

**Testimony for the House Judiciary Committee
March 3, 2020**

HB 1221

Erica Hamlett, Affected Parent

Opposed unless Amended

In November 2017 my son was approached by a stranger near our home (in Howard county). It was around 3:45 in the afternoon. The man was wearing a black hoodie and blue jeans. My son's van pick-up to his activity was late so he and a friend stopped to wait. The stranger asked my son and his friend "What they were doing in the area because they didn't look like they lived around there", they responded that they were just about to finish walking home from school and had stop to wait to be picked up. The person kept asking them to justify their presence in their own neighborhood. Finally my son asked to be left alone after the stranger said someone was going to call the police on them, my son's response was " Go ahead and call the police, because he was harassing them". Other people were outside getting their children off school buses coming in and out of their homes no one thought the teens, wearing bookbags, only a few blocks from school looked out of place. After a few more questions the unidentified man pulled a gun on him! Turns out he was an off duty Baltimore City Police officer who lived across the street and assumed the kids didn't live in the area.

After the incident, I filed a peace order (which was granted) against the officer as my son had to walk past his house every day to get to and from school. I shared my son's story and 'live' video of the incident for public awareness on my social media and was sent an article from the Baltimore Sun about this same officer breaking a suspect's jaw. The city paid out a \$55k settlement. This wouldn't have been public information or could be found on any BPD's record, if it wasn't for the news story. I also found out that the officer has broader litigation against him related to fraud and theft.

As for the peace order, it presented its own set of challenges that would be addressed by this legislation. When you file a peace order, you are asked for private information including our school and home address. And yet, under the police officer's side of the peace order, there was no information for him as they used the police department's address, while our information was made public to anyone.

Before and during our internal affairs interview I asked and they did not share if the officer had been suspended or where he was working. This officer admittedly pulled his service weapon on a 16 year old child. He had an open peace order against him for doing so, made false statements to Howard county police and in court, but was still permitted to continue to work and carry is service weapon.

Internal Affairs: Unaware of how the process works I asked questions but, internal affairs seemed to use intimidation tactics to avoid providing my family with any information. This seemed to occur after I

attended the public consent decree meetings. I would share my son's story to point out that the process for investigations has been streamlined, but little to no updates or guidelines had ever been provided to us. We felt very unsafe throughout the entire process and still do to this very day. After nearly every testimony I would give at the consent decree public meetings I would receive calls from Internal Affairs, not give any information or updates but to be badgered for updated information, that we had already provided to them repeatedly. My son's story never changed, unlike the officer's. I also shared with them how stressful their approach had been. Asking that I only be contacted through written correspondence.

Once the Internal Affairs' investigation was completed, I received a call stating the officer would be charged departmentally and a letter would be sent via certified mail. After I gave the sergeant my corrected address they still mailed it to the wrong address (which I heard was another tactic that's used), a letter was forwarded from an old address and read,, "That there was enough evidence to sustain the allegations" thanking me for my time and voicing my concerns. But, the letter had no indication of what, if any, punishment or disciplinary action would be taken then or in the future. My family and I don't know if the officer was still working, on the street, has a gun, or is on desk duty nothing. We live in constant fear that we could encounter him while he's on duty. We also moved from Howard County to Baltimore County, because we lived near him and it was too much for my family. We travel to Baltimore city often and whenever we do the uneasiness lingers because my son and family have no idea if this officer is still on duty. Using Case Search we found out that he was still on active duty at least until September, 2018 at which point I could not find any further information on his activities.

My son's case was just heard on the 24th of January by the Baltimore Civilian Review Board. Thanks to the Civilian Review Board who assisted me with instruction on how to look for the case on the transparency boards website I found his Administrative Hearing date and that it appears he must be appealing whatever disciplinary actions were taken against him. The way this current law stands If persons don't attend the administrative hearing victims we will have no other way of knowing what the results of the investigation are. We continue to live with the deep concern that this abusive officer is still in uniform walking the beat, with the potential to harass my son, family and others again. Victims of unlawful police practices have no closure. While officers that commit criminal acts are protected. Let's not forget non-disclosures come along with lawsuits all to ensure these incidents go away quietly.

What happens next has my son and family terrified! Even if he's terminated will he still be permitted to carry a weapon? Will he be allowed to work in law enforcement somewhere else? What background information would be accessible to future employers? Who protects victims? We need more transparency!