



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger, Chair and
Members of the House Judiciary Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: March 28, 2024

RE: **SB 607 – Police Accountability and Discipline – Summary Punishment**

POSITION: **LETTER OF INFORMATION**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) submit this **Letter of Information** regarding SB 607. MCPA and MSA fully supported SB 607 as originally introduced but no longer support the bill as amended.

Under the Police Accountability Act, if an agency receives a complaint of police misconduct (whether internally or externally), the agency must investigate the alleged misconduct. If the alleged police misconduct involved a member of the public, the investigation must be sent to an Administrative Charging Committee (“ACC”). The agency and the officer must wait for the ACC’s report of findings and, if discipline is recommended, the officer must either accept or reject the ACC’s discipline. If the officer rejects the discipline, a trial board must be convened.

Conversely, if the alleged misconduct does not involve a member of the public, the agency determines if misconduct occurs and determines the appropriate discipline under the Statewide Disciplinary Matrix. If the officer accepts the agency’s determination, the discipline is imposed and there is no need for a trial board. In short, under current law a police officer can agree to discipline – even discipline more severe than a written reprimand – in cases that do not involve the ACC.

By allowing summary punishment of minor violations, SB 607 as introduced was a significant step toward improving the Police Accountability Act and allowing ACCs to focus on serious misconduct matters. As amended, SB 607 restricts the situations in which summary punishment for minor violations may be imposed. It now does nothing to further the efficient imposition of discipline.

Whether following an ACC review or an agency determination, the process to discipline an officer from complaint to hearing board can take weeks or months and involves an expenditure of agency and county resources. Many of the complaints forwarded to ACCs are minor offenses, and the most severe punishment that can be imposed under the Statewide Matrix is a letter of reprimand. ACC, agency, and county resources are better spent addressing serious allegations of misconduct. Minor violations of policy can, and should be, handled expeditiously and efficiently by the agency. A written reprimand issued months after the event does nothing to address the conduct. Citizens should not have to wait months for a resolution of their minor complaints.

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