



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 18, 2025

RE: **HB 1060: Judicial and Public Safety for Service Members Act**

POSITION: **SUPPORT with Amendment**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **support with amendment HB 1060**. The MCPA/MSA wholly supports our military veterans and legislation that assists with ensuring they receive services to which they are entitled.

HB 1060 establishes rules of interpretation related to the uniformed services; altering the rule of interpretation for "veteran"; and altering the application of certain provisions of judicial proceedings, corrections, criminal, family, public safety, and real property laws to apply to all uniformed services, rather than only the armed forces.

The MCPA/MSA offers that the provision under 3-209.28 (a) requiring certification as a police officer any individual having less than an honorable discharge from military service, so long as they have applied to become a citizen of the United States, creates considerable concern. Specifically, the bill states:

3-209 (a) The Commission shall certify as a police officer each individual who: 29 (5) (ii) subject to subsection (b) of this section, is a permanent legal resident of the United States and **[an honorably discharged]** A veteran [of the United States armed forces], provided that the individual has applied to obtain United States citizenship and the application is still pending approval.

The Uniformed Services of the United States delineate five (5) types of discharge from military service. These are:

- **Honorable Discharge:** Considered the most favorable discharge, signifying exemplary service.
- **General Discharge (Under Honorable Conditions):** Indicates service with minor issues, still considered generally positive.
- **Other Than Honorable Discharge (OTH):** A less favorable discharge, often due to administrative issues or misconduct not severe enough for a Bad Conduct Discharge.
- **Bad Conduct Discharge (BCD):** A punitive discharge given by a court-martial for serious misconduct.

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Dishonorable Discharge: The most severe discharge, awarded for serious criminal offenses or extremely poor conduct.

Any discharge less than **honorable** raises concerns as to the integrity, honesty, conduct, and potential criminal convictions of an individual under the Uniform Code of Military Justice (UCMJ). Nearly 80% of all military discharges are reported as honorable, a classification of which those who receive this discharge are rightly proud of earning.

A state mandate requiring the certification of anyone with less than an **honorable discharge** as a police officer will erode community trust. As public servants tasked with protecting and serving our communities, it is of the utmost importance that our Maryland law enforcement officers uphold the public trust by maintaining the highest ethical standards and a moral character.

For these reasons, the MCPA/MSA **supports with amendment HB 1060**, to maintain the requirement that any certification as a police officer for a member prior member of the uniformed services be no less than an Honorable Discharge from military service.