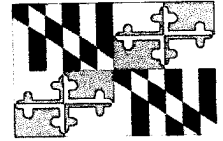


CLYDE BOATWRIGHT
STATE PRESIDENT

Maryland State Lodge
FRATERNAL ORDER OF POLICE

8302 COVE ROAD, BALTIMORE, MD 21222



KENNY SCHUBERT
SECRETARY

EARL KRATSCH
TREASURER

1/19/21

**RE: Senate Bill 178 – Public Information Act – Personnel
Records – Investigations of Law Enforcement Officers
(Anton’s Law)**

Position: OPPOSE

Dear Chairman Smith, Vice Chairman Waldstreicher, and esteemed Members of the Senate Judicial Proceedings Committee,

The Maryland Fraternal Order of Police OPPOSES Senate Bill 178. This bill allows “agencies” investigating alleged misconduct by law enforcement officers to have access to the complete personnel records of the officer subject to that investigation; it also will allow agents of said “agencies” to capriciously investigate officers for nebulous reasons. What these “agencies” are is not clear as Senate Bill 178 conveniently does not define who or what this entails. As such, is an “agency” a media organization?

This bill is nothing more than an end-run around existing personnel laws and failed attempts by certain State’s Attorneys to harm law enforcement officers. As such, this bill unnecessarily exposes the private, confidential, and personal information of police officers to “agencies” investigating that officer, regardless of any nexus or relevance to an investigation. The Maryland and Federal Rules of Evidence prohibit past misconduct from being presented at trials because our society recognizes the irrelevance of such material and the highly prejudicial nature of such material. Exposing these personnel files will only serve to embarrass law enforcement officers for prior conduct, regardless of whether that officer has even been adjudicated as guilty of what was previously charged.

This bill has one purpose in mind: to discredit, embarrass, and abuse law enforcement officers of their reputation and livelihood. If such a need is warranted for the law enforcement community, then why not our legislators and all government employees? Why should these classes not be subjected to these partial rules?

There exists in Maryland a due process for law enforcement officers: the LEOBR; just as there exists a due process for all government employees. This is the process that has existed for 45 years and continues to be a proven process of discipline and removing officers from the profession.

For these reasons, the Maryland Fraternal Order of Police OPPOSES Senate Bill 178 and we respectfully ask for an unfavorable report.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Consoli Jr.", written in a cursive style.

Angelo L. Consoli Jr,
2nd Vice President,
Fraternal Order of Police, Maryland
State Lodge