

Chris Sutton

1. Do you support the current deputy work schedule, or do you propose altering the schedule of deputies in any way? If you propose changes, please explain the changes and your rationale for the changes. Explain any impacts the changes in the schedule will have on: costs for the county, morale of officers, and the ability of officers to do their job effectively.

I will change the schedule. Our deputies work 24/7 365 days a year in a county with rapid growth. Our crime rate has rapidly increased disproportionately. The sheriff's office is now the primary law enforcement entity. Our 84 law enforcement deputies work in conjunction with 40 fine troopers assigned to the North East barrack. However our deputies see their fellow officers from various local jurisdictions making more money and with better health and retirement benefits. In these challenging economic times public safety must be a priority to our elected officials. We need to figure out a way to increase morale. Recent legislation will be adhered to and I look forward to working with our county commissioners as well as the FOP to address these issues. There are many things that have little, if any, fiscal impact to include a schedule change. Our deputies have complained for years but still work an archaic schedule with weekly rotations. Our current sheriff has promised a change for years but we still have the same schedule. The midnight shift is seven straight midnights in a row. The schedule has been proven to be detrimental to the health and morale of employees. This remains a challenge in a 24/7 operation however there are various possibilities. I will implement a new schedule as one of my top priorities. There are schedules that actually place more deputies on patrol at any given time and schedules that allow overlaps in shifts during the peak "call for service" times. These changes will certainly allow a more flexible approach and allow us to implement aggressive patrol strategies and target specific areas of enforcement.

The cost associated with a schedule change is dependent on exactly what schedule is implemented. In many cases if there are "power shifts" that overlap coverage, supervisors would not have to assign calls for service to deputies who are about to end their shift but can assign the call to a deputy who is scheduled to be working longer. This will eliminate many situations where a deputy is assigned to handle a serious crime, accident, etc. near the end of his/her shift causing the use of overtime. Overtime is very difficult if

not impossible to predict in emergency service operations. Coordination with our courts can also reduce overtime and improve morale at the same time. Recent homicides have put a huge strain on our criminal investigation division and you can't predict major cases. Our commissioners need to be better educated about the state of affairs in the county and realize that we are being forced by the state to take on more and more responsibilities with less and less funding. Like it or not, the Maryland State Police certainly have reduced personnel at the North East barrack.

We also need to work more closely with the courts to reduce overtime on deputies scheduled days off. There is no "night court" or weekend court in Cecil County. With our 24/7 365 day operation our deputies frequently have days off in the so-called middle of the week. Court scheduling and a closer working relationship with our state's attorney's office could easily save the county tens of thousands of dollars. There must be a way for the courts to schedule routine criminal cases on days when the deputy is working rather than call deputies in on overtime. In addition we will advocate the state's attorney's office to make a policy to make plea agreement offers have an expiration date so to speak. Currently our deputies, troopers, and municipal offers spend countless hours sitting in court only to have a defendant take a plea minutes prior to trial. We would highly recommend to our state's attorney to make plea officers expire the day before trial so it would be unnecessary for witnesses to unnecessarily appear, wait hours, and then be sent home. Make it a policy for defendants and defense counsel to work things out before the last minute. This will also save citizen witnesses and jurors valuable time. If they want to procrastinate until the day of trial, then let's go to trial on all charges and plea deals will be off the table. I guarantee a more efficient process. Let's put the burden on the criminals and not the citizens. Plea bargains are not a right. Take a deal the day before trial or roll the dice.

2. What is your position on binding arbitration and why?

I have been an outspoken advocate for binding arbitration. Our current sheriff publicly and privately advised the FOP to go after collective bargaining with binding arbitration. He then took a beating when he testified in Annapolis that he lied. Our current sheriff proudly took an endorsement from the FOP then changed his mind on this issue. Once legislation was introduced he advised that it was

“confusing”. He had years to study the terms and facts but was confused?

