nominated for the 2006 Medal of Honor Award through the Maryland Chiefs of Police Association, & 2006 Trooper of the Year through the International Association of Chiefs of Police
- 2006            Certificate of Appreciation – Outstanding performance over a sustained period, contributing to Salisbury Barrack being First in the State – CDS arrests and DWIs, 2<sup>nd</sup> in State on gun seizures, 5<sup>th</sup> in State on warrant arrests.

*With the Wicomico County Sheriff's Office*

- 2004            Recruited as FTO and served as Detective in CID

*With the Salisbury Police Department*

- March 2000-August 2001    Warrant/Fugitive Unit Citation 445 warrants served
- 1998            Honorable Service Award
- 1994            Honorable Service Award

Note: Evaluations are consistently graded as “exceeds expectations.”

# **Testimony in Opposition to Senate Bill 1114 Transf**

Uploaded by: Anne Gawthrop

Position: UNF



STATE RETIREMENT AGENCY  
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Baltimore, MD 21202-6700

MARYLAND  
STATE RETIREMENT  
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**Testimony in Opposition to Senate Bill 1114  
State Retirement and Pension System – Transfers of Service**

**Senate Budget and Tax Committee  
March 12, 2024  
1:00 P.M.**

**Anne Gawthrop  
Director of Legislative Affairs  
State Retirement Agency**

The Board of Trustees for the State Retirement and Pension System (System) wishes to express its opposition to Senate Bill 1114, State Retirement and Pension System – Transfers of Service Credit. Senate Bill 1114 would allow an individual who had more than a 30-day break in employment between employment with participating employers of the System, to transfer their service from the Local Fire and Police Plan to the State Police Retirement System.

Title 37 of the State Personnel and Pensions Article governs transfers of service credit between State or local retirement or pension systems. Specifically, it provides that transfers of service credit between a State or local retirement or pension system may only take place when a member has become a member of a new State or local retirement or pension system without incurring any break in employment from their previous system. A break in employment has been interpreted as not more than 30 days between the individual leaving their old position and starting their new position. For individuals who have a greater than 30-day break in service, provisions of the State Personnel and Pensions Article allow members to purchase their prior service at the time of retirement.

While the State Retirement Agency is only aware of one individual who meets the criteria under the provisions of Senate Bill 1114, this bill would open the door to any individual who had more than a 30-day break in service between membership with State or local retirement or pension systems, to allow them to transfer their previous service into their current plan without having to utilize the normal service purchase rules which generally require the member to fund the additional benefits due on account of the purchased service. Allowing a Title 37 transfer under Senate Bill 1114 could potentially increase unfunded liabilities for the new system and would allow the member to avoid paying the costs for the additional service credit, as is required of all other members when purchasing service credit under the same circumstances.

Additionally, we think it is important to note that in the past, this Committee has taken the position that legislation of this nature should demonstrate that some mistake by the State or the Agency occurred that now needs to be remedied. As we mentioned above, the Agency is currently only aware of one individual who would meet the criteria of the bill, and after reviewing the facts surrounding their situation, the Agency could find no evidence of any mistake or misinformation that was provided to the member by the

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State or the Agency. Senate Bill 1114 would provide a special exception to the provisions of Title 37 of the State Personnel and Pensions Article for this individual to which no other member of the System is entitled.

We appreciate being given the opportunity to raise these issues with the Committee and stand ready to provide any further information or services the Committee might request regarding Senate Bill 1114.