

**KEY REFORMS NEEDED TO
THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS
AND
THE BALTIMORE POLICE UNION CONTRACT**

1. **The LEOBR 10-day rule must be revised.** Section 3-104 of the Maryland LEOBR permits a 10-day delay in the interrogation of an officer in matters involving possible discipline. This delays the gathering of crucial evidence and leaves the public in the dark about what occurred during the police encounter.
2. **The BPD contract must be revised to prevent indefinite delays in disciplinary hearings in cases involving criminal conduct.** Article 16, Section I of the FOP contract prohibits the BPD from holding disciplinary hearings when an incident is the subject of criminal proceedings. Delay in disciplinary proceedings heightens public frustration with a perceived lack of accountability.
3. **The “Do Not Call” list must be eliminated.** Under Article 16(P) of the LEOBR, employees can't be disciplined or terminated for being placed on “witness do not call list” by SAO of Baltimore City. This provides immunity from discipline for those officers placed on the list.
4. **Performance records should not be subject to special expungement rules.** Several provisions of the BPD contract allow for expungement of complaints filed against officers. Police officers should not be entitled to special expungement benefits that other Marylanders do not benefit from.
5. **Information should be accessible to the public.** Article 16.K of the Baltimore contract states that notice of disciplinary actions may not be shared publicly. This shroud of secrecy fosters distrust between officers and the communities they are sworn to serve. Moreover, law enforcement is funded by taxpayer dollars and the taxpayers have a right to know how their money is being spent.
6. **Limitations on who can interrogate officers must be lifted.** Under section 3-104.b.1 of the LEOBR, an officer can only be interrogated by another sworn officer (or the state Attorney General or his designee if so requested by the Governor). This provision disallows interrogation by more independent agencies or individuals, including the lay public.
7. **Civilians should be given a meaningful role in police oversight.** Civilians deserve greater input and oversight of the law enforcement departments charged with protecting them.
8. **The structure of the hearing board must be revised.** Currently, the hearing board conducts a hearing prior to the chief imposing discipline—this is contrary to how discipline is meted out in other employment settings. The chief should first impose discipline, and then the officer may appeal to the hearing board. Also, the hearing board currently consists of a peer officer—this is troubling when peers have a vested interest in protecting each other from discipline.