



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
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 25, 2025

RE: **HB 985 – Administrative Charging Committees – Additional Charging Committee**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE HB 985**. HB 985 authorizes the local governing body of a county to use a second administrative charging committee (ACC) when the local governing body determines the current ACC does not have the bandwidth to effectively serve the county-wide law enforcement agencies.

Under HB 985, local jurisdictions can authorize multiple ACCs. The Maryland Police Accountability Act established a uniform investigative review process that requires each county, the state, and Baltimore City to have a single ACC responsible for reviewing administrative disciplinary investigations, determining findings, and issuing disciplinary recommendations in accordance with the Uniform Disciplinary Matrix. Introducing multiple ACCs within a single jurisdiction will only create inconsistency and confusion, while having the potential to produce inequitable treatment of officers within the same agency.

One of the most critical flaws of this bill is the lack of clarity regarding how cases would be assigned to each ACC if there were more than one. Without a clear mechanism to determine which committee reviews a particular case, the potential for arbitrary or inconsistent case assignments increases, further exacerbating concerns about fairness and uniformity in disciplinary decisions. The MCPA and MSA have already observed significant disparities in disciplinary recommendations from one county to another due to the subjective interpretation of findings by different ACCs. Allowing multiple ACCs within a jurisdiction will worsen this issue, leading to officers facing disparate disciplinary outcomes for similar infractions, even within the same department. This has the propensity to deliver outcomes that are fundamentally unfair and will likely result in an increase in appeals—at an added cost to taxpayers—when officers challenge inconsistent disciplinary decisions.

Additionally, under the current law, the disciplinary recommendation issued by an ACC is binding on the Chief, Sheriff, Commissioner, or Superintendent, except they may raise but not lower the recommended discipline. This restriction already limits agency heads in ensuring fairness and proportionality in disciplinary matters. With multiple ACCs operating within the same jurisdiction, there is an increased likelihood of contradictory decisions—where one committee may exonerate an officer while another issues a severe penalty for a similar case. This lack of uniformity undermines the credibility of the

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disciplinary process and will only lead to further appeals, contributing to delays, inefficiencies, and as previously mentioned- additional legal costs. The intention of this bill is to increase efficiency and add support as needed to counties with ACCs that are overwhelmed, however without the essential incorporation of established rules ensuring consistency and fairness, this proposed solution presents more harm than good. A single, well-trained ACC per jurisdiction remains the best approach to uphold integrity and uniformity in police accountability until guidelines for fairness across multiple committees are established. For these reasons, MCPA and MSA **OPPOSE HB 985** and urge an **UNFAVORABLE** committee report.