



# Maryland Chiefs of Police Association

## Maryland Sheriffs' Association



### MEMORANDUM

TO: The Honorable Luke Clippinger, Chairman, and  
Members of the Judiciary Committee

FROM: Chief David Morris, Co-Chair, MCPA, Joint Legislative Committee  
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee  
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 9, 2021

RE: **HB 139 Law Enforcement Officers – Use of Force**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE HB 139**. This bill proposes to regulate the circumstances under which a Maryland law enforcement officer is justified in using force and deadly force.

MCPA and MSA are concerned that placing use of force requirements in statute in the manner proposed by this the bill would impose rigid guidelines that prove to be detrimental to policing and the community at large. Instead of an approach that defines terms, codifies actions of police officers, and includes criminal penalties; a uniform statewide use of force policy could be specified in statute that addresses the key elements that have been recommended by the Workgroup to Address Police Reform and Accountability in Maryland such as an officer's duty to intervene, report misconduct, de-escalation, documentation of use of force incidents, early warning intervention systems, implicit bias training, prohibiting the use of neck restraints except in those situations where the officer is defending him/herself or another from death or serious bodily injury, and shooting at moving vehicles, among others. The actual policy could still be developed by the Maryland Police Training and Standards Commission providing flexibility for other requirements to be incorporated as a result of court decisions or best practices developed by certifying agencies. To ensure accountability, all law enforcement agencies could be required to adopt these policies with appropriate action taken if they do not. In addition, mandating such a use of force policy authorizes the Chief or Sheriff to take appropriate disciplinary action should an officer not comply with specified training and policies.

For these reasons, MCPA and MSA **OPPOSE** HB 139, but offer an alternate approach for a uniform statewide use of force policy.