



MONTGOMERY COUNTY ETHICS COMMISSION

June 18, 2025
Waiver 25-06-007

On June 5, 2025, the Ethics Commission received a written request from the Montgomery County Police Department (MCPD) for a class waiver for sworn police officers of the prohibition of 19A-14(a) of the Public Ethics Law related to misuse of prestige of office. The Ethics Commission grants the waiver request as it pertains to sworn police officers working for MCPD.

Despite ongoing efforts to improve recruitment and entice candidates to the ranks of sworn police officers in Montgomery County, the MCPD is constantly looking for ways to improve the incentives offered to such candidates. Recently, the MCPD Training and Education Division and the University of Maryland Global Campus (UMGC) entered into discussions related to a proposed partnership that would result in a benefit offered by UMGC to those persons serving in a uniformed, sworn capacity at MCPD. The benefit would include some waived or reduced fees, a more favorable tuition rate structure where applicable, and credit hours awarded for time in service and certain trainings taken by sworn police officers while on duty, subject to review and approval by UMGC.

This partnership would eliminate the burdensome requirement that all new police recruits have at least 60 college credits, and it would create a pathway for active duty sworn police officers to complete their degrees. This would assist in fulfilling the County's goal of a more highly educated police force, and it would further improve recruitment efforts as an additional benefit conferred upon those persons willing to serve in this vital role.

Pursuant to Section 19A-14(a) of the Montgomery County Code, "a public employee must not intentionally use the prestige of office for private gain or the gain of another." However, the Ethics Commission is granted the authority under Sec. 19A-8(a) to waive a prohibition of Chapter 19A of the Code:

- (a) After receiving a written request, the Commission may grant to a public employee or a class of public employees a waiver of the prohibitions of this Chapter and Sections 11B-51 and 11B-52(a) if it finds that:
- (1) the best interests of the County would be served by granting the waiver;
 - (2) the importance to the County of a public employee or class of employees performing official duties outweighs the actual or potential harm of any conflict of interest; and
 - (3) granting the waiver will not give a public employee or class of employees an unfair economic advantage over other public employees or members of the public.

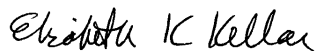
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After reviewing the request by MCPD, the Ethics Commission agrees that granting the waiver is in the best interests of the County, as it increases the County's ability to attract and hire a more competitive class of candidates to fill a vital law enforcement function within the County. The need for a full complement of well-educated and highly trained sworn police officers is imperative to the safety and success of the County and its residents and adding this educational partnership component to the benefits available to current sworn police officers will provide an incentive that enables the County to attract and retain qualified officers and candidates. This incentive does not generate such an advantage to the covered class so as to provide the class of employees an unfair economic advantage over other public employees or members of the public, as the reduced or waived fees are nominal, the tuition rates equate to out of state tuition minus 25% for those who choose to participate in the program, unless a separate tuition rate outside the scope of this partnership applies (i.e., active duty or retired military discount, in-state employee receiving in-state tuition rate, etc.) Therefore, any potential conflict of interest is substantially outweighed by the interest of the County in having a better educated police force. Thus, the Ethics Commission grants this class waiver to all sworn police officers so long as they are acting in that capacity for the MCPD.

The Ethics Commission declines to address the inclusion of sworn police officers employed by the Montgomery County Sheriff's Office or family members of the affected class of sworn police officers employed by the MCPD, as these two additional classes of persons are not subject to the jurisdiction of the Montgomery County Public Ethics Law. Any such agreement between UMGC and these two additional groups of potential recipients are beyond the scope of Chapter 19A of the Montgomery County Code.

For the Commission:



Elizabeth Kellar, Chair