

**Testimony UNFAVORABLE on HB0015**

Police Discipline - Order to Show Cause

House Judiciary Committee

February 27, 2024

Dear Honorable Chair and Members of the Committee,

My name is John Spillane and I live in Hyattsville. I urge an unfavorable report on HB0015. This bill would authorize any police officer who is being investigated for police misconduct to apply to the circuit court for an order that directs the law enforcement agency to show cause, at any time BEFORE a hearing board holds a hearing.

Proponents of this bill claim the purpose is to protect officers who are denied their rights relating to police accountability and discipline; however, those special rights no longer exist. Nor should they.

In 2021, the Maryland General Assembly repealed the Law Enforcement Officers Bill of Rights and thus removed the special rights officers were previously entitled to during an internal police disciplinary process. Rights such as a formal waiting period before they had to cooperate with internal inquiries into police conduct and the provision that only fellow officers could investigate them were removed and a new process set up.

What this bill will actually do is provide officers an opportunity to disrupt this new process and challenge decisions of the administrative charging committee on procedural grounds right away — without going through the hearing board. Because a disposition by the administrative charging committee must be completed within one year and one day after the filing of a complaint, what this bill will ultimately do is significantly delay or even deny justice to victims of police misconduct.

The Maryland Police Accountability Act already clarifies that officers may be disciplined only for cause. And if an officer wants to challenge the hearing board, the Act specifies that the employee may appeal the decision within 30 days after the date of a decision issued by the hearing board.

We must not forget record of years of lack of police accountability and discipline that speaks to why the Maryland General Assembly passed the Maryland Police Accountability Act and repealed the Law Enforcement Officers Bill of Rights. In light of this history, I urge an unfavorable report on HB0015.

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