

## **Testimony in OPPOSITION to SB 626**

Law Enforcement Officers – Use of Force

Maryland Coalition for Justice and Police Accountability

March 25, 2021

Dear Honorable Chairman Clippinger, and Members of the House Judiciary Committee:

The Maryland Coalition for Justice and Police Accountability (MCJPA) provides this testimony in opposition to **SB 626, Law Enforcement Officers – Use of Force**, to establish in Maryland a statewide use of force statute for law enforcement officers. MCJPA is a statewide coalition of over 90 organizations united to achieve meaningful police reform in Maryland – and includes individuals and family members who have been impacted by police violence, as well as civil rights activists, legal experts, religious leaders, and advocacy groups. The Coalition would support SB 626 as originally drafted, but not in the manner in which it passed the Senate.

As you know, Maryland is one of only nine states without statutory limits on use of force, and Supreme Court case law fails to protect the lives and safety of Maryland residents. Unfortunately, SB 626 does no better. Under SB 626 as amended, the legal standard is both weak and also unconstitutional. Authorizing force merely to “gain compliance” or “control a situation” goes against the U.S. Supreme Court’s ruling in *Tennessee v. Garner*.<sup>1</sup> The bill has also been stripped of its clarifying definitions, an explicit civil right of action, and almost all enforcement and accountability mechanisms for both officers and law enforcement agencies.

HB 670, however, now includes important language from HB 139, which the Coalition supported, particularly raising the legal standard to allow force only when it is necessary and proportional, after exhausting reasonable alternatives. We strongly believe that it is precisely because law enforcement officers have so much power over the people they serve – to legally kill them – that there must be meaningful accountability when they use unnecessary force.

We stand with the families of Anton Black, Korryn Gaines, William Green, Leonard Shand, and so many other Black Marylanders who have been killed by police officers in Maryland, and whose loved ones come before this committee year after year, pleading for meaningful change. Despite the best efforts of many members of this committee, real change has yet to come.

The use of force statute in HB 670 will hold officers and agencies accountable for unnecessary and excessive force, and start to change the culture of policing so that officers serve communities to uphold Constitutional rights, and preserve every human life. Maryland must do more to keep our residents safe, and the General Assembly has the obligation to act boldly, and ensure that law enforcement officers and agencies are meaningfully held accountable.

**The MCJPA urges an unfavorable report on SB 626.**

Respectfully,  
Maryland Coalition for Justice and Police Accountability

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<sup>1</sup> 471 U.S. 1 (1985).

*\*See the full list of coalition membership attached.*

Advocates for Children and Youth  
ACLU of Maryland  
ACLU of Maryland, Montgomery County Chapter  
Amnesty International  
Arts Education in Maryland Schools Alliance (AEMS)  
Baltimore Action Legal Team  
Baltimore Bern Unit  
Baltimore City Civilian Review Board  
Baltimore City Democratic Socialists of America  
Baltimore for Border Justice  
Be More Unified  
Council on American-Islamic Relations (CAIR) Office in Maryland  
CASA  
Caucus of African-Americans Leaders  
Citizens Policing Project  
Coalition for Justice for Anton Black  
Coalition of Concerned Mothers  
Coalition of People Opposed to Violence and Extremism  
Common Cause Maryland  
Community Actively Seeking (C.A.S.T.)  
Community Justice  
Disability Rights Maryland  
Do the Most Good  
Drug Policy Alliance  
Equity Matters  
For Kathy's Sake  
FreeState Justice  
Greater Baltimore Democratic Socialists of America - Steering Committee  
Greenbelt People Power  
Hispanic National Law Enforcement Association  
Homeless Persons Representation Project  
Innocence Project  
InterFaith Action for Human Rights  
Jews United For Justice  
Job Opportunities Task Force  
Justice for Tyrone West Coalition  
Justice Policy Institute  
Kevin L. Cooper Foundation  
Law Enforcement Action Partnership  
Leaders of a Beautiful Struggle  
League of Women Voters Maryland  
LGBTQ Dignity Project  
Life After Release  
Making Changes  
Mama Sisterhood of Prince George's County  
March for Our Lives Maryland  
Maryland Alliance for Justice Reform  
Maryland Center on Economic Policy  
Maryland Consumer Rights Coalition

Maryland Defenders Union  
Maryland Justice Project  
Maryland Office of the Public Defender  
Maryland Poor People's Campaign  
Maryland Prisoners' Rights Coalition  
Maryland Restorative Justice Initiative  
Maryland State Conference of NAACP Branches  
Marylanders to Prevent Gun Violence  
Moms Demand Action  
Montgomery County Civil Rights Coalition  
Montgomery County Democratic Socialists of America  
Mothers on the Move  
NARAL Pro-Choice Maryland  
NAACP Legal Defense and Educational Fund  
National Coalition for Drug Legalization  
Nigerian American Lawyers Association - Washington DC Chapter  
Organizing Black  
Our Maryland  
Our Prince George's  
Our Revolution Maryland  
Out For Justice  
Planned Parenthood of Maryland  
Power Inside  
Prevent Gun Violence Ministry, River Road Unitarian Universalist Congregation  
Prince George's County Branch of Democratic Socialists of America  
Prince George's People's Coalition  
Prisons to Professionals  
Progressive Maryland  
Public Justice Center  
Racial Justice NOW!  
Rebuild, Overcome, and Rise (ROAR) Center at UMB  
Reproductive Justice Inside  
Sanctuary DMV  
SEIU 1199  
Showing up for Racial Justice Annapolis and Anne Arundel County (SURJ3A)  
Showing Up for Racial Justice, Baltimore  
Showing Up for Racial Justice, Montgomery County  
Sierra Club Maryland Chapter  
Silver Spring Justice Coalition  
St. Ignatius Catholic Church, Justice & Peace Committee  
Takoma Park Mobilization  
The JustUs Initiative  
Wicomico County NAACP Branch 7028  
Women's Law Center  
Young People for Progress