



February 1, 2024

Senate Judiciary Committee:

We are writing to you today with our concerns regarding reforming LEOBoR [H7263](#), which does not address many issues. We ask you to support [H7198](#) to repeal LEOBoR entirely.

Allowing law enforcement to police themselves has been the norm for decades and it doesn't work. LEOBoR has undermined the public's trust, as there is no way to hold law enforcement officers accountable for their behavior.

Examples of issues with [H7263](#)

This part is outrageous and undermines the public's trust. "Summary punishment of up to fourteen working days without pay may be imposed subsequent to a formal complaint filed with the department for the following violations of departmental rules and regulations that do not result in pending criminal charges requiring discipline pursuant to the remaining provisions of this section:

1. The use of deadly force in violation of departmental rules and regulations;
2. Excessive force or use of force that leads to serious physical injury or death in violation of departmental rules and regulations;
3. Felonious conduct in violation of departmental rules and regulations;
4. Professional dishonesty relating to the reporting, investigation, or prosecution of a crime or to the reporting or investigation of misconduct by another law enforcement officer in violation of departmental rules and regulations.

Language like "minor violations of departmental rules and regulations" are vague terms. Would this include excessive force, sexual harassment with civilians or officers who engage in sexual conduct during prostitution investigations? These are valid questions as [COYOTERI's 2022 charging document report reveals](#) police officers engaging in sexual conduct with women during prostitution investigations. This report has been emailed to every member of the general assembly 3 times since Jan 2023.

“Summary punishment of up to five (5) days suspension without pay may be imposed for minor violations of departmental rules and regulations. Appeals of suspension under this subsection shall be subject to the grievance provisions of any applicable collective bargaining agreement. (c) Suspension may be imposed by the chief or the highest-ranking sworn officer of the law enforcement agency when the accused law enforcement officer is under investigation for a criminal felony matter. Any suspension shall consist of the accused law enforcement officer being relieved of duty, that they shall receive all ordinary pay and benefits up to 180 days.”

In the real world when someone engages in misconduct on their job, they might get a warning the first time and the next time they are fired. This reform doesn't change anything regarding when a law enforcement officer has been charged with a criminal offense. Why would they be suspended with pay?

“The law enforcement agency and the accused law enforcement officer under investigation shall each be responsible to pay fifty percent (50%) of the legal fee of the appointed legal counsel for the hearing committee; provided, **however, that on motion made by either party, the presiding justice shall have the authority to make a different disposition** as to what each party is required to pay toward the appointed legal counsel's legal fee.”

So in other words they are not required to pay anything. When a law enforcement agency is required to pay legal fees, that means the taxpayers are paying the legal fees. This doesn't sound like a real consequence.

“Hearing” means any meeting in the course of an investigatory proceeding, other than an interrogation at which no testimony is taken under oath, conducted by a hearing committee to take or adducing testimony or receiving evidence.” Why would any part of any investigation not be “under oath”? Why would these hearings not be open to the public?

These are just a few examples of why [H7263 doesn't](#) go far enough. We need to repeal LEBOR as Maryland has done. Law enforcement officers should be held accountable for their behavior just like civilians.

We ask you to hold [H7263 over](#) for future study and to support [H7198](#) to repeal LEOBoR entirely.

Thank you for your time and consideration.

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