



# Morningside Police Department

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**Daniel J. Franklin**  
**Chief of Police**

TO: Senate Judicial Proceedings Committee  
The Honorable Senator William C. Smith, Jr. – Chair

FROM: Chief Daniel J. Franklin #0255  
Morningside Police Department

RE: Written Testimony Supporting SB 0585  
Criminal Law - Exception to Armed Trespass Prohibition - Retired Law Enforcement Officials

DATE: February 10, 2025

Greetings Chairman Smith and the members of the Maryland Senate Judicial Proceedings Committee.

My name is Daniel Franklin, and I am the Chief of Police for the Morningside Police Department in Prince George's County, Maryland. After careful review of SB 0585 sponsored by Senator Waldstreicher and yourself, I am submitting this written testimony **SUPPORTING** the passage of the bill.

When a retired law enforcement officer (LEO) is permitted to wear and carry a firearm, they are not allowed to do so until they meet a qualification standard established by the law enforcement agency (LEA) that they retire from. Most LEAs establish a standard that equals what an active LEO would be required to meet prior to carrying a firearm on duty or a standard that ensures they have an acceptable proficiency with their chosen firearm. The skill level of these standards normally exceeds the standards established for a civilian Wear and Carry permit which are established by the Maryland State Police.

To carry a firearm under the Law Enforcement Officers Safety Act (LEOSA), the following conditions must be met:


- “The officer must be separated from service in good standing from service with a public agency as a law enforcement officer;”
- “Before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest . . .;”
- “Before such separation, served as a law enforcement officer for an aggregate of 10 years or more” or “separated from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;”
- “during the most recent 12-month period, has met, at the expense of the individual, the standards for qualification in firearms training for active law enforcement officers, as determined by the former agency of the individual, the State in which the individual resides or, if the State has not established such standards, either a law enforcement agency within the State in which the individual resides or the standards used by a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within that State;”

- “Has not been officially found by a qualified medical professional employed by the agency to be unqualified for reasons relating to mental health;”
- “Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance;” and
- “Is not prohibited by Federal law from receiving a firearm.”

Because these stringent conditions must be met, there should be no reason that a retired LEO under LEOSA should not be allowed an exception to the armed criminal trespass prohibition. For these reasons, I ask that the committee give a favorable report on SB 0585 and accept my written testimony **SUPPORTING** SB 0585.

Thank you for your time.

Sincerely,

A handwritten signature in blue ink that reads "Chief Daniel J. Franklin #0255". The signature is stylized and includes the name and number.

Chief Daniel J. Franklin #0255  
Morningside Police Department