We have come a long way and we know the economy has been in poor shape however this issue has been in the news for many years. As the agency has grown over the years the pay and benefits have failed to keep up. Morale at the agency is poor because our men and women see their fellow officers in surrounding jurisdictions receive better pay, benefits and retirement. If we want to attract and retain the best the county commissioners must come to the realization that they have to improve in these areas. We spend tens of thousands of dollars to train a deputy only to have him/her leave to move on to an agency that has a better benefit package. The “brain drain” is immeasurable and we go back to zero. This cycle must stop. We are the primary agency in the county now and we should be compensated as such. I know this may be unpopular during these tough economic times but public safety should be number one in line for what is available. Our portion of the budget is very small compared to the greater county budget. The silent majority fully supports better benefits for the men and women who put their lives on the line to protect the fine citizens of Cecil County.

It obviously got to the point where the deputies were tired of hearing lip service at election time. Our deputies were lied to by certain people including the sheriff and a previous county commissioner. Once trust was lost on a local level our deputies approached our delegation and entered legislation. Even former Governor Bob Ehrlich publicly supported collective bargaining with binding arbitration for Cecil County deputies not only at a FOP fundraiser but also in a letter to the Cecil Whig editor.

If reasonable people can't come to an agreement why not let a trained independent third party arbiter decide the issue? I'll tell you why - the commissioners know the deputies are right. Don't let them fool you by saying taxes will have to be raised. We have 84 law enforcement deputies. The cost to correct these deficiencies is not that high and taxes would certainly not have to be raised. Would funding from other areas have to be diverted? I would argue yes if additional sources could not be located. For one I would advocate legislatively increasing costs for CARC inmates and implore our judges to actually fine people in criminal court. Our judges routinely

waive fines and costs. Let's make the users of our criminal justice system help pay for it!

3. What are the major concerns affecting the Cecil County Sheriff's Office? What solutions do you propose?

In addition to the above:

1. **Crime Rate** - The serious crime rate in Cecil County has increased over 26% during the first six years of the current sheriff's command. Statewide the crime rate is down over 8% but in Cecil County it is up. These figures take the population change into account as well. Robberies were up an astounding 187% from 54 to 155 during this time frame. Burglaries were significantly up as well. As far as last year Cecil County was only one of four counties in Maryland to see an increase in serious crime.

This situation should be an obvious concern not only to me but also to the public, our county commissioners, state's attorney, judges and parole and probation administration officials. The entire criminal justice system needs to come together in a coordinated effort to address these issues. As far as issues under my direct control I would address numerous issues:

We have a serious backlog of arrest warrants that need to be served. I would make a serious effort to target these wanted individuals. Certainly a small select number of individuals are responsible for a disproportionate amount of criminal activity and I would go after these subjects. I would work hand and hand with probation and parole officers to actively go after the repeat offenders and to more closely monitor those who have been granted probation and parole.

I would also reorganize the agency, increase the number of drug investigators, and reestablish a "Street Level Drug Unit". Our task force goes after the middle and upper level dealers and a street level unit would target the lower level dealers who are more in the public eye. Coordination between the two groups would benefit all involved. I would vigorously go after the assets of these drug dealers as well as the assets of those who transport drugs through the county. I would make training a priority and put an emphasis on education.

Part 2: Crime

1. Cecil County has seen an increase in crime over the past few years. What do you believe is the cause for this increase, and what would you do to reduce it? Specifically address the areas of drugs, gang activity, and promoting safe communities.

Mainly addressed in major concerns above however;

I think the cause for this increase is a very complex set of circumstances. We are probably the last bastion of a somewhat rural county on the I-95 corridor in the northeast. We have been getting squeezed for years by criminal fleeing other areas. Our drug task force investigators routinely arrest drug dealers from Philadelphia, Wilmington and Baltimore. They move into Cecil County because they can escape the competition in those respective areas and make a better profit. They can charge more for their drugs and see a reduced rate of violence among drug dealers.

