

Senate Bill No. 304—Baltimore City Police

AN ACT to authorize and direct the Police Commissioner of Baltimore City to reinstate Shep Hochberg to the Police Department of Baltimore City as a member of the police force.

April 15, 1957.

Hon. Louis L. Goldstein
President of the Senate
State House
Annapolis, Maryland

Dear Mr. President:

Senate Bill 304 requires the Police Commissioner of Baltimore City to reinstate Shep Hochberg as a member of the Baltimore City Police Force with the same rank as he had at the time of his resignation.

Except for now being *mandatory*, instead of *permissive*, the provisions of this Bill are virtually identical with those of House Bill 843 of the 1955 session, which I vetoed on May 9, 1955, (Laws of Maryland (1955) pp. 1326-1327). My veto was sustained by the General Assembly. At that time I stated "this is another instance of ill-advised special legislation to serve the interests of a single person in preference to others who may be similarly situated."

Senate Bill 304, as did the Bill heretofore vetoed, recited the favorable portion of Mr. Hochberg's record with the Department and the fact that he resigned. The bill fails to recite the reasons for his resignation, nor is any cause shown for legislative or executive interference with the administrative discretion vested in the head of the Baltimore City Police Department.

In my previous veto, I pointed out that the late Commissioner Ober had thoroughly reviewed with me the facts and circumstances surrounding the resignation. These facts are distinctly uncomplimentary to Mr. Hochberg, and not only show good cause for his withdrawal from the force, but also for refusing reinstatement. The present Commissioner has again reviewed these circumstances with me, and expressed his firm opposition to the reinstatement of Mr. Hochberg.

At the time of prior veto, a mandamus suit was pending in the Baltimore City Courts to compel Mr. Hochberg's reinstatement. The suit was decided adversely to Mr. Hochberg, and confirms the soundness of the Commissioner's finding that Mr. Hochberg's conduct was "prejudicial to the good order and discipline of the Department."

I have accordingly vetoed Senate Bill 304.

Respectfully,

(s) THEODORE R. MCKELDIN,

Governor.