



# Retirement News Highlights

Wednesday, December 28, 2022

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## Should law enforcement officers convicted of felonies receive pensions? Two state lawmakers say no.

*State Sen. Jill P. Carter and Del. Jheanelle K. Wilkins plan to introduce legislation that would prevent convicted officers from collecting the benefit*

By Julie Scharper

**The Baltimore Banner**

December 26, 2022

Collage of Gunpowder Falls park sign, ranger's house, ranger seen from behind, and woman in front of window

Two Maryland lawmakers are renewing their push to rescind the state pensions of law enforcement officers convicted of felonies following news that a former longtime state parks official would begin receiving a \$94,500 annual pension despite being jailed awaiting trial on rape charges.

“Nobody wants to pay for police misconduct and still have the police receive those pensions,” said state Sen. Jill P. Carter, a Baltimore Democrat, who plans to introduce the bill in the Maryland Senate when the legislative session begins in January.

“We need to send the message that if you’re a law enforcement officer and you commit crimes when you are on duty, your pension will be at risk,” said Del. Jheanelle Wilkins, a Montgomery County Democrat who plans to sponsor the bill in the House of Delegates.

Both lawmakers supported a similar bill last year, which failed to pass. They are hopeful that outrage over the revelation that former Gunpowder Falls State Park manager Michael J. Browning would be collecting a hefty pension will motivate their colleagues to support the measure. Browning was a park ranger with law enforcement powers.

Browning, 72, who had managed Gunpowder since 1991, was arrested in September on charges that he raped an employee more than 40 years his junior. The following month, a Baltimore County grand jury indicted him on 27 counts related to the alleged rapes of both that woman and another female park employee, both of whom have since left the park service. He is being held in the Baltimore County Detention Center without bail as he awaits a March trial on the charges. He has maintained his innocence through his attorney.

According to police, Browning met the first victim when she was a teenager taking part in a 4-H program run by his wife in their home in Sweet Air in northern Baltimore County. A few years later, he hired the woman as a seasonal employee, moved her into a state-owned home in a remote section of the park, and began a consensual sexual relationship with her, according to police. In September, the woman told police that Browning had violently raped her between 10 and 15 times during the course of their six-

year relationship, according to court documents. As investigators listened in, Browning acknowledged the rapes in a phone call with the victim, police said.

Browning had worked for the park service since 1972 and spent many decades living rent-free in state-owned housing. He was the last holdover from a program in which all park rangers were law enforcement officers; he was carrying a state-issued badge and gun at the time of his arrest. Because of his law enforcement status, Browning earned considerably more than most state park managers. His annual salary was \$153,000 in 2022.

A Baltimore Banner investigation revealed that Browning had fostered a culture of bullying, harassment and intimidation at the park for many years. The Banner spoke with 15 former employees and reviewed eight complaints that they had filed about Browning and his deputy manager. After the investigation was published, three park officials were fired: the superintendent of all state parks, the regional manager overseeing Browning, and Browning's deputy manager. State officials were unable to fire Browning due to his law enforcement status and he retired Dec. 1.

Carter said it was unconscionable that Browning should receive a pension. "He doesn't deserve it," she said. "He's now receiving a benefit from an employment that he abused."

Carter said the bill would enable the Maryland Office of the Attorney General to file to rescind the pension of a law enforcement officer convicted of a felony related to their work. The attorney general's office would have the discretion to ask for the entire pension or just a portion of it to be rescinded, she said.

Wilkins said the measure was inspired in part by the hefty settlements that government agencies must pay to victims of police misconduct. She and Carter were looking for ways for recoup some of those costs.

State law currently precludes elected officials and high-ranking state employees from receiving pensions if they are convicted of a felony while in office. However, other state employees are eligible to collect pensions even if they are in prison.

Carter said she thought the bill did not pass in 2022 because the legislature had approved a landmark police accountability law the previous year. Both lawmakers hoped there would be renewed appetite for the bill in the coming General Assembly session.

However, Clyde Boatwright, the president of the state Fraternal Order of Police, raised concerns about the proposed measure. "The pension is a part of a benefit package to attract and retain people in law enforcement," he said. "Every police department in the state of Maryland is struggling to attract and retain people."

Boatwright noted that not all law enforcement officers receive a pension. Typically, they must work for a police department for at least 15 years and be at least 55 to begin collecting the benefit. Employees pay into the system, much like a 401 (k).

He urged lawmakers to wait a few years to see the fruits of the 2021 police accountability legislation law. "Let's see the results before we start taking away more benefits," Boatwright said.

Carter stressed that law-abiding officers would have nothing to fear from the bill. She argued that police have extraordinary powers and should be held to a higher standard than other state employees.

Wilkins said Browning's case highlighted the urgent need for pension reform for officers.

"For him to be rewarded potentially while in prison with checks from the state and taxpayer dollars — it's just not right," she said.

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