



Senate Bill 1008

*Public Safety – Criminal History Records Check –
Fire Departments, Rescue Squads, and Ambulance Services*

MACo Position: **OPPOSE**

To: Judicial Proceedings Committee

Date: March 12, 2020

From: Drew Jabin

The Maryland Association of Counties (MACo) **OPPOSES** SB 1008. This bill would implement a concerning limitation on fire departments, rescue squads, and ambulance services during the job application process. This piecemeal legislation places a burden on public safety services to implement peer review committees to consider potential hires, when personnel should be providing care and service to the community they serve.

SB 1008 prohibits a fire department, rescue squad, or an ambulance service from requiring an applicant to disclose their criminal record or criminal accusations before the first in-person interview. It also prohibits these employers from conducting criminal history record checks of the applicant. This troublesome bill also requires that each service shall establish a peer review committee to determine whether an applicant is fit for hire.

Public safety employees – routinely called upon to enter people’s property, and to engage with people at their most vulnerable – should be exempt from any type of “ban the box” legislation. Fire departments, rescue squads, and ambulance services are properly held to a higher standard by the public, and such legislation could undermine a community’s confidence in these first responders. Prior “ban the box” legislation already weighed this question, and wisely left these employees beyond its scope.

Another concern raised by the Peer Review Committee established in SB 1008 is confidentiality of personnel records and information. This burdensome, and potentially insecure, requirement would place inappropriate risk on members of the Committee and could also pose grave liability risks for the employer. The legislation does not detail how the Committee protocol would work and does not detail record-keeping procedures or policy.

SB 1008 unfairly burdens our public safety services by requiring them to implement unnecessary administrative hurdles while taking away the necessary background checks and employee vetting processes already set in place. MACo urges an **UNFAVORABLE** report on SB 1008.