I also believe that our local judges have been sensitized to the vast numbers of serious crime that is going through the system. Cecil County has reversed course over the last several decades and prosecutors and judges from other jurisdictions, including the federal system, just shake their heads when they hear about the light sentences that our serious criminals receive. I'd love to see a study completed comparing our serious crime sentences to those across the state. We all read the papers and feel outraged but very few want to speak out. My administration will fight for justice and not just sit back, remain quiet and shake our heads.

Gangs are certainly the hot topic issue and can be seen locally. Although not as prevalent as in Harford County we have gangs here in Cecil County. We have an outlaw motorcycle gang with serious rivals as well as more traditional gangs. We routinely see graffiti (tagging) being spray painted on local businesses and public infrastructure. I recently saw one gang challenging another rival drug gang painted on a downtown business in Elkton.

We must continue to work with our youth and educate them about the negative impact that gangs and drugs have on their own lives but also on the community. We currently have deputies assigned to the school board but I do not know how much longer we can keep them there without assistance from the board of education. We have serious issues that could require us to pull deputies from non-traditional policing roles and place them on patrol and/or in investigations. I would love to have a community policing unit if personnel numbers allow it but I must prioritize the placement of deputies.

Again we are spread too thin as it is and must concentrate on criminal investigations.

2. As you look ahead, what specific challenges do you see for the county in relation to crime? How will you deal with those challenges?

Drug crime is the root of the majority of criminal activity that occurs in Cecil County. Our children and citizens get hooked on drugs then resort to criminal activity to support their habit. Here is a typical scenario. A young person gets hooked then begins to steal from family members personal belongings. After those options expire they begin to do petty thefts from vehicles, shoplift etc. to obtain goods to trade and/or sell for drugs. Once they become more desperate they begin to buy enough drugs to support their own habit and sell some drugs as well. After that they begin to do hose burglaries usually in the daytime when the majority of citizens are at work. When things get really bad they resort to armed robberies. The majority of home invasions we read about are drug related robberies. Drug users know who the sellers are and that they have drugs and/or large amounts of cash. It doesn't take a genius to figure that out. The vast majority of our "shots fired" and "drive-by shootings" are drug related as well. A user may get ripped off and then return to challenge the dealer on the street by sending a message. Obviously these victims and witnesses are not cooperative with the police. Our neighborhoods suffer as a result.

We need a comprehensive overhaul of our system of dealing with drug related crime. On the user end my administration is all for rehabilitation for first and second time possession offenders. The Drug Court should be for second time possession offenders and not dealers. We've recently had a major drug dealer in drug court selling to other people in drug court. The sheriff's office and state's attorney's office has representation on the drug court but we believe we should have veto power in denying someone we know is a dealer from getting the benefits of drug court. We advocate strict supervision and testing provisions for those in drug court. Reward those who truly want to get help but punish those who are just in looking for a break and get caught abusing the privilege. Personal responsibility.

If our local Circuit Court Judges continue to sentence as they currently do we would strongly recommend the increased use of binding plea agreements from our state's attorney's office. These agreements bind a judge to a particular sentence. We are all tired of repeat drug dealers getting live-in workout privileges. We don't think the CARC Unit at CCDC was intended

for repeat drug dealers but for child support offenders and minor property crime and traffic offenders We would also continue to take serious drug cases federal as we have seen much better resolution federally. We currently have several Cecil County residents pending trial federally from task force arrests.

We must work more closely with our county commissioners, state's attorney, judges and parole and probation administration officials. The entire criminal justice system needs to come together in a coordinated effort to address these issues. It needs to be an integrated approach. I will make every effort to make that coordination happen.

3. What do you believe is the impact of illegal immigration in relation to criminal activity in Cecil County? What do you believe is the role, if any, of the sheriff in enforcing immigration laws? Please explain any knowledge you have of both 287g and the Safe Community Initiative as well as your willingness to enforce either of these programs.

