



**Testimony Supporting with Amendments:
SB 1029 Public Information Act - Personnel and Investigatory Records - Complaints
Against Law Enforcement Officers**

On June 11, 2018, a Montgomery County police officer accosted, pursued, and then shot and killed Robert W. White, an unarmed Black man strolling in his own neighborhood. Silver Spring Justice Coalition began as a community response to Mr. White's needless death and to the department's conclusion that the officer's actions were lawful and justified.

In August 2018, dozens of community members and neighbors of Mr. White convened at a forum with then police chief, Thomas Manger, and sought answers to the shooting. We received few answers.

Delegate Jheanelle Wilkins (D-20) said she keeps coming back to one thing:¹ "We have someone, who was a neighbor, who was a constituent, Robert White, he was walking in his neighborhood, like he does often, and now he is dead," she said.

Community members raised questions about the history of the officer who killed White; in particular, whether the officer has shot other people as part of his job, and whether the officer has received complaints of excessive force or racial profiling. This information, while valuable to the safety of community members, is barred from public access due to current limitations in the Maryland Public Information Act, which places this information behind a shield of 'personnel records.'

Studies have found that a small number of officers within a department, amass the majority of complaints. A Chicago Tribune report evaluated police complaint data filed between 1967 and 2014 against some 25,000 different Chicago police officers.² More than 100 complaints involved seven officers, and another 62 officers received at least 70 complaints. Community interest in making this information public in Maryland is twofold:

1. Transparency; ensuring that officers with a history of excessive force are not allowed to infringe upon the safety of a community.

¹ <https://bethesdamagazine.com/bethesda-beat/police-fire/officials-face-questions-at-public-meeting-about-robert-white-shooting/>

² <https://www.chicagotribune.com/investigations/ct-chicago-police-complaints-met-20161013-story.html>

2. Accountability; empowering the community to hold its elected officials and police chief responsible for wise officer hiring, promotion, and retention decisions.

Accordingly, the Silver Spring Justice Coalition Supports this bill with the following amendments, which allow for disclosure, regardless of the outcome of the complaint related to:

1. Use or attempted use of force;
2. Sexual assault;
3. Dishonesty, perjury, false statements, false reports, destruction, creation, falsification or concealing evidence, directly related to the reporting, charging, investigation, or prosecution of unlawful conduct;
4. Discrimination or bias;
5. Misconduct alleged by a member of the public, or involving an interaction with a member of the public, that is directly related to the reporting, charging, investigation, or prosecution of unlawful conduct; and
6. Criminal activity by a law enforcement officer.

The Silver Spring Justice Coalition is an advocacy group of individual residents, faith-based and grassroots organizations, congregations, and local chapters of national organizations working to stop police violence and abuse in Montgomery County and Maryland through legislative, policy, and public education initiatives.