



City of Havre de Grace

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To: The Honorable Luke Clippinger, Chairman and
Members of the Judiciary Committee

Date: February 5, 2021

Ref: HOUSE BILL 670 Police Reform and Accountability Act of 2021

I have attached the following concerns amendments and opposition on House Bill 670;

Page 7 Line 17-18 amend - To keep MML on this Commission. MML represents 157 municipalities and varying police agencies.

Page 8 Line 3-4 amend – Continue the presence of 3 sworn police officers on this commission. They are the experts on the commission.

Page 8 Line 9-10 opposed -Increasing the number from 2(two) to 9(nine) without relationship to law enforcement. How can an individual make an informed decision without a basic knowledge of law enforcement? Where is the funding for this derived mandate?

Page 8 line 26 opposed - to deletion of LEOBR. The deletion of LEBOR is detrimental to the mental safety for police officers and recruiting by police agencies.

Page 9 line 22 - opposed what is definition of implicit bias, this is a vague far-ranging scope. Has anyone established a viable test to use as a template? What is the time frame for implementation? Where is the funding for this derived mandate?

Page 9 line 23-24 opposed – What is the criteria for testing?

Page 9 line 25-26 opposed – What is the criteria for testing? What is the time frame for development and implementation?

Page 9 line 27-28 opposed - The training commission should have the latitude to establish the time frame for this type of training. They established firearms, sexual harassment and in-service requirements? Where is the funding for this derived mandate?

Page 10 line 9-10 opposed - Each agency has already established physical agility and fitness requirements that meet the Police Training Commissions Standards.

Page 10 line 25-28 opposed - The Police Training Commission should have the latitude to establish the time frame for this type of training. Where is the funding for this derived mandate? What is the fiscal impact to police agencies?

Page 11 line 17-18 opposed - The Federal Gun Control Act, 18 U.S.C. § 922(g)(3), prohibits any person who is an 'unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)' from shipping, transporting, receiving or possessing firearms or ammunition. Marijuana is listed in the Controlled Substances Act as a Schedule I controlled substance, and there are no exceptions in Federal law for marijuana purportedly used for medicinal purposes, even if such use is sanctioned by State law.

Page 15 line 3 opposed – Where is the funding for this derived mandate? What is the fiscal impact to police agencies? If passed, the legislation would create an unfunded mandate that could result in budgetary impacts on already stressed police department budgets, which has the potential to reduce funding allocated not only to programming and services reductions but training for law enforcement officers as well. The fiscal impact to the city of Havre de Grace is estimated at \$50,000 annually.

Page 17 line 9 amend – to delete the wording “objectively” and “appears to be” is subjective to legal interpretation and could differ from person to person. Violates the ruling by the Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989),

Page 17 line 13-15 opposed – This creates a hindsight position, reviewing the actions after an incident. Violates the ruling by the Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989),

Page 17 line 17 opposed – Police officers are trained and required to intervene in unnecessary use of force by other law enforcement officers?

Page 18 line 27 amend – deletion of the wording “armored or” The Armored Rescue Vehicle is deployed operationally on the following types of incidents:

- High risk search warrants and arrest warrants targeting armed and dangerous individuals. These are warrants are typically served by the SWAT team and the armored vehicle is an asset that is utilized during service.
- SWAT Team Callouts dealing with all tactical problems from barricaded and armed subjects to hostage rescue.
- Sniper style shooting, school violence and rescue of injured officers and/or citizens would require the use of an armored vehicle. Without the availability of an armored vehicle, law enforcement can be held at bay by an individual using a high powered rifle. Time is in critical in saving lives during these events.
- The armored vehicle is a regional asset and would be deployed in the event a mutual aid request was made by a surrounding law enforcement agency.
- Respectfully,



David Martin

Havre de Grace City Council Member

MML Legislative Committee Member

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