

House Bill 1369 would prohibit the Harford County Sheriff from terminating an employee without just cause. This provision would not apply to employees who serve at the pleasure of the Sheriff or who are on probationary status.

House Bill 1369 was intended to protect employees of the Harford County Sheriff from arbitrary dismissal. The bill does not, however, provide for an avenue of appeal by which a dismissed employee could contest the action, nor does it define what constitutes "just cause". The lack of any formal appeals process and the ambiguity of what actions would constitute a dismissal for cause effectively undermine the bill's intent.

While I am supportive of any measure that protects the employment rights of law-enforcement personnel, I believe that House Bill 1369 falls short of adequately insuring that procedural safeguards are put in place. The absence of any specific language that does so allows too large a loophole that could preclude a meaningful application of due process in a contested dismissal. Furthermore, the bill does not address the fact that disciplinary actions other than dismissal may be unjustly used against an employee.

As other counties throughout the State have specifically addressed the concerns of their Sheriffs' civilian and deputized employees by offering merit system protection or applying provisions of the Law Enforcement Officers' Bill of Rights, I would urge that this bill be studied further and reintroduced with similar provisions.

For this reason, I have vetoed House Bill 1369.

Sincerely,
William Donald Schaefer
Governor

House Bill No. 1369

AN ACT concerning

Harford County – Sheriff's Office

FOR the purpose of prohibiting certain employees in the Harford County Sheriff's Office from being terminated without just cause; providing that certain employees serve at the pleasure of the Sheriff; prohibiting certain employees from being reduced below a certain rank without just cause; making a stylistic change; and generally relating to employee rights for employees of the Harford County Sheriff's Office.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2-309(n)
Annotated Code of Maryland
(1989 Replacement Volume and 1993 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings