



BALTIMORE POLICE DEPARTMENT



Brandon M. Scott
Mayor

Michael S. Harrison
Police Commissioner

TO: The Honorable Members of the Senate Judicial Proceedings Committee

FROM: Michelle Wirzberger, Esq., Director of Government Affairs, Baltimore Police Dept.

RE: Senate Bill 381 Law Enforcement Officers' Bill of Rights – Uniform Disciplinary Procedures

DATE: January 28, 2021

POSITION: INFORMATION ONLY

Chair Smith, Vice-Chair Waldstreicher, and members of the Judicial Proceedings Committee, please be advised that the Baltimore Police Department is **only providing information** on Senate Bill 381.

Senate Bill 381 strives to establish consistency in the application of law across all law enforcement agencies by limiting the types of issues that can be negotiated within collective bargaining. To that end, this bill mandates that a collective bargaining agreement may not in any way be inconsistent with the provisions of the Law Enforcement Officer's Bill of Rights (LEOBR) and establishes the following principles by removing certain provisions from the law:

- ✓ A collective bargaining agreement may not include a provision that takes final disciplinary authority away from the Chief or Sheriff; and
- ✓ A collective bargaining agreement may not provide for alternative hearing boards.

The current legislative efforts to amend and/or repeal the LEOBR are borne out of a desire to ensure that law enforcement officers are treated fairly but not any better than average citizens and this bill gets us closer to achieving that goal.

While we do not know what form the LEOBR will take by the end of session or if the law will be completely repealed, we are clear that there needs to be a uniform model for disciplining law enforcement officers that provides for standardized due process. The tenants included in this provision must be incorporated within that process so that the respective heads of Maryland law enforcement agencies have the authority to enact the swift and steady discipline their constituents want and deserve.

Thank you for allowing us to comment on this important piece of legislation. If you should have any questions, feel free to reach me at michelle.wirzberger@baltimorepolice.org or via telephone at 4430915-3155.