We see very little impact of illegal immigration in relation to criminal activity in Cecil County. We have much more important issues to tackle before we take on additional responsibilities. We certainly would assist ICE in any enforcement action and would be receptive of any training available from them but we have to put this issue in context. Section 287g of the Immigration and Nationality Act allows for agreements between ICE and local police agencies to allow specially trained officers to enforce immigration laws. This training alone is five (5) weeks for road deputies and four (4) weeks for correctional officers. Currently only Frederick County is the only Maryland agency with any deputies trained by this program. I do not see the need at the present time to partake in this program. Even if we were involved it still takes federal cooperation and we all know what local officials in Arizona are going through. We can round up illegal immigrants but if the feds do not cooperate it is all a waste of resources at this point. We would be dependent on ICE to not only verify but to continue with the process. 287g are a federal program with federal supervision and we would be dependent on them as far as training and subsequent follow-up. Again we have much more pressing issues to deal with and personnel numbers are thin as it is. We are stretched too far right now and need additional deputies to just handle our current tasks.

A “Safe Community Initiative” can go by many names but is certainly something that we see as beneficial to Cecil County. For example – “Celebrate Safe Communities (CSC) is a U.S. Department of Justice-supported initiative designed to help spotlight communities’ crime prevention efforts, enhance public awareness of vital crime prevention and safety messages, and recruit year-round support for ongoing prevention activities that help keep neighborhoods safe from crime. This initiative will help local communities organize safety-focused events. Local CSC activities held in October to coincide with Crime Prevention Month will help Americans of all ages recognize that a safer community is no accident and that crime prevention is everyone’s business every day of the year.”

The National Sheriffs’ Association (NSA) – “has managed the Neighborhood Watch program and has acted as the primary source for information and technical assistance for local law enforcement agencies as it relates to Neighborhood Watch. As the national authority on Neighborhood Watch, NSA plays a vital role in the development and dissemination of training and resources for law enforcement agencies to use in training local Neighborhood Watch groups and law enforcement officers.”

We strongly believe in increased community involvement in not only crime prevention but in crime fighting as well. We need a better partnership with our local business community and we plan on having training on various topics to include premise security, robbery prevention, landlord tenant issues, Gang and Drug awareness, Sex Offender Registration issues, etc. We look forward to working with any local business organization, civic group and/or any private groups that would like a speaker to present information. My administration will work to fill the needs of the community and act as a facilitator to access other resources in order to address any community issue.

Part 3: Laws and Liberty

1. What is your view of the 2nd amendment? Specifically address:
 - a. Do you believe the right to bear arms is an individual right?
 - b. Do you believe Maryland should be a “Right to Carry” state?
 - c. During Hurricane Katrina, citizens were disarmed because of the criminal activity that took place in the aftermath of Katrina. Under what conditions, if any, would you disarm the citizens of Cecil County?

The Second Amendment to the Constitution certainly gives citizens the right to bear arms. As with any amendment dealing with potential criminal matters the Fourth Amendment made applicable to the states by the Fourteenth Amendment deals with search and seizure. The main word in the fourth amendment as it concerns police action is unreasonable. Certain searches and seizures are reasonable without a warrant. That is what drives our appellate court system. Supreme Court justices routinely disagree after having months to read and hear arguments concerning a particular criminal matter. Remember an often only high school educated police officer must make that split second decision on the street in less than favorable conditions.

Back to the questions. Individual rights are often trumped by public order. A nation certainly can't allow certain activity to go unregulated or we would have chaos. That slippery slope is what differentiates the states. State legislatures theoretically pass laws the constituents in those states desire. Obviously some states are more liberal minded or more conservative than others. That is what makes our country great. If we can't change the law we are free to disagree and move to another jurisdiction that we feel is more receptive to our philosophical tastes. Remember law enforcement officers enforce the laws not make them. Maryland is currently a "may permit" state as far as carry rights. If an applicant for a firearms permit can show good cause to do so Maryland may permit the applicant to carry. The next step towards greater freedom to carry is a "shall permit" category. If an applicant meets certain qualifications he/she shall be permitted to carry. I favor shall permit. Everyone knows criminals disregard the law anyway so why not allow law abiding citizens, with the proper training and regulation, to carry a firearm? Maryland has a seven day waiting period which I fully support. It often takes those seven days to confirm a persons' criminal history and to make sure he or she is eligible to possess a firearm. Having this in mind I also support a stronger prosecutorial response when a criminal possesses a gun during the commission of a crime. Let's take the federal Exile approach and put convicted defendants in for a mandatory five years just for possessing that weapon during a crime. I think we would have a much safer society if that were enforced. Let's enforce the laws already on the books.

