



Maryland Coalition for Justice and Police Accountability

REPEAL LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS

BILLS HB 151 & SB 627

WHAT IS THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS (LEOBR)?

LEOBR¹ is the state law that governs the disciplinary process for Maryland police officers. Maryland was the first state to pass such a law, enacting LEOBR in 1974.² While some states have similar laws on the books, most states do not. Maryland's law is considered one of most extreme in the country.

WHY IS LEOBR A PROBLEM?

LEOBR gives special rights to police officers that ordinary people do not get, and prevents communities from investigating misconduct that could lead to discipline.

¹ MD Code, Public Safety, § 3-101 to § 3-113.

² LEOBR was enacted after the Civil Rights Movement of the 1950s and the urban uprisings of the 60s and 70s, which were a direct result of high profile police-involved killings and brutality cases.

These special rights include:

- Generous protections during the investigation of misconduct
- Limits on what discipline can be imposed for certain infractions
- Strict time limits on alleging a complaint, including for police brutality.
- Allowing only other law enforcement officers to investigate misconduct
- Allowing a delay before questioning an officer about misconduct
- Expungement of disciplinary records

As a result, only a very small percentage of complaints actually result in discipline. At the very least, we must know that law enforcement agencies are taking police discipline seriously, and not protecting officers who engage in misconduct.

REPEAL LEOBR

A coalition of over 75 groups from across the state are calling on Maryland legislators to support strong, renewed demands for police reform and accountability:

- 1 **Repeal in full the Law Enforcement Officers' Bill of Rights.**
- 2 Reform the Public Information Act to allow disclosure of all complaints of police misconduct.
- 3 Establish a statewide use of force policy that will prevent officers from using force unless it is necessary.
- 4 Remove police officers from children's schools.
- 5 Return control of the Baltimore City Police Department to Baltimore City residents.

WHAT IS THE SOLUTION?

We need to repeal LEOBR so that it is easier to hold police officers accountable for their misconduct that harms communities and creates distrust. While we need to do more, repealing LEOBR is a necessary step toward accountability by making sure that officers facing discipline do not get extra rights that are not afforded to other state government and civilian employees.

WHAT DOES SB 627 DO?

1. Repeal LEOBR.
2. Minimize the extent to which law enforcement officers have extra due process rights in disciplinary proceedings that do not apply to other government employees.
3. Create a streamlined system that focuses on the substantive question of guilt or innocence, without unnecessary procedural barriers that prevent or delay discipline.
4. Establish that the Chief is the final decision maker, and responsible for overseeing and managing the process.
5. Allow for local jurisdictions to create, through local legislation, external oversight bodies.
6. Preserve legitimate due process rights of police officers as civil servants who can only be disciplined for cause.

Find more information about the five necessary police reforms in Maryland, and the more than 90 organizations calling for them: www.mcjpa.org