



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

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PUBLIC POLICY DIRECTOR

**HB 1309 Criminal Procedure - Law Enforcement Procedures - Use of
Force**

INFORMATIONAL

AMERICAN CIVIL
LIBERTIES UNION
FOUNDATION OF
MARYLAND

The ACLU of Maryland offers informational testimony on HB 1309, which would limit the types of force law enforcement officers are permitted to use.

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As this committee knows, Black Marylanders make up only 30% of the population. Yet, nearly 70% of people who died in deadly police encounters between 2010-2014 were Black. A follow up report in 2015 found that number actually increased – to 81%, and 100% of those Black Marylanders who died were unarmed.¹

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These statistics point to institutional racism and bias, and communities are calling for more transparency and accountability for law enforcement agencies to those Black and Brown communities most heavily policed.

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The ACLU of Maryland appreciates and supports the sponsor for drawing attention to the long-overdue need to limit the force that law enforcement is permitted to use in interacting with the public. Should this body advance legislation to address use of force, we encourage the committee to examine closely the current constitutional standards governing use of force and attempt to raise the standard to offer greater statutory protections than that to which Marylanders are currently entitled. We would also encourage the committee to frame legislation to prohibit what force is barred, as opposed to permissive language allowing force to be used in certain circumstances.

The ACLU of Maryland would welcome the opportunity to work with the committee to craft use of force limitations.

¹ ACLU of Maryland Briefing Paper: Deaths in Police Encounters in Maryland, 2010-2014 (March 2015), available at https://www.aclu-md.org/sites/default/files/legacy/files/md_deaths_in_police_encounters.pdf.