I see no emergency circumstance where I would have to disarm all citizens of Cecil County. It would be impossible to begin with in reality. Under martial law the federal military could come in and take over law enforcement functions. In Maryland the governor can declare a State of Emergency but I see no circumstance where citizens would be disarmed.

2. What would you do to protect the Constitutional rights of the people in your county against federal intrusion on private citizens, such as violating the 4th amendment, the seizure of private property?

The federal governments has concurrent jurisdiction over many criminal matters. For example bank robbery can be prosecuted by both the state and federal

courts at the same time because the banks are regulated by federal rules and it has been made a federal crime to rob a federally insured bank.

The Fourth Amendment is in play every day in our court system. That is what our system is about. We enforce laws and the defendant is free to argue any potential violation of the fourth amendment in a court of law not on the street. Remember the key phrase is “against unreasonable search and seizure”.

Violations of the Fourth Amendment by federal authorities are handled by federal judges during a “Motion to Suppress” hearing. If evidence was seized in violation to the Fourth Amendment a judge can suppress (or disallow) that evidence and any evidence seized as a result of that illegally obtained evidence from the criminal trial.

Certainly local and federal law enforcement administrators closely watch the passage of new case law as well as the performance of their respective officers. We currently are fortunately enough to have a supervisor at the sheriff’s who is also an attorney. He routinely provides training in these areas not only to the sheriff’s office but to allied agencies as well at no cost.

3. Does federal law supersede state and local laws, and under what conditions, if any, would you be willing to resist federal efforts to arrest Cecil County citizens?

That question is very broad. In some instances federal law and more practically case law decisions can give a citizen more rights. A state however is free to give a citizen more rights but not take away rights.

I see absolutely no situation that I would resist a federal effort to arrest a Cecil County citizen. Our court system is designed to let everyone have his/her day in court not have police officers arguing on the scene of an incident. We are sworn to uphold the laws as written. If someone wants to change the law then he/she and/or group must go through the legislative process. Again that is what makes this country great!

Part 4: General

What would be your top 3 priorities?

1. Address the skyrocketing crime rate in Cecil County (see above).
2. Morale and schedule (see above)
3. Detention Center –

We just broke ground in September for a much needed major renovation and expansion to the Cecil County Detention Center. Our correctional officers work in a very demanding field and they face many challenges. To say it involves stressful work conditions is an understatement. Our

Detention Center recently was the focus of an investigation where items were smuggled into the facility to include cell phones, weapons, and other contraband. Increased training, supervision, as well as planned renovations to the detention center will certainly make for a more secure environment and boost employee morale. We also need to place more focus on technology. I'm a firm believer in working smarter and the use of technology is an ever-evolving process that I will utilize to the fullest extent. I will also work for expanded use of technology involving inmate interaction with District Court Commissioners. Rather than physically transport inmates from building to building for initial appearances (after arrest) I would push for interactive video legislation. This would not only reduce time and personnel costs but would increase public safety but cutting down on the opportunity for escapes. This would also save money in the long run. Inmates would not have to be transported to District Court after an arrest but would have bond set via a videoconference.

As stated above I would advocate for increased fees charged to those inmates accepted into the CARC (live-in work-out) Unit. Those inmates (primarily traffic offenders, child support delinquents and property crime offenders) are granted the privilege of going to work while serving time in a modified security setting. Those inmates currently pay a fee based on income and I believe that in order to get that privilege they should have to pay more. Again I support a user-based system.

Thank you for allowing me the opportunity to answer your questions. I would appreciate your vote as I look forward to the upcoming election.