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TESTIMONY ON SB#/0044- POSITION: FAVORABLE

State Retirement and Pension System - Forfeiture of Benefits

TO: Chair Guzzone, Vice Chair Rosapepe, and members of the Budget & Taxation Committee
FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0044, State Retirement and Pension System - Forfeiture of Benefits

This bill appears to be a reaction to a recent case in Baltimore and the need to react to that specific situation as well as applying it equally across Maryland government. As reported by Fox45 News *After felony conviction, Baltimore Officer keeps pension, reviving calls for law change*¹

Earlier this month, in federal court, former Baltimore City Schools Police Officer Lawrence Smith, pleaded guilty to felony wire fraud and income tax evasion. Smith admitted, in court, to submitting fraudulent police overtime forms to collect \$215,000 taxpayer dollars. His convictions carry a maximum sentence of 25 years in prison.

“It's the principle,” David Williams with the Taxpayers Protection Alliance told Project Baltimore. “You should not have access to any more taxpayer dollars.”

This bill will declare that a person working as a public employee in Maryland will not benefit from their crime. It will do this by establishing that a public employee is subject to forfeiture of benefits from the State Retirement and Pension System when a public employee is found guilty of, pleads guilty to, or enters a plea of nolo contendere to a qualifying crime that is committed in the course of the performance of the public employee's duties; providing for the processes and procedures to implement a forfeiture of benefits; and providing for the processes and procedures to reverse a forfeiture of benefits.

This bill promotes ethical conduct by public employees in Maryland to avoid this substantial penalty for specific types of misconduct in office.

I respectfully urge this committee to return ai favorable report on SB#/0044.

¹ <https://foxbaltimore.com/news/project-baltimore/baltimore-school-police-officer-felony-pension-maryland-law-change>

