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POSITION ON PROPOSED LEGISLATION

BILL: HB 15 Police Discipline - Order to Show Cause

FROM: Maryland Office of the Public Defender

POSITION: Unfavorable

DATE: 2/27/2024

The Maryland Office of the Public Defender respectfully requests that the Committee issue an unfavorable report on House Bill 15 for three reasons.

First, from a policy standpoint, this bill is merely an effort to resurrect the Law Enforcement Officers Bill of Rights, which this body voted to repeal just a few short years ago. Second, this bill is problematic from a procedural standpoint because it merely creates two parallel proceedings, which defies notions of judicial economy and fairness. And third, and most importantly, charges against law enforcement officers are now brought by the administrative charging committee, (ACC) so order to show cause regarding a law enforcement agency is meaningless when it is the ACC that is actually bringing forth recommended discipline.

This legislation seeks to implement for law enforcement officers to postpone or delay proceedings against them and there is no policy, procedural or practical purpose for this legislation. As a result, we urge an unfavorable report on House Bill 15

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on House Bill 15